

Report

International Mission of Inquiry

The Conditions of Detentions of the Moroccan POWs Detained in Tindouf (Algeria)

- 11th-25th April 2003 -



France Libertés
Fondation Danielle Mitterrand

The Fondation France Libertés led an international mission of inquiry on the conditions of detention of the Moroccan prisoners of war held in Tindouf (Algeria).

From 11th to 25th April 2003, we met with about 700 prisoners, and held 338 individual interviews. We travelled to Western Sahara, on the east side of the Moroccan military wall, then to all the localities situated there to the exception of Zug. Then we visited the detention centres of Dakhla, of El Ayoun, then the detention centres of Rabouni and of the 9th of June, respectively called Hamdi Abba Cheikh and Mohamed Lessied.

This international mission of inquiry was no easy task: every time, we had to establish a climate of trust towards a Human Rights organisation, whereas on several occasions, prior to our visit, the prisoners had met with foreign organisations and had suffered retaliations from the Polisario Front. The fact that we support the right to a referendum of self-determination for the Saharawi people did not create any obstacle in itself, but on occasions, this position triggered discussions.

On the other hand, the freedom with which we accomplished our work, and which was the *sine qua non* condition of our mission, sometimes brought out fear and surprise in our interlocutors. Our freedom of movement and the strict confidentiality of our meetings were such a novelty to the prisoners that some of them felt suspicious about it all, and we had to do a great deal of explaining and convincing.

We are indeed deeply grateful to all these men for the trust they showed us. This present report does not show the names of any witnesses so as not to endanger the life of the persons with whom we met. As for the names of the victims, they are listed here with the consent of their families as relayed by the organisation that represents them in Morocco¹.

As for the torturers, their names appear in the report- some of them are already well known.

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General Introduction

From 28th October to 5th November 2002, France Libertés conducted an international mission of inquiry in the territory of Western Sahara, to the west of the Moroccan military walls. The investigation targeted the situation of the civil, political, socio-economic, and cultural rights of the Saharawi people, as well as the situation of the economic exploitation of this non autonomous territory.

Following this first investigation, it became possible to envisage a second international mission of inquiry focussing on the conditions of detention of the Moroccan Prisoners of war held by the Polisario Front.

We were of the opinion that the Saharawi authorities would allow us to work on this question.

Most of the Moroccan POWs have been held for over 20 years. Some of them were captured in 1976, while the most recent ones were caught in August 1991, a few months only before the implementation of the UN cease-fire. Despite the length of their captivity, there has been very few detailed and concrete information on the treatment the Moroccan POWs have endured.

In fact, although the International Committee of the Red Cross (ICRC) has been visiting the prisoners since the eighties, this institution is bound by a clause of confidentiality which restricts its public statements to the state of health of the prisoners.

The POWs are not jailed in or confined to any closed space, as happens with most prisoners around the world. But the “openness” of the space where they live is a mere illusion.

As such, although the presence of guards is minimal, the desert is in itself puts an insurmountable limit to the POWs.

What’s more, the Polisario Front is perfectly informed of anything being said or done in the detention centres via informers operating amongst the POWs themselves. This form of self-censorship is a reality which obliged us to be even more on guard so as to be sure to establish a climate of trust with the witnesses who, at the best, were extremely reluctant to communicate, when they were not absolutely overwhelmed by terror.

This was particularly striking as certain of their fellow detainees with some influence embarked on a real work aiming at discouraging the other POWs from testifying to us- a situation to which we were also witness.

Most of the POWs move outside the detention centres but this does not mean at all that they enjoy any freedom of movement. They never chose to move around: this mobility was imposed on them as a constraint in the context of the practice of hard labour.

This is why it is impossible to draw up a map- which would be static by its very nature- of the scattered groups of POWs and the various detention centres. Only the most seriously ill POWs stay in the prisons of Rabouni or of the 9th of June. As for the officers, they are also permanently held in Dakhla, where they are kept apart from the private soldiers.

All the POWs we met with spent time and worked in all the refugee camps and the military regions for periods varying between several months up to 3 years.

Although some POWs feel there are no differences at all between one place of detention and another as far as their treatment is concerned, for our part, we were able to see how much harder the conditions of detention are in the military regions, particularly those in the south that are extremely isolated.

We decided to travel to Western Sahara, in the military regions on the east side of the Moroccan military walls, because we gathered that the conditions of detention would be different from those prevailing in Rabouni.

This is the reason why we did not have the time to go to the detention centre of the Smara refugee camp- yet we met some of the POWs held there and who had been moved to the detention centre of the 9th of June in view of a visit from the delegates from the ICRC.

We also met with POWs usually held in Zug who had been transferred to Rabouni for the same visit of the ICRC.

Also, we were not able to go to the detention centre of the Aousserd refugee camp where, at the time, the Moroccan POWs were literally busy working day and night as they prepared the festivities for the 30th anniversary of the creation of the Polisario Front (May 2003).

The main interrogation of the POWs we met had to do with the relevance of our investigation on their conditions of detention. As it happens, almost all the POWs feel they have already testified on this issue to the ICRC, as well as to certain Spanish, Italian, and French organisations of solidarity with the Saharawi people which visited them- let alone the US Carter Centre Foundation.

This is why many of them were convinced that what they testified on previously was already well known by everybody and the international public opinion.

As for us, our main wonder was why so far the conditions of detention have not been made public knowledge- given that since 1984 former POWs who were released could have testified in Morocco.

Another cause of wonder: why do some former Polisario Front torturers who went over to Morocco enjoy total impunity- if they do not, as happens for some of them, enjoy important official positions which were given to them?

During these two weeks of investigation, the POWs gave us testimonies on how the Polisario Front and Algeria denied and continue to deny their most basic rights.

First part :

**Of the applicability of International
Humanitarian Law to the Moroccan POWs**

I - THE OPPOSABILITY OF THE GENEVA CONVENTIONS TO THE DETAINING POWERS

The ICRC (International Committee of the Red Cross) considers that the Polisario Front is the power responsible for the detention of the Moroccan POWs. Before our mission, its delegates told us that they did not have any contact with the Algerian authorities as far as the issue of the detainees are concerned.

Yet at the end of our mission, there is no doubt that this question is as relevant to the Polisario Front as it is to Algeria.

A - The opposability of the Geneva Conventions to the Polisario Front

Can the *Geneva Conventions*, particularly those relative to the treatment of POWs, be opposed to the Saharawi authorities who did not sign them as a State?

Can a liberation movement like the Polisario Front nevertheless commit itself formerly to the *Geneva Conventions*?

1- The Polisario Front's commitment as expressed in 1975

International Humanitarian Law is fully applicable to international armed conflicts, the actors of which are recognised States.

Yet, the interest of the victims, which is the basis of the *Geneva Conventions*, as well as the universal meaning of International Humanitarian Law compelled the international community to take into account the increasing complexity of some conflicts, the protagonists of which were others than States, particularly at the time of the decolonisation process.

This is why liberation wars constitute a category of armed conflicts which appears for the first time in international law on 20th December 1965, when the UN General Assembly said that it “...recognises the legitimacy of the struggle that the people under colonial domination lead towards the exercise of their right to self-determination and independence [...]”²

Then on 7th November 1968, for the first time ever, the UN General Assembly called for the applicability of the 3rd *Geneva Convention*³ on the treatment of prisoners in the context of a liberation war, in that case, the conflict that was then taking place in Southern Rhodesia.

The applicability of the overall *Geneva Conventions* to the wars of national liberation as to international armed conflicts then became one of the rules of international law⁴.

In fact, article 1 of the *First Additional Protocol* of 1977 on humanitarian law of the *Geneva Conventions*, includes in its definition of international armed conflicts those:

² Resolution 2105 (XX)

³ Resolution 2383 (XXIII)

⁴ Resolution 3103 (XXVIII) of 12th December 1973 relative to the founding principles of the legal status of combatants fighting against colonial and foreign domination, and racist regimes, as well as *First Additional Protocol* on the protection of victims of international conflicts, 8th June 1977.

“...in which people are fighting against colonial domination and foreign occupation and against racist regimes in the context of the exercise of the right of the people to determine themselves.”

Thus these people enjoy the protection of International Humanitarian Law⁵.

Is the Western Sahara conflict a national liberation war as defined by international law?

The United Nations recognised the Saharawi people's right to self-determination because they are the people of a non autonomous territory⁶. The United Nations also recognised the Polisario Front as the representative of the Saharawi people⁷.

The Spanish authorities who withdrew from the territory on 26th February 1976 are still considered by the United Nations as the administering power of the territory⁸. Even if Morocco, who substituted itself to Spain in the territory, is not a colonial power in the usual sense of the term, this does not change anything to the legal definition of the conflict in Western Sahara.

In fact, the *First Additional Protocol* of the *Geneva Conventions* also targets the wars of national liberation led against any type of foreign occupant, the possibility of which would not have been envisaged by the dispositions of 1949 which only dealt with classical wars of occupation.

Therefore, the situation of foreign occupation mentioned in the *First Additional Protocol* is relevant for the Moroccan occupation of Western Sahara.

It must be said that, although Morocco is not formally tied by the *First Additional Protocol*, as it never ratified it, this did not prevent the Kingdom's authorities from allowing the visits of the ICRC as from the beginning of the conflict. Thus, the Moroccan authorities implicitly admitted the applicability of the 3rd Geneva Convention in the conflict that opposed it to the Polisario Front⁹.

These developments of International Humanitarian Law may sound very formal, yet they made it possible to extend these norms to subjects other than States- thus broadening the protection of the victims of armed conflicts, at least in theory.

The possibility to oppose International Humanitarian Law to national liberation movements such as the Polisario Front is not just a typical case study- the issue of the Moroccan POWs illustrates this point.

The Saharawi authorities did not simply submit themselves tacitly to the *Geneva Conventions* when they allowed the visits of the ICRC.

In fact, although liberation movements cannot formally commit themselves to the *Geneva Conventions* in the same manner as a State can, there is another procedure for them which is equivalent: *The Declaration of Implementation of the Geneva Conventions of 1949*.

⁵ First Additional Protocol on the protection of victims of international conflicts, 8th June 1977.

⁶ Since 1963 Western Sahara is on the UN list of non autonomous territories. According to international law, the status as non autonomous territory only comes to an end with the exercise of self-determination.

⁷ UN Report of the Mission on the Situation of the People of Spanish Sahara, October 1975.

⁸ Opinion of the UN Legal Department, 29th January 2002.

⁹ Since the beginning of the conflict, the ICRC went on the ground. This does not mean that the ICRC had access to all the victims, far from it.

In 1975, the Polisario Front sent such a *Declaration* to the Swiss Federal Council which is the keeper of the *Geneva Conventions* and of the *Additional Protocols*¹⁰.

The end of military hostilities in 1991 did not put an end to the implementation of the *Geneva Conventions*, particularly those ruling the situation of people still held after the end of hostilities.

Therefore, the fact that the Polisario Front could not ratify the *Geneva Conventions* as a State does not free it from the obligation to respect them.

2- The 1991 UN Peace Plan cannot be opposed to International Humanitarian Law

The 1991 UN Peace Plan foresees the release of all POWs on completion of the identification process of the referendum of self-determination.

Their release or exchange is planned to take place at the beginning of a transition period due to start roughly 6 months before the holding of the referendum.

Initially the referendum was due to take place in January 1992. The repeated postponements of the holding of the referendum led to the contradiction that has been identified between the 1991 UN Peace Plan and the 3rd Geneva Convention on the treatment of POWs.

As early as 1992, the ICRC conveyed its worry over the fact that the release of the POWs was included in the 1991 UN Peace Plan to the UN Secretary General. In fact, there is no doubt that the logic of the Peace Plan makes the release of the POWs dependent on the holding of the referendum.

In 1991 the cease-fire was implemented- and today it appears that this is the only tangible element of the Peace Plan that the parties ever respected.

This situation also explains why some 12 years after the end of military hostilities, in complete violation of International Humanitarian Law¹¹, the Polisario Front still holds 1157 Moroccan POWs, ten or so of whom are civilians who were kidnapped by the Saharawi army.

For the Polisario Front, the deadlock over the 1991 UN Peace Plan justifies the continued detention of the POWs, as this organisation considers that it is bound only to the 1991 UN Peace Plan, and not to the *Geneva Conventions*.

Yet we have just seen that in 1975, the Saharawi authorities formally accepted the Geneva legislation.

What's more, if initially the 1991 UN Peace Plan was not contradictory to International Humanitarian Law, it became contradictory as soon as the first postponement of the referendum happened. In fact, Article 6 of the 3rd Convention states that :

“[...] No special agreement can ever be prejudicial to the situation of the prisoners, such as it is legislated by the present Convention, nor restrict any of the rights that it grants”.

¹⁰ *Principes de droit des conflits armés*, Eric David, éditions Bruylant, France.

¹¹ Article 118, 3rd Geneva Convention: *“The prisoners of war shall be released and repatriated without delay after the end of military hostilities.”*

Nevertheless, nearly ten years passed since the implementation of the 1991 cease-fire until the United Nations explicitly called on the parties in conflict to solve the question of the persons who “disappeared” and to release the POWs held since the beginning of the conflict¹².

B- The Geneva Conventions are applicable to Algeria

According to the terminology of the United Nations, Algeria is a party with an interest in the conflict of Western Sahara. It was the first State ever that recognised the Polisario Front and the Saharawi Arab Democratic Republic.

Algeria also provided the Polisario Front with the necessary weapons and the military logistics during the armed conflict, and conceded part of its territory to the Saharawi Republic.

Although Algeria always rejected the idea of a bilateral Algerian-Moroccan conflict¹³, in January and February 1976, in Amgala, there were direct battles between the armies of these two countries.

The involvement of Algeria in the conflict is well known, and our purpose here is not to explain it, nor to dwell on what the question of Western Sahara brought to light about the relationship between the two rivals of the Maghreb and their respective goals¹⁴.

On the other hand, the degree of involvement of Algeria is directly relevant to us in so far as it determines responsibility of this country in the treatment of persons who are protected by the *Geneva Conventions* and are held on its territory.

As a sovereign State, Algeria is responsible for everything that happens on its territory, including in the part near Tindouf which is commonly known as Rabouni and which is where the administrative services of the Saharawi State in exile are gathered- unless there is some sort of alienation or limitation of territorial competency to the benefit of the Saharawi authorities, as the control post of the Saharawi Security, which follows the control post of the Algerian security, wishes to indicate as it signals its “frontier”.

Yet it is far from obvious that any such limitation of competency as it might exist, affects in any way the personal competency of Algeria over the Moroccan POWs.

All the testimonies collected during the mission establish that the Algerian authorities can be considered, from more than one point of view, as one of the powers holding the Moroccan POWs.

¹² Resolution 1359 of the UN Security Council, 29th June 2001.

¹³ Only Algerian President Boudiaf on 3rd February 1992 will ever refer to the conflict as an event in which both Algeria and Morocco have a shared interest (*Jeune Afrique*, #1624, February 1992). In early March 2003, in *La Gazette du Maroc* and the Algerian daily *La Nouvelle République* (11th and 12th March 2003), Algerian retired general Khaled Nezzar referred to the conflict as being an issue only between Morocco and Algeria.

¹⁴ On this topic, see *La politique extérieure de l'Algérie*, Nicole Grimaud, éditions Karthala, and *Sahara Occidental, les enjeux d'un conflit régional*, Khadija Mohsen-Finan, éditions du CNRS.

Thus, as a State that committed itself to the *First Additional Protocol* of the *Geneva Conventions*, Algeria committed a very serious breach in the law by not freeing all the Moroccan POWs, whether military or civilian.

In fact, according to this *First Additional Protocol*, any undue delay in the repatriation of the prisoners or the civilians constitutes a gross violation of the law¹⁵.

¹⁵ Article 85 §4, First Additional Protocol of the *Geneva Conventions*

II- THE BENEFICIARIES OF THE 3rd GENEVA CONVENTION

A - The characteristics of the POWs held by the Polisario Front and Algeria

According to the ICRC, in April 2003, the Polisario Front was holding 1157 Moroccan POWs, amongst whom are 14 civilians¹⁶.

1 - The militaries

The Polisario Front holds 1144 Moroccan militaries:

- 3 have been held for over 27 years
- 4 have been held for over 26 years
- 3 have been held for over 25 years
- 280 have been held for over 24 years
- 224 have been held for over 23 years
- 187 have been held for over 22 years
- 2 have been held for over 21 years
- 2 have been held for over 20 years
- 6 have been held for over 19 years
- 15 have been held for over 18 years
- 7 have been held for over 17 years
- 288 have been held for over 16 years
- 61 have been held for over 15 years
- 60 have been held for over 14 years
- 2 have been held for over 12 years

The eldest POWs are officers, as very few of them benefited from partial releases¹⁷.

2 - The civilians

The kidnappings of Westerners or Asians by the Polisario Front got media coverage in their days¹⁸. But there was never any information on the kidnapping of Moroccan civilians.

The 14 civilians held by the Polisario Front were kidnapped by men with a hidden face, and then taken to Algeria. They were neither combatants nor civilians serving in the FAR, the Moroccan Royal Armed Forces.

¹⁶ In fact, when one adds up the 1144 military POWs and the 14 civilian POWs, the total is of 1158 Moroccan POWs, one more than 1157: this difference of one person is due to the fact that 1 of the POW died, whose identity is still unknown.

¹⁷ To date, 5 officers have been released.

¹⁸ *Le conflit du Sahara Occidental*, Maurice Barbier, L'Harmattan, France

Therefore, the detention of these men is not contrary to the 3rd Geneva Convention which does deal with civilians, but contrary to the principle which obliges the parties in conflict to distinguish between civil populations and combatants, and between the possessions of civilians and military targets¹⁹.

The civilians were treated as Moroccan militaries. They were interrogated on military infrastructures, on the whereabouts of the troops in the region from where they were kidnapped by both Algerian and Saharawi militaries²⁰.

At least 53 civilians were released, all of whom had been kidnapped over the first years of the war.

In fact one of them had been kidnapped on 7th October 1975, that is, before the actual start of the conflict.

Also, there is the case of Belkadi Mohamed who was about 12 years old when he was kidnapped in 1976. According to the information we collected, he was released either in 2000 or 2001.

3 - Deceased and “disappeared” persons

In December 2000, a list of 179 missing Saharawi militaries was handed over to the ICRC by the Polisario Front. In November 2001, The ICRC found out that 23 of these persons were alive and well, while another one was represented by his wife as he was then residing in Mauritania. Thus the destinies of nearly 150 veteran Saharawi Polisario Front soldiers captured between 1975 and 1988, on whom the ICRC has no information, still remain to be clarified²¹.

According to the ICRC, the issue of the victims of forced disappearance, whether among the ranks of the Polisario Front or among the Moroccans, is indeed an important one. Yet it is very difficult to quantify the victims²².

Thus, whereas the ANSFMDSM, French acronym for the National and Social Association of the Sons of the Martyrs and Disappeared of Moroccan Sahara, listed 600 cases of disappearances in the ranks of the Royal Armed Forces, the Moroccan State has an estimate of 452 disappeared²³.

Thus, on both sides, the violation of the right of the families to be informed of the fate of their relatives²⁴ is one of the human dimensions of the conflict.

¹⁹ Article 48, First Additional Protocol of the *Geneva Conventions*, makes of this principle a fundamental rule.

²⁰ According to article 17 of the 3rd Geneva Convention, the POWs are not obliged to give any information other than their identity.

²¹ SPS (Saharawi Press Service) news item, 7th July 2002

²² In its report 00/01 of 1999, the ICRC mentions a list of 900 disappeared persons of Moroccan origins, and a list of 230 disappeared persons belonging to the Polisario Front.

²³ From the report of this organisation date January 2003 which can be obtained on request at:

ANSFMDSM@hotmail.com

²⁴ Article 32, First Additional Protocol of the *Geneva Conventions*

As far as the number of prisoners deceased in detention in the camps of Tindouf is concerned, and according to the testimonies we collected, at least 121 persons died in violent circumstances²⁵.

We have no information on the Saharawi POWs who died in detention.

B - Partial liberations

The 3rd Geneva Conventions only deals with partial liberation in the context of active military hostilities when either the physical or psychological condition of the POW requires it²⁶.

The fact is that as soon as a cease-fire is implemented, the release of the POWs must be immediate and global²⁷.

1 - Before the 1991 cease-fire

In 1984, the Polisario Front released 10 Moroccan POWs.

Then, on 25th May 1987, in the context of the warming up of the relations between Algeria and Morocco²⁸, 150 Moroccan POWs held in Blida were exchanged against 102 Algerian POWs who had been captured in 1976 during the battle of Amgala²⁹.

Then in November 1989, the Polisario Front released 200 Moroccan POWs who had to wait for their repatriation for another 6 years as Morocco initially refused to take them back.

2 - After the implementation of the 1991 cease-fire

To date, the Polisario Front has released nearly 903 Moroccan POWs.

Furthermore, the Saharawi authorities explained to us that 200 Moroccan Saharawis who had been fighting in the FAR had also been released³⁰.

There were several waves of partial liberations. The first ones focussed on the most aged and ill POWs.

Yet the mission was able to see that **all** the POWs are seriously ill and that the state of their health was such that it would require a medical transfer due to the lack of proper medical infrastructures. All the POWs suffer from several pathologies simultaneously, but they do not receive any appropriate medical attention or treatment.

²⁵ See annex #4 of electronic version of present report (annex #6 of print version of report)

²⁶ Article 109, 3rd Geneva Convention

²⁷ Article 118, 3rd Geneva Convention

²⁸ Under the presidency of Chadli Benjedid, successor to Houari Boumédiène, Morocco and Algeria re-established diplomatic relations which had been broken in 1976, following the start of the conflict in Western Sahara.

²⁹ After this battle, the Algerian army will avoid any direct confrontation with the FAR, the Moroccan armed forces.

³⁰ 25th April 2003, meeting with Mr Ould Akik, Saharawi official in charge of the Moroccan POWs

Therefore, it is more than obvious that the Moroccan POWs with whom we met have such a deteriorated state of physical and psychological health that it would have required their immediate repatriation or their immediate hospitalisation in a neutral country long before the cease-fire ever came into effect.

Now, the releases happen according to the year when the POWs were captured: the people who were made prisoner in 1979 are now waiting for their turn to be released. In fact, for the past two years, the Polisario Front has been releasing a group of one hundred persons twice a year on a regular basis.

This situation is very hard on the POWs who can follow the count-down. As it is, the POWs captured in 1991 might only be released in 6 years time if the Polisario Front keeps up with the 200 yearly releases. This situation is a cause of conflict between the POWs, as those who were captured after 1976 feel jealous of their brothers in arms.

What's more, it is very difficult for any POW to see one of his companions leave, and to remain in captivity. This situation triggers a deep anxiety in all of them and a deep depression which may last several or more weeks.

We actually met one person who became mad as he simply could not bear the departure of his companion when the latter got released.

According to several testimonies, certain POWs are said to have paid for their releases with their family's money, or for services rendered to the Polisario Front.

Of course, we are not in a situation where we can verify such facts, but these testimonies reveal a lot about the fragility of the relationships between some of POWs after so many years.

According to the ICRC, whereas nearly 2000 Moroccan POWs were held in captivity in 1995, in November of the same year, 185 persons who had been liberated in 1989 were repatriated to Morocco.

In August 1996, 4 of the Algerian POWs captured in 1984 were liberated and repatriated to Algeria. In December of the same year, 49 Moroccan POWs who had been captured between 1979 and 1985 and who were held in Blida in Algeria were repatriated to Morocco.

In April 1997, the Saharawi authorities announced the liberation of 85 Moroccan POWs just as James Baker, started talks in Tindouf as special envoy of the United Nations. Yet Morocco refused their repatriation. Two of these persons died in Tindouf. In December 1998, the Polisario Front released another 106 POWs who joined the ranks of those still waiting for their repatriation.

Of all the POWs, 5 were repatriated in November 1999, and 186 in February 2000.

Why did the Moroccan authorities refuse to take back its released militaries both in 1989 and then in 1997?

Some of the prisoners explained to us that, at the time, Morocco was expressing its determination to see all its militaries be released globally, and not just a few of them. Other prisoners still do not understand this attitude. What's more, the POWs who support Morocco's inflexibility over partial liberations are bitter that Rabat did not stick to it when they eventually released all the Algerian POWs who were held in Morocco.

On 14th December 2000, 201 Moroccan POWs were released and repatriated.
On 31st January 2002, 115 Moroccan POWs were released and repatriated.
On 18th June 2002, 101 Moroccan POWs were released and repatriated.
On 26th February 2003, 100 Moroccan POWs were released and repatriated.

The partial liberations of POWs are not only contrary to International Humanitarian Law, they are also of a great cruelty to the families of the POWs: each time a partial liberation is announced, all the families hope that their relatives will be released but have to wait several weeks before getting any information. According to the families, the ICRC does not communicate any of the names of the persons to be released and repatriated.

C - The symbolic value of the Moroccan POWs

1- For the Polisario Front

Holding Moroccan POWs is important for the Polisario Front, particularly at a symbolic level, as it allows the organisation to convey the idea of a possible return to military hostilities.

On the other hand, the Saharawi authorities are of the opinion that Morocco continues to hold militaries of the Saharawi Popular Army.

In 1996, Morocco liberated 66 Saharawi POWs. Since then, the ICRC has been of the opinion that Morocco does not hold any Saharawi POW anymore.

Today, although their situation in Tindouf is in a deadlock, would the Saharawi refugees object to the full and global release of all the Moroccan POWs, as the Polisario Front authorities claim³¹?

We do not think so. From the testimonies collected, Saharawi refugees show compassion towards the Moroccan POWs.

These same Saharawi refugees intervened in favour of their Saharawi relatives captured while fighting in the ranks of the FAR, the Moroccan Royal Armed Forces. According to the Polisario Front, 200 Saharawi militaries belonging to the FAR have thus been released since the beginning of the conflict.

On this issue, according to the testimonies we collected, there are roughly between 30 and 40 Moroccan Saharawis POWs who are still detained today by the Polisario Front. It is important to notice that they refuse to see the members of their refugee families in Tindouf because they do not want to benefit from any preferential treatment with respect to their brothers in arms.

Contrary to the Moroccan POWs, the Saharawi POWs from the FAR were never made to work in the camps so as to prevent any contact with a population to which they are close.

³¹ *Ibid.*

They are held in the military regions, that is, in Western Sahara, east of the Moroccan defence walls, or in the military posts of Rabouni.

2 - For Morocco

The difficulties with which the FAR met when dealing with an enemy who was not identifiable, their initial incapacity to respond to guerrilla warfare and to co-ordinate different types of military units, may provide the explanation as to why the issue of the Moroccan POWs remained taboo for so long in Morocco.

Indeed, the ALPS (French acronym for the Saharawi Popular Liberation Army) led a guerrilla warfare which prevented both Morocco and Mauritania from gaining full control over the areas they occupied. The two occupying powers had control over the towns, but not over the desert. The fighting concentrated on the east of Western Sahara, and extended as far as Southern Morocco and North-Western Mauritania.

On 6th July 1978, the ALPS conducted an attack on a Moroccan convoy near Laayoune. Then on 13th July of the same year, combats erupted near Dakhla, and by December moved over to Laayoune.

In 1979, in the context of the Houari Boumédiène offensive, the south of Morocco was under attack. The operations targeted Tan Tan, Ouarkziz (in Western Sahara) with the military basis of Zag, as well as the garrisons of Abatteh and Ras El Khanfra.

From 1979 onwards, the defeats inflicted to the FAR were important: the Saharawi combatants led attacks on Laayoune, Smara, and Jdiria, and took control of Tifariti, Amgala, and Mahbès.

Morocco then changed its strategy: it started protecting the north-west part of Western Sahara which includes the mines of Bou Craa as well as the main Saharawi towns, and built a first military defence wall.

In 1980, important combats took place in Boujdour and Guelta Zemmour.

In 1981, battles continued to rage in Guelta Zemmour and Oum Ghried.

Several towns and localities came under heavy shelling including Laayoune, Smara, Bir Enzarane, Boujdour, Guelta Zemmour, Hagounia, and Haouza.

In 1987, the 6th and last military defence wall was completed: the Polisario Front no longer had any access to the sea, and 2/3 of the territory was off bound to the incursions of its army.

By that time, there was no longer any serious threat against the FAR, but the ALPS continued running raids that successfully targeted the weak spots of the fortified and mined defence walls.

Thus, whereas Hassan II had predicted that the refugees would be driven back home by hunger, the Moroccan army ended up stuck in a drawn out conflict that was turned into a sacred cause for the Kingdom.

Is this enough to explain why, until 1999, the issue of the Moroccan POWs remained taboo³²? The fact is that since King Mohamed VI acceded to the throne, Moroccan authorities have been officially asking for the release of all the Moroccan POWs- but to date, when the latter are released and repatriated, they are still not fully acknowledged nor welcome by their country as they ought to be.

The POWs do not really understand why there is such a lack of gratefulness towards them from the Moroccan State. From a financial point of view, their families have suffered from their captivity as it emerges that the Moroccan State did not take any measure to support them.

The POWs also feel that they have been forgotten by Moroccan society and suffer from this oblivion, whereas their own generation is now in power in the country.

Some of those who were released have managed to inform those still held in Tindouf that they had been placed on immediate retirement from the very moment they fell in captivity, and that consequently, by the time they are repatriated, they do not benefit from any promotion, compensation, or any form of acknowledgement whatsoever, not even symbolic.

Just as almost all the Moroccan POWs consider they defended their fatherland, they also feel that their country has shown no gratefulness and no recognition towards them and their families.

What's more, in the course of the correspondence with their families, the POWs have discovered that they represented a taboo for both Moroccan politics and society, and they suffer deeply from that situation.

The POWs want the rights of the ex-POWs and those of their families to be fully acknowledged. According to them, this constitutes one of the dimensions of the drama caused by partial liberations: as long as all the POWs are not released, particularly the officers, the Moroccan authorities will no respond to any moral or financial claims.

3 - For Algeria

After independence, the frontiers of Algeria became an issue for its Tunisian and Moroccan neighbours. But with Morocco, this question turned into one of the most contentious point in bi-lateral relations that can be called difficult- to the very least.

In 1956, Morocco's accession to independence is considered by the Moroccan nationalists as a first step towards the reconstitution of the country's territorial integrity.

But the Algerian war then compels the Moroccan government to refuse discussing the issue of its frontiers with France. On 6th July 1961, the President of the GPRA (French acronym for the Algerian Republic Provisional Government), Ferhat Abbas, acknowledges in a written document that the frontiers of Algeria, as inherited from the colonisation, are not applicable to Morocco- but the signature of the protocol is rejected by the National Council of the Algerian Revolution.

³² *Le Journal* was the first Moroccan media that ever started mentioning the existence of the Moroccan POWs in Tindouf.

On 28th May 1963, all the African countries, with the exception of Somalia and Morocco, accept the rule of the intangibility of the frontiers inherited from the colonisation as they ratify the Charter of the Organisation of African Unity.

On 1st October of the same year, an incident happens on the Algero-Moroccan border, which triggers a series of military confrontations that will be called “the war of the sands”.

The conflict unfolds from 1st October to 5th November 1963, some 500 km to the south west of Colomb-Béchar, in the region of Tibouchy, in the region of Tindouf, in the region of Ich-Figuig, as well as in the palm plantation area of Beni-Ounif in Morocco.

Although there was no decisive superiority of any party on the ground, the FAR are usually credited with some advantage.

On 15th April 1964, 375 Algerian POWs were exchanged against 52 Moroccan POWs³³.

The testimonies we collected allow one to say that this particular conflict can be placed in the context of a long war of independence. This is undoubtedly how Algerian officers felt about it. Thus later, the conflict in Western Sahara will be the opportunity to “*settle an account dating back from 1963*” a several Algerian officers told the Moroccan POWs during interrogation.

³³ *Annuaire de l’Afrique du Nord*, 1964

Second Part:

The treatment of the Moroccan POWS

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention.

3rd Geneva Convention³⁴

³⁴ Article 13, 3rd Geneva Convention

I - THE SERIOUS BREACHES TO THE GENEVA CONVENTIONS BY THE POLISARIO FRONT AS A DETAINING POWER

All the testimonies we collected establish that the Polisario Front committed serious breaches to the rules of the *Geneva Conventions* regulating the treatment of the POWs.

The 3rd Geneva Convention defines war crimes as follows:

*“[...] wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.”*³⁵

A - Murders, tortures and mutilations

The mission gathered many testimonies on torture and summary executions. Most of the witnesses cannot remember which year exactly these serious exactions were committed. In fact, we were struck by how deficient was the memory of the POWs. For most of them, the time bearings are, on the one hand, before and after the 1991 cease-fire, and on the other, before and after the first visit of the ICRC. These bearings allow them to distinguish between the period during which their rights were totally violated, and the period, from the nineties onwards, when a clear improvement occurred.

What's more, only a few among the POWs could give us the full names of the victims: during those terrible years, they were not allowed to speak to each other, otherwise they got beaten with thick electric cables³⁶.

This is why, in this section, we will only deal with the gross violations on which we obtained precise information.

1 - Interrogations, summary executions and forced labour

Almost all the POWs were tortured during the interrogation that followed their capture. One of the torturers most frequently mentioned is Ahmed Moulay Chrif Filali, also known as Aït Chrif³⁷, who now lives in Morocco. Amongst his victims are the lieutenants Mozoun, Boukiri, and Abderahmane.

Abderahmane was captured in 1982. During his interrogation, he refused to give military information. He was set alight with kerosene by Ahmed Moulay Chrif Filali. When his torturers realised he was still alive, Adda Brahim Ould Hmim asked the guards who were

³⁵ Article 130, 3rd Geneva Convention

³⁶ The cables are semi-rigid, have a protective plastic wrapping around the metal components inside, a diameter of approximately 4 cm, and a length of 80 cm.

³⁷ Former Deputy-Director of the Polisario Front security services

present if one would volunteer to kill this Moroccan POW. Another torturer was present at the time of these events: Mohamed Salem, also known as Filipi, who also went over to Morocco.

In 1981, sergeant Zebda was executed by his Saharawi guards for having stolen some cigarettes.

The same year, Abdellatif Marackchi was tortured and executed for having stolen a tin of jam.

In 1983, Mohamed Kabrane died under torture at the prison of Lakhel³⁸ on the border with Mali. According to the testimonies, the POWs held in that prison had to weave mats and dig wells.

In 1986, Abdelkader also died under torture at the prison of Lakhel.

In 1987, Talha Mohamed was beaten to death with a shovel at the Rabouni prison- a witness described how his eyes popped out of his head under the blows.

In 1988, prisoners were tortured during the interrogation following their capture with an electric cable by Saharawis called Sarouh and Mohamed Lamine. At least two of these prisoners died, whose first names were given to us: Bouchib and Brahim.

In 1987, Finidi Omar was captured at the age of 19. In 1994, he refused to do forced labour. He was detained at the prison Saïd, between Rabouni and Tindouf airport: for a whole year his torturers locked him up in a tin trunk (1,20m x 0,80m) from which he could only get out one hour a day. It is said that he was executed so that he would not reveal the tortures he had endured to the ICRC which, in 1994, demanded to see all the POWs. It is said that he is buried 12km west of the military post Mohamed Fadel.

The captain, or corporal, in chief Youssef worked as a cook in the 8th military region. In 1997, he had an argument with a Saharawi military who beat him to death.

Brahim Tebia went mad in the eighties following the tortures he endured. He was due to be released, but it is said that the Algerian militaries objected to this. It is said that in 1983, he was taken to post #5, near the boarding school of the 12th October, where he disappeared. His body, all dried up and ridden with 5 bullets, was eventually buried before a visit of the ICRC when this organisation was due to see the POWs.

Sabri M'Hamed died under torture at the age of 63. He was whipped with an electric cable by a guard of the military post of Ghézouani, and was wounded on his genitals.

In 2000, Aziz Mrachki died under torture.

In 2000, Youssef died under torture near Rabouni at the age of 36.

³⁸ This word means « black », and the whole name echoes Laayoune's notorious "*black jail*", already known under Spanish rule as "*carcel negra*" in occupied Western Sahara.

2 - *Insults and public curiosity*³⁹

Many of the POWs were exhibited to foreign journalists. Some of the civilians who had been kidnapped were also presented to the international media who, according to them, knew about their status.

The POWs were intimidated and threatened so as to compel them to criticise or insult the Moroccan State publicly, particularly on the occasions when they were presented to the foreign media. They were also compelled to vilify the Moroccan monarchy in the context of radio broadcasts of the Saharawi Radio, thus forcibly taking part in their enemy's propaganda. The POWs who resisted were violently beaten by Saharawi militaries.

Some of the POWs confided their bitterness to us when, years later, US POWs captured during the second Iraqi war were shown on TV and those images triggered an international outcry that simply never existed for them.

In fact, right into the eighties, the Moroccan POWs would not only be used by the Polisario Front for the propaganda targeting the media, but also to create the illusion that they were being well treated, for some of the organisations of solidarity with the Saharawi people.

This public exhibition of the POWs was deeply humiliating to them. They were prepared in advance so as to give a good image of their detention and exposed "*like animals in a zoo*", to use the words of one of the POWs. The guards would give them some soap to wash themselves, a razor to shave and cut their hair, and clean clothes that replaced the rags they wore. Sometimes their diet was even improved in view of the visit of some Western delegations.

The consequences of these serious attacks on their dignity are still perceptible: most of them still feel deep resentment towards the visitors, or the "*tourists*" as they call them, that is, the representatives of some of the international solidarity organisations who met with them and even took photographs of them.

Some of the POWs entrusted these persons with their confidences, and as a consequence, suffered serious retaliations from the Polisario Front.

In general, the POWs feel that their sufferings are either ignored, or even worse, belittled and denied by foreign visitors.

Right into the eighties, the POWs have also been exhibited to the Saharawi refugee population on certain occasions when they were literally exposed to public anger and got beaten, spat on, and insulted.

Ever since the Moroccan authorities and the international community have been asking for their overall liberation, the POWs meet very few foreigners, apart from the yearly visit of the ICRC delegates.

³⁹ Article 13, 3rd Geneva Convention

3 - Physical mutilations and medical experiments⁴⁰

According to many testimonies, right until 1995 or 1996, the Saharawi authorities took samples of the blood the POWs. The yearly average number of times the blood samples were taken varied between 5 to 10 times, but it could be as many as 12 times. The blood thus collected was used for everybody- Saharawi militaries and civilians alike.

Indeed, the forceful collecting of blood samples on sick and undernourished POWs constitutes a mutilation and a gross violation of the physical integrity of the POWs.

It must be made clear that the POWs were never asked for their consent, and this constitutes a serious breach of their rights⁴¹.

We also heard about instances when POWs were castrated. Although the persons did not testify directly on their mutilation, the method was described: the torturers would put a red hot battery on the genitals of their victims.

4 - Failed escape attempts

Failed escape attempts can only be punishable by a disciplinary measure, even in the case of repeated attempts⁴².

According to the testimonies collected, tens of POWs are said to have succeeded in their escapes.

According to the same testimonies, failed escape attempts are heavy in consequences. They can bring about the death of the would-be escapee in the worse of circumstances.

All the escapees are followed and caught by the Algerian military security in Tindouf which gets informed of all attempted escapes by the Polisario Front. The Algerian military security has the advantage of having at its disposal key pieces of equipment to track down the escapees such as helicopters and jeeps, as well as border patrols along its border with Morocco.

The POWs thus caught back by the Algerian militaries are initially interrogated in Tindouf by the Algerian military security. Then, they are handed back to the Polisario Front in Rabouni. There, they get interrogated and tortured again, particularly at the prison Errachid, some 5 km away from the refugee camp of Smara- a prison which, according to the testimonies, is a key interrogation centre. It is in this prison that several of the escapees died⁴³.

Nadir, a Mauritanian from Bir Moghreïn, and Mahjoub, a Moroccan from Kenitra, were captured at the time of the attack on the Laayoune-Boujdour convoy, in the early years of the conflict. They were executed after someone informed on their intention to run away. It is said that a certain Mohamed Fadel and his aid Khitir beat them to death with electric cables and a pick.

⁴⁰ *Ibid.*

⁴¹ Article 11 §3 of *First Additional Protocol*

⁴² Article 92, 3rd Geneva Convention

⁴³ See annex #2 of present report

In 1980, Mohamed El Khamar, a brigadier in chief, and El Houcine, tried to escape. They were caught by the Algerian military security and handed over to the Polisario Front. They died under torture: they were hanged by their feet for 8 hours and beaten to death with an electric cable.

In 1982, El Haressi Mohamed and Lahboub Mohamed tried to run away from Haouza. They were caught by the Algerian military security and tortured: they were hanged by their feet, their head plunged into basins of water, and were beaten to death. One of their torturers is a certain Abdelmouani. It is said that he is in charge of one of the *daira* of the refugee camp of Aousserd.

In 1985, Souaki Lahcen and Omar Douali tried to escape and were executed on order of Omar Hadrami⁴⁴. It is said that they are buried in the Oued El Ma, some 40km east of Tindouf.

In 1988 Lahcen Ben Sidi also known as Bibi, and one Omar tried to run away from the prison Oued El Ma. Since then, they have disappeared.

In 1989 Kalfoul Abderazek, Tamahmacht Houssin, Moulay Mokhtar and Zaïed tried to run away. They were tortured to death for five months. One of their torturers is called El Mahftouh.

In 1991, lieutenant Mozoun died under torture at the prison of the 9th June. He was hanged by his hands and was beaten to death by the sub-director of this prison, Mbarek Ould Mouiled.

In 1991 Maataoui tried to run away from the prison Hilal, from the place where the Polisario Front stores the food. He was caught back and locked into a container for 6 days without any water or food, right under the heat of the sun in the middle of the desert. He died as a result of this.

In 1991 El Harasse and Boujmah died under torture after a failed escape attempt.

In 1997 at least 6 POWs tried to run away from the military post of El Ghezouani: they took control over their guards and took their weapons. They were caught back by the Algerian military security who executed them all, including Ali Ould Zouali.

In 1998, Hamou (or Mouha) and Hammid Kabba tried to escape from the prison of the 9th June. They were caught back by the Algerian military security who interrogated them, then were handed back to the Polisario Front. They were then taken to the prison Errachid where they died under torture.

⁴⁴ Omar Hadrami headed the Polisario Front security services until 1988, the year when he defected to Morocco. Today, he holds public office as *wali* of the province of Settat in Morocco.

B - Inhuman conditions of detention

1 - Housing, food, and clothing

Over the last years, the food, although totally insufficient, has nevertheless improved⁴⁵, at least in some of the detention centres located near the refugee camps⁴⁶.

The POWs have 2 meals a day: a dish of lentils which looks more like a sort of soup, or a plate of rice or pasta. The POWs cook their own bread. As a result of this diet, they do not have any vegetal or animal protein intake. Some of the POWs manage to “supplement” their diet when they work, against some food, in the private homes of some Saharawis⁴⁷.

Many of the POWs admitted they had to resort to stealing food in order to be able to bear the huge physical efforts they have to make in the context of the forced labour inflicted on them.

They also have to resort to stealing clothes: when the parcels from their families arrive, they are always incomplete.

Right into the eighties, the POWs had no shoes and no proper clothes- only a pair of trousers, no matter what the weather was.

The POWs had to sleep inside containers, or in trenches they had to dig: ten of them were put in the trenches which were then covered so as to prevent any attempted escape. If the POWs needed to do their necessities, they had to do it there, inside the trenches: it was absolutely forbidden to get out of the trenches, and torture would punish anybody doing so. At the best, there was one blanket for 3 POWs.

The POWs worked day and night, and were only allowed to sleep for 2 hours. The insufficient food was served in dirty wheelbarrows, and dirty water, in rusty tanks.

The POWs were not allowed to pray: if caught reciting the Koran, they were violently whipped with electric cables.

The mission met tens of POWs who, to this day, still do not have any shelter and have to sleep in the outside. Most of these POWs are doing forced labour in the military regions as well as in the military posts around Rabouni.

The POWs are moved around by the Polisario Front to wherever their labour is needed. Those who work away from the refugee camps have to endure a mobility which does not let them any time to build themselves any shelter- and if they want to do so, they have to steal the materials.

⁴⁵ See annex #3 of present report

⁴⁶ This is not the case for the detention centres that are more remote, particularly in the military regions, such as: Dougaj, Agwanit, Mijek, Mehaires, Tifariti, Bir Lahlou, and Zug (which we could not actually visit, but which we place in this category).

⁴⁷ This happened only with several families close to the power, and does not apply to the overall Saharawi refugee population.

These inhuman conditions of detention are not caused by any lack of means by the Detaining Power. On the contrary, it appears clearly that since the very beginning of the conflict, the Polisario Front has rationalised a treatment of these POWs that reduces them just to a mere labour force. But we will tackle this issue later on.

2 - Lack of medical care and absence of respect of the minimal conditions necessary to the health of the POWs.

At least right through the eighties, the conditions of detention mentioned above, as well as the inflicted forced labour, have seriously damaged the health of the POWs, while very few of them received any medical care.

2-1- The state of health of the POWS

Three medical doctors are held in Tindouf. The mission met them and saw they practice medicine in a context of total destitution and multiple ailments, from which they too suffer.

It must be made clear that all the POWs held in the prison of Rabouni, of the 9th June, and in the refugee camp of Dakhla, have access to these doctors. As for the others, who work in the military post, and particularly in the military regions, they basically have no medical care whatsoever.

As for Saharawi doctors, if they happen to be present, the POWs told us that they do not give them the medical attention required by the profession. When there is no doctor, as is the case for all the POWs held in the military regions, they turn to one person among them who had to improvise himself a nurse without ever having any training but who learnt as he went along.

The nurses of the military regions ask for the most seriously ill patients to be transferred to the prison of Rabouni, and those from the refugee camps, to the prison of the 9th June. The Polisario Front and mostly the ICRC provide the medicines.

The mission was able to see for itself that the stocks of medicines and the medical logistics are totally insufficient.

Many ailments are caused by the length of the detention, the food, the lack of hygiene, and the forced labour.

The most serious pathologies are digestive: inflammations of the colon, gastric disorders and ulcers.

Ailments affecting bone tissues and joints, as well as rheumatic illnesses are also very frequent.

Several surgical cases for cysts and hernias are still waiting for specialised consultations which only take place in Rabouni.

Yet several POWs refuse to undergo even benign surgery as there has been cases of POWs dying from lack of post-surgical treatments. According to the testimonies, the POWs do not have the right to any convalescence, and they have to resume work before they have fully recovered.

Eye ailments and infections are also very frequent due to the exposure of the POWs to intense luminosity when they do forced labour.

POWs also suffer from deafness, resulting from the blows delivered to them by the guards.

Metabolic ailments linked to under-nourishment and diabetes, are also frequent.

In such a context, the Spanish and Italian specialised medical committees which visit the Saharawi hospitals are totally insufficient.

Although the ICRC plans for the yearly visit of a medical committee that includes a dentist and a specialist in artificial limbs as well as an eye specialist, this remains totally insufficient due to the premature ageing process of the POWs. In fact, from 45 onwards, they mainly show degenerative illnesses. In general, we noticed that the POWs show all the sign of premature ageing due to the length and the conditions of their detention.

2-2- Mental health

Neuro-psychiatric disorders are very important due to the length of the detention.

All the POWs have faces that bear signs of exhaustion, anxiety and depression, as they are both morally and physically completely worn out.

All the POWs suffer from psycho-emotional disorders, such as insomnias and panic attacks.

For some of the POWs, life in common is hard to bear. For others on the contrary, communal life helped them bear their detention. This is why partial liberations are so hard on the POWs.

Most of the POWs suffer from lack of concentration and memory lapses. The POWs feel they are out of touch with the outside world and its evolution, including those who have access to television.

They feel dislocated in time and in history. Many of them told us they felt they were “illiterate” with respect to present days and times.

In fact, it feels as though the POWs were stuck with the socio-economic bearings dating back from the times when they fell in captivity. All their bearings date back from this period, to the days before their life got suspended due to their detention.

The detention centres equipped with a satellite dish broadcast pictures of Morocco-a country which went through many changes and which forgot everything about them. “*Morocco is beautiful, it belongs to those who live there*” one of the POWs told us.

II - SERIOUS BREACHES TO THE GENEVA CONVENTIONS BY ALGERIA AS DETAINING POWER⁴⁸

Algeria can be held totally responsible for all the previously mentioned events and situations: they come under Algeria's responsibility as they happened on the territory of this sovereign State.

A - Serious breaches due to the actions of Algerian agents along with the Polisario Front

All the testimonies we collected allow one to establish that the Algerian army was often present on the battle grounds, along with the Saharawi Popular Liberation Army. In fact, most of the POWs were captured by both Saharawi and Algerian soldiers⁴⁹. Although the uniforms were the same, their dialects were different and easily recognisable.

It must be stressed that almost all the Moroccan POWs were interrogated by Algerian officers in Rabouni, and that most of them were tortured by Saharawi militaries during these interrogations.

B- Serious breaches caused by the treatment of the POWs held in Blida⁵⁰

Many of Moroccan POWs were detained in Blida for many years. Thus Algeria is particularly responsible for the treatment of these Moroccan POWs.

According to the testimonies collected, nearly 460 Moroccan POWs were detained in Algerian prisons until August 1994 when they were transferred to Tindouf. Moroccan officers and private soldiers were interrogated in Rabouni, then transferred by plane to the headquarters in Blida. Some of them were also detained for a while in Boufarik, as well as in the camp of Jelfa, 300km south of Algiers. Later on they all got transferred to Ksar El Boughari, 150 km south of Algiers, in the region of Média near Blida⁵¹.

Ksar El Boughari was the only place where Moroccan POWs were detained. The Mauritians were separated from the Moroccans.

After several years, some officers and private soldiers were transferred again to Tindouf.

In 1987, 115 POWs detained in Ksar El Boughari, as well as 35 other POWs detained in the region of Béchar were exchanged against 102 Algerian POWs captured in Amgala in 1976.

In August 1994, 273 Moroccan POWs were transferred to Rabouni. In December 1995, the 50 POWs who remained in Ksar El Boughari were released.

⁴⁸ See previous point I A 4

⁴⁹ The POWs also identified the presence of Cuban soldiers on the battlegrounds.

⁵⁰ Article 12, 3rd Geneva Convention

⁵¹ Administratively speaking, this is the first and most important military region of Algeria under the control of which the area of Tindouf is directly placed.

In the Algerian prisons, the Moroccan POWs did not have to do forced labour. Nevertheless their conditions of detention were very hard. They had very little food. Some POWs told us they were tortured physically. As for moral and psychological torture, it was constant. Thus, Abdallah Belhouchète who was then #2 of the Algerian Popular National Army told the POWs during 1976: *“I am talking to the young ones, as for the elder ones, they don’t interest me since they will die here”*. In 1979, the same Abdallah Belhouchète also declared that the POWs were not worth anything anymore since, at that time, the Houari Boumédiène offensive led to many more Moroccan soldiers being captured.

According to the testimonies collected, at least 24 Moroccan POWs died in Ksar El Boughari.

The ICRC never visited the Moroccan POWs detained in Ksar El Boughari. During all those years of detention, the families of these POWs thought they were dead. We heard in particular the testimony of one POW who had been transferred from Blida to Tindouf in 1994: to this day, after so many years thinking he was dead, his family still cannot believe he is actually alive.

It seems that the lack of infrastructure in Tindouf seems to have been the reason for the transfers of these POWs to Algiers.

Apart from the seriously wounded POWs, the private soldiers all remained in Tindouf.

From 1981 onwards, there was no transfer of POWs from Tindouf to Algiers anymore.

80% of the POWs who were held in the north of Algeria were released, as most of them had been detained since the beginning of the conflict.

III- FORCED LABOUR

The work of POWs is not illegal in itself, but it is regulated by precise clauses relative to the nature of the work, to the ability of the POW to do work, and to the necessity of remuneration the purpose of which is to guarantee that the Detaining Power cannot resort to the use of slave labour⁵².

We were able to see that not only the most minimal rules relative to the work of POWs are ignored, but that the Moroccan POWs have always been and, to this day, continue to be submitted to forced labour.

Forced labour, otherwise known as compulsory work, is defined as follows:

“[...] any type of work or service demanded to a person under the threat of any type of punishment, and for which the person in question did not volunteer in his/her own freewill”⁵³.

A - The nature of the work

All the POWs testified to us on the fact that they have been and continue to be forced to do all types of work.

Thus all the buildings in Rabouni such as: the administrations, the hospitals, the schools, the boarding schools, the vegetable gardens and the wells, are the sole and exclusive result of the forced labour inflicted on the POWs. The cleaning and maintenance work of these buildings are also done by the POWs.

The labour force in the refugee camps, in the military posts, and in the military regions is Moroccan. It is only in very recent years that Saharawi refugees have been taking part in the handy work against remuneration, whereas the POWs still receive nothing in exchange for their labour.

Although today the officers no longer work for the Polisario Front, the private soldiers are still obliged to do forced labour although they all are seriously weakened or ill.

Thus, contrary to what the Saharawi authorities told us, the point is not to keep the POWs busy so that they should bear their detention better, far from it⁵⁴.

1- Work for civilian purposes

The 3rd Geneva Convention only allows POWs to work for civilian purposes. But since they fell in captivity, the Moroccan POWs civilian and military have been used as an inexhaustible labour force. They built all the civilian infrastructures, including the roads, and smoothed out

⁵² Part III, 3rd Geneva Convention

⁵³ Article 2-1, Convention on forced labour, 28th June 1930

⁵⁴ 25th April 2003, Meeting with the Saharawi authorities, whose person in charge of the POW is Mr Ould Akik,

the dirt roads. The POWs have been and still are the persons handling the international food aid.

1-1 The infrastructures

From 1975 to the 1991 cease-fire, the conditions of work of the POWs defied any of the most basic rights.

Brick-making and construction have been and remain their main task both in the refugee camps and in the military regions.

According to the testimonies collected, the POWs dig the ground to make pools which can contain between 3000 and 10 000 litres of water- a capacity equivalent to that of a cistern truck between 3 to 10 tons. When the pools are full of water, the POWs mix the sand with the water so as to make mortar.

This mortar is unloaded to the place where other POWs make bricks with moulds.

A work ground can have between 20 to 300 POWs. Each POW has to make 120 bricks per day.

Right through the eighties, the guards had thick electric cables with which they whipped the POWs when they thought they were working too slowly, or just to terrorise them. Thus the POWs were constantly beaten and humiliated.

The POWs worked until night fell, then they had to dig trenches into which they had to sleep. Some POWs were beaten. The others could hear them moan and cry.

They were woken up at 4:00 AM and gathered. At 5:00AM they were put into various work groups. They could only relieve themselves once a day, when getting up, otherwise had to do it on themselves.

Right through the eighties, the POWs were systematically kept hungry and thirsty. During the day, they did not have the right to stop and drink. Those who were caught drinking the murky water of the brick-making pools were whipped.

They stopped to eat a bit of rice or some lentils that were served to them in a wheel-barrow.

The POWs then resumed work and carried on until night fell.

In 1983, Chahid El Hadad, a detention centre south of Tindouf, was built in 45 days: it took 200 POWs working there night and day to build it.

1-2 Handling of the humanitarian aid

All the POWs have been witness to the theft of food aid organised by the Polisario Front.

According to the testimonies we collected, since donors worried when they found part of the food aid on the markets of Zouérate in Mauritania, in Southern Algeria, and Northern Mali, the humanitarian aid has been sold or exchanged after being transferred into bags that do not have any particular identification on them.

When the donors come and check the stocks, the aid is displaced and hidden so as to increase the amount of the next donation.

Also, the POWs told us how unjustified was their state of under-nourishment knowing that the international food aid is not lacking but stolen.

2- A labour force kept away from unwanted eyes

The roads are also built and kept by the POWs. In the detention centres of the military regions, we met several POWs who were working on the roads destined to the moves of the MINURSO.

When UN personnel might get too close to a working site, the POWs are moved further away so that they should not be seen.

The POWs look after all the vegetable gardens in the refugee camps and in the military regions. When an NGO comes and checks the work, they are then replaced by Saharawi workers.

As the Moroccan POWs are the only labour force, they also work on humanitarian sites.

POWs told us that certain Spanish and Italian organisations had seen them work on the sites, and that these organisations were fully aware the workers were POWs.

Other POWs told us how they are moved away or locked away in containers, so that the personnel of the missions of evaluation of humanitarian projects cannot see that illegal labour is used.

This happens all the more frequently that humanitarian building projects have to cater for the remuneration of local Saharawi labour.

According to testimonies collected, there are several examples when the Polisario Front submitted to the international aid organisations a list of Saharawi workers to be paid for a labour they did not do: the hospital of the Dakhla refugee camp and the hospital of Tifariti. The lists of Saharawi workers were fake documents because the work was entirely done by the POWs. What's more, the POWs who worked on the construction site of the hospital in Tifariti were made to sleep inside containers during the whole time of the work.

Just as the POWs worked on certain projects financed by France Libertés⁵⁵, POWs were also able to identify the international NGO OXFAM.

In fact, because the POWs are the only labour force, all the projects funded by donors, whether they be institutions or NGOs, therefore use an illegal labour force.

Consequently, this very serious state of affairs led France Libertés to decide to take measures relative to the aid destined to the Saharawi refugees.

⁵⁵ See general conclusion of present report

All the POWs testified on their moral and physical sufferings as even today they still serve as slave labour for international NGOs, UN and EU institutions.

3- Work of a military nature or for military purposes⁵⁶

The Moroccan POWs were also forced to take part in the “war effort”. In fact, POWs worked near combat zones, and some died under the bombs of the Moroccan air force. For many years too, POWs also worked on the borders with Mauritania and Mali.

3 -1 - Forced labour near the frontline

The POWs were exposed to the hazards of the attacks led by the Royal Armed Forces as they had to work near the front lines.

This is how the POWs had to dig trenches for the Saharawi militaries in the region of Ouarkziz. The POWs could rest only 2 hours a day. They were forced to carry on working at night by moonlight if that was enough, otherwise the Saharawi militaries used flood lights.

One POW worked in such conditions for 4 years with a group of another 23 POWs: he testified to us that 3 persons died in such conditions: El Hocine and Mohamed (the witness could not remember their full names).

POWs were also forced to work in the region of Guelta Zemmour in the early eighties. Others worked in Haouza digging trenches, or building military barracks in Tifariti.

20 POWs spent 5 years building military infrastructure in El Ouassate near Mahbès.

3 - 2 - Forced labour in ammunition stocks

The POWs also worked in the ammunition stocks, particularly that of Hanafi, some 15 km from Rabouni. They unloaded the trunks of ammunitions that arrived at all time, and had to put them into trenches.

The POWs were forced to run while doing this work, despite their lack of rest, otherwise the guards whipped them with thick electric cables.

From 5:00AM till 14:00PM the work went on non-stop regardless of the weather or if it was night, or of the exhaustion of the POWs. During these terrible years, they could never wash.

The call-ups were frequents: at 00:00AM, 02:00AM, and 4:00AM or 5:00AM the POWs were gathered for work.

Whether wounded or ill, they had no choice but to work.

The POWs who were forced to work for military purposes only saw the ICRC for the first time in 1994, when this institution demanded to see all the Moroccan POWs.

The POWs testified that among the torturers they had to deal with at the ammunition stocks and whose name they know, there are: Mohamed Lamine, Jidida, and Mohamed Ali.

⁵⁶ Article 50 b and c, 3rd Geneva Convention

B - The forced nature of the work

Inhuman and degrading conditions of detention are thus totally linked with forced labour. Yet, since the 1991 cease-fire and since the ICRC sees **all** the POWs (that is, since 1994), the conditions of detention and work have improved. Still, the Moroccan POWs continue to do forced labour.

1 - Since the 1991 cease-fire

Since the nineties, the POWs work from 7:00AM until 13:00PM or 15:00PM depending on the places of detention. They sometimes work more than this but it remains exceptional. Yet the POWs working in the kitchens have to work at any given time. Since 2000, Friday is the POWs' only day of rest, on request of the ICRC.

Nevertheless, work remains compulsory. In fact the mission saw that the POWs continue to work right to their utmost physical and psychological limits, regardless of their ages or their health conditions.

Many POWs who are dispensed from work by the doctors of the ICRC are nevertheless compelled to do forced labour by the Polisario Front. Other POWs have medical certificates recommending that they should do only light work, but this is not respected either⁵⁷.

Furthermore, the POWs who do not work get a lesser food ration. The mission could see that, given the insufficiency of the food for the POWs, this lesser ration was used as a means to force them to work.

Today, although the guards no longer beat the POWs as systematically as they used to, those who refuse to work still get beaten. Strong headed POWs get also locked in dark cells for several weeks until they accept to resume work.

2 - Accidents and illnesses on the work place

Azoga died from the sequels of an accident on the work place that happened when he was digging underground rooms in the camp of El Ouassate near Mahbès. In fact, right until the middle eighties, the POWs held in Rabouni and the prison of the 9th June had to sleep in underground rooms.

In 1991 Bouzid died near Rabouni when he fell from a truck transporting about 50 POWs to work. The door opened, and 45 POWs fell to the ground. He was 38 years old.

In 1997 Mohamed Marmouchi fell into a cement making machine.

⁵⁷ See photographic annex #4 of present report only if it is a print version, not an electronic one

In 1998 Mohamed El Mahdi fell to his death into the trench that was his shelter. At the time of the accident, he was detained at the prison Hamdi Abba Cheikh.

In 1997 El Mahloufi Ahmed was smothered to death in the sand near Rabouni. He was 43 years old.

Hassan Tarazoute and a certain Lahcen, who both were fishermen, died of exhaustion.

Many POWs died while unloading food aid, when digging wells, or when they were making bricks.

El Hocine died when he was 33 from a lung disease caused by long term exposure to coal fumes which he could not bear. He was working as a cook.

3 - The centres of detention and torture

According to the testimonies collected, the main centres of detention are Hamdi Abba Cheikh, built in 1984, and Mohamed Lessied, but there are several other detention and torture centres, particularly the prison Errachid.

The POWs Khiary Mustapha, Azaoui Hassan, Mustapha Ben Mohamed and Lahcen Ben Ali are said to have been detained in the prison Errachid since 1982.

It is also said that 31 Moroccan deserters are detained in Errachid.

It is said that for over a year now, Mriss El Kebir has been detained in Errachid consequently to his refusal to hand in to the Polisario Front the money he had.

The POWs who are sanctioned get detained in the prison Errachid for varied lengths of time.

Therefore, contrary to what the Saharawi authorities told us before our mission, the persons detained at the prison Errachid are not only Saharawis.

Errachid is a prison where torture is systematically practiced on the detainees. Right up to 1998, an average of 2 to 3 detainees died and had to be buried every night.

Another place where torture is said to be practiced systematically is a centre situated near the school of the 12th October- the prison where Omar Hadrami was detained before leaving and going over to Morocco⁵⁸.

The torturers working in these detention centres are called, amongst others, Souidi and Sidi Ahmed El Batal.

⁵⁸ The witnesses declared that they had no idea how it had been possible for Hadrami to get out of this prison.

General Conclusion

France Libertés has supported many projects on the initiative and to the benefit of the Saharawi refugees. For example, over the past few years, and on the demand of the refugees themselves, France Libertés gave priority to the creation of reading places, in partnership with the organisation Enfants Réfugiés du Monde. France Libertés has also been one of the partners of the CCFD, French acronym for the Catholic Committee against Hunger and for Development, in the project that set up of a sheep farm in the refugee camp of El Ayoun.

In the light of the investigation we led, it appears that today France Libertés can no longer continue its interventions in the Saharawi refugee camps of Tindouf where the forced labour of the POWs has been going on for the past 28 years.

In fact, France Libertés is aware that it participated indirectly, indeed without any knowledge of it, to the use of an enslaved and illegal work force.

Therefore, consequently to the publication of the present report of this mission of inquiry, France Libertés will ask all its partners also running projects in the Saharawi refugee camps to keep it informed of the measures they envisage to take.

As far as France Libertés is concerned, as long as **all** the Moroccan POWs are not released, we cannot envisage supporting in any way any project whatsoever in the Saharawi refugee camps.

Therefore France Libertés is compelled to stop its support for the development projects aimed at the Saharawi refugee population.

France Libertés deeply regrets the negative impact that such a decision may have on the very deprived Saharawi refugee population.

Recommendations

The Fondation France Libertés calls on the Polisario Front and Algeria:

To immediately release all the Moroccan POWs, both civilian and military.

The Fondation France Libertés recommends to the Polisario Front and Algeria that:

They should immediately abolish the forced labour inflicted on the Moroccan POWs, both civilian and military.

They should gather together all the Moroccan POWs, both civilian and military, that at present are isolated in the military regions and the military posts.

They should supply all the Moroccan POWs, both civilian and military, who today have to sleep in the outside without any shelter, with appropriate housing.

They should supply all the Moroccan POWs, both civilian and military, with appropriate medical and nutritional care, and organise the coming of specialised medical committees for the specific needs of all the POWs.

They should supply all the Moroccan POWs, both civilian and military, with a rich and balanced diet both in quality and quantity, appropriate to the needs of persons who have been, for most of them, undernourished for roughly twenty years, due to food rations which were equivalent to only a third of what Saharawi refugees received.

They should provide all the Moroccan POWs, both civilian and military, with decent conditions of hygiene: water, soap, razor blades, and clothes.

They should allow France Libertés to run another mission of evaluation on the conditions of detention of the Moroccan POWs both civilian and military in the next few months, so as to visit, amongst others, the detention centres called “12th October” and “Errachid”.

They should run an investigation so as to identify the individual responsibilities of the persons who inflicted a rationalised inhuman and degrading treatment on the Moroccan POWs, both civilian and military- a treatment that was contrary to any of the most basic rights.

They should clarify the circumstances over which the forced disappearance of Moroccan POWs, both civilian and military, happened.

The Fondation France Libertés recommends to the States which ratified Article 90 of the First Additional Protocol of the Geneva Conventions that:

They should seize the ICRC International Fact Finding Committee in relation with the very serious violations of the 2nd and 3rd Geneva Conventions committed by both the Polisario Front and Algeria.

The Fondation France Libertés recommends to the United Nations that:

They should send an international mission of inquiry to investigate the conditions of detention of the Moroccan POWs, both civilian and military, as well as the forced labour to which they have been subjected since the beginning of their captivity, so as to establish the responsibilities of the perpetrators of the war crimes assessed.

They should take the necessary measures to that the perpetrators of such war crimes be sued and judged in a court of law.

They should stick strictly to this mission and demand from both parties concerned, the Polisario Front and Morocco, that all the Moroccan POWs, both civilian and military, be released without delay, and that the circumstances of the forced disappearance of both Saharawi and Moroccan victims of the conflict in Western Sahara, be clarified, without making these requests dependent on the implementation of the new Peace Plan otherwise known as Plan Baker II⁵⁹.

The Fondation France Libertés recommends to the institutional donors, particularly the European Union via its programme ECHO and the United Nations World Food Programme, as well as the NGOs present in the Saharawi refugee camps that:

They should investigate the issue of the labour force used in the context of the handling of the food aid they provide, as well as in the context of the projects and programmes they are funding.

They should investigate the very serious accounts of diversion and theft of the food aid destined to the Saharawi refugees.

⁵⁹ Paragraph 19, Annex II of the UN Secretary General Report dated 23rd Mai 2003.

The Fondation France Libertés recommends to the European Union, in view of the association agreement that binds it to Algeria, that:

They should demand from the Algerian authorities that in the case of the Moroccan POWs, both civilian and military, they behave in conformity with Human Rights clauses, more specifically by releasing without delay all the Moroccan POWs, both civilian and military.

The Fondation France Libertés recommends to Morocco that:

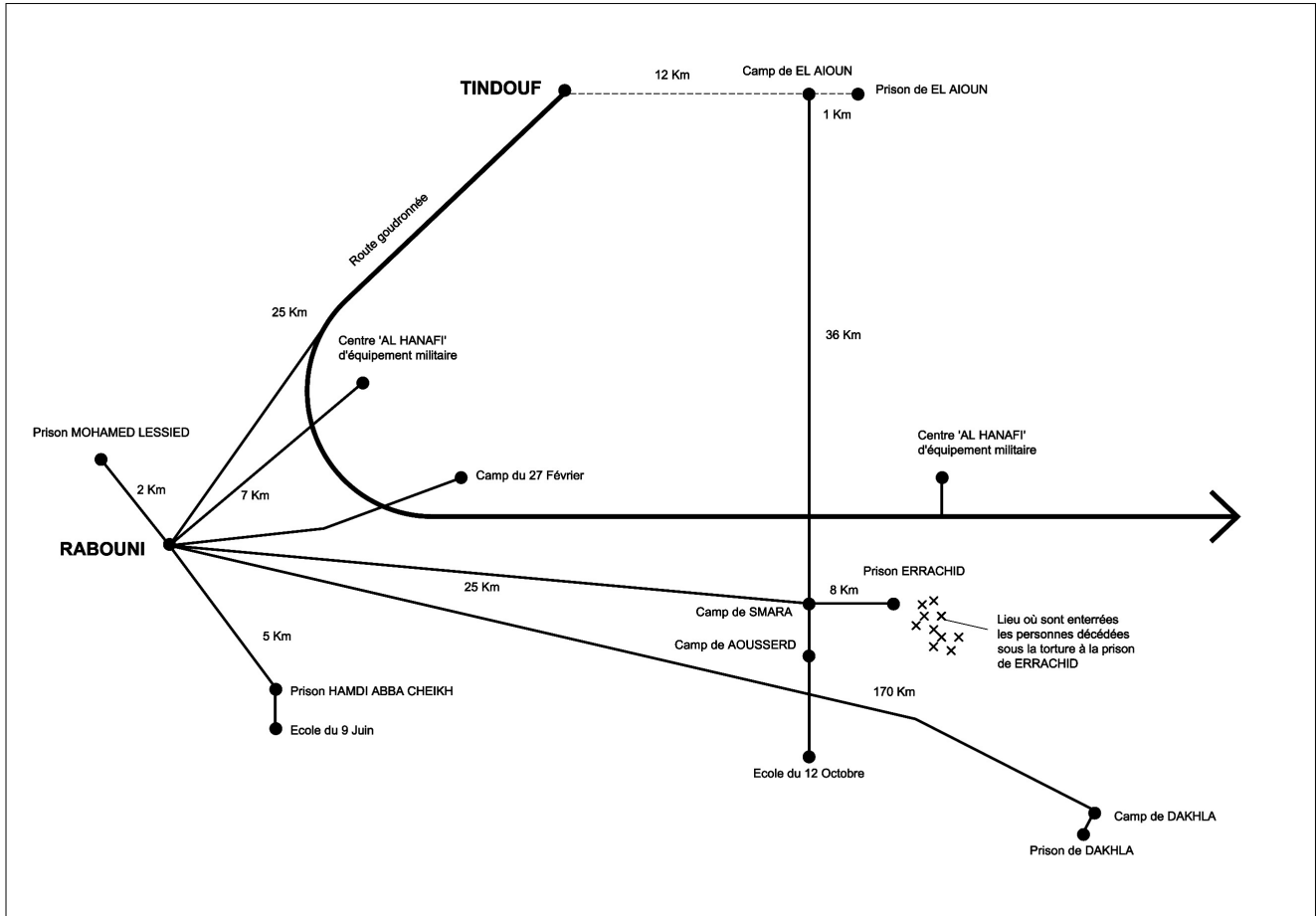
The Moroccan authorities should take all the necessary measures so that the former Polisario Front cadres who moved over to Morocco and are known as perpetrators of war crimes and violations of human rights, be sued and tried in a court of law so as to put an end to the impunity that protects them.

The Moroccan authorities should clarify the circumstances of the forced disappearance of Saharawis, both civilian and military, so as to sue and judge in a court of law the perpetrators of such cases of forced disappearance and put an end to the impunity that protects them.

Annexes

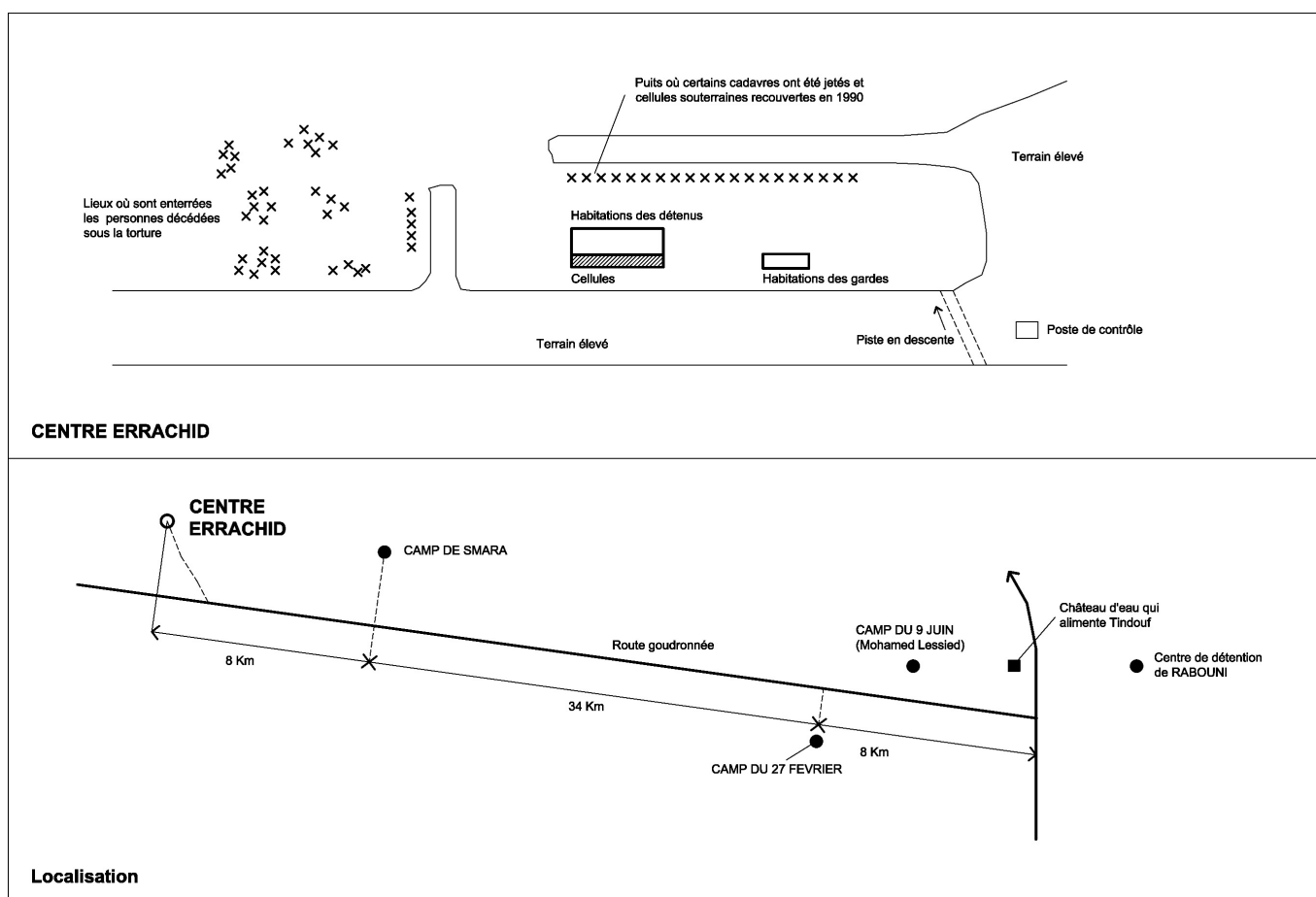
Annex 1

Situation of the detention centres of the Moroccan POWs in the region of Tindouf



Annex 2

Detention centre of Errachid



“Puits où certains cadavres ont été jetés et certaines cellules souterraines recouvertes en 1990”: Wells into which certain bodies were thrown, and underground cells covered up and hidden in 1990.

“Lieux où sont enterrées les personnes décédées sous la torture”: Places where the bodies of people who died under torture are buried.

Annex 3

Example of distribution of monthly food ration in a detention centre for Moroccan POWs (April 2003)

Food	Monthly ration per person	Remarks for month of April
Flour	10 kilos	+ 500 g
Sugar	1,5 kilos	+ 95 g
Tea	200 g	
Rice	500 g	
Lentils	1,5 kilos	+ 100 g
Oil	1 litre	
Tuna	250 g	+ 500 g
Powder milk	500 g	+ 50 g
Cereals	500 g	
Biscuits	300 g	
Pastas	1 kilo	
Eggs	5	
Baking powder	400 g	
Exceptional food complements		
Potatoes		2 kilos
Onions		1 kilos
Carrots		1 kilos

Commentary of the POW in charge of the reception of this food rations:

“The food complements are only for the month of April 2003. We hope that this is not a one off exceptional measure, so that the nutritional condition of the POWs may improve pending their liberation”.

Annex 4

List of the Moroccan POWs both civilian and military who died in violent circumstances

Remarks:

1 - In bold: names of the persons who are buried in a site near Rabouni, and for whom there are at least tomb stones.

2 - In the column called “Observations”, the question marks indicate that the families have not yet been informed of the death of their relative.

3 - This list gives a rough idea of a situation: it is not an exhaustive document.

Names	Date and place of capture	Date of death Date de décès	Observations
1. Mohamed Salem Yahdih	24 août 1977 à Boujdour	15 novembre 1979	Décédé
2. El Boudi Mustapha	24 août 1977 à Boujdour	22 juillet 1980	?
3. El Arbi Hamidat Salek	21 août 1979 à Jahifa	30 octobre 1980	?
4. Ba Ahmed Libat	21 août 1979 à Jahifa	10 septembre 1980	?
5. El Rgibi Lamine Mbarek	21 août 1979 à Jahifa	16 août 1980	?
6. Ahmed Baylel Boujamaa	17 janvier 1979 à Lemseid	16 août 1980	?
7. Jarjoub Mohamed Abdel Kader	19 mars 1980 à Ouarkziz	13 mars 1981	?
8. Abdel Salam	8 octobre 1979 à Ramzelban	8 août 1981	?
9. El Tazi Mohamed	11 avril 1979 à Khalwa	20 décembre 1981	?
10. El Madani Lahcen Mouha	26 mars 1981 à Guelta Zemmour	31 décembre 1981	?

11. Mohamed Salem Mohamed Abdalah	4 janvier 1980 à Hagounia	25 décembre 1981	?
12. Kalila Lahbib Laaroussi	7 septembre 1979 à Lemseid	22 janvier 1981	?
13. Trarine Mohamed Ali	4 avril 1979 à Khalwa	20 décembre 1980	?
14. Ibrahim Elsalak Mashoud (Karcham)	16 mai 1978 à Grayar El Khachab	22 février 1981	?
15. Zaïd Echarki	11 août 1978 à Birezarane	9 mars 1982	?
16. Bachir El hamid Hamadi	17 janvier 1979 à Lemseid	14 mai 1982	Décédé
17. El Amrani Ahmed	15 juin 1976 à Ghreid	26 mai 1982	?
18. Mohamed Ahmed Abdallah	16 août 1979 à Ingabe	16 juin 1982	?
19. Boualaga Houssine	21 août 1978 à Jahifa	7 juillet 1982	Décédé
20. Imzrag Jamaa	8 juin 1976 à Tarfaya	1 ^{er} octobre 1982	?
21. Enably Hamo	14 février 1976 à Amgala	1 ^{er} octobre 1982	?
22. Ben Yadar Mouha	14 octobre 1981 à Guelta Zemmour	13 février 1983	?
23. Mankou Zayed	14 octobre 1981 à Guelta Zemmour	24 février 1983	Décédé
24. Bassou Mouha	?	15 avril 1983	?
25. Elhachmi Abdelkader	14 octobre 1979 à Mahbas	16 avril 1983	?
26. El Diali Mohamed	14 octobre 1979 à Mahbas	10 juin 1983	?

27. Rachid Mohamed	16 septembre 1979 à Lengabe	15 décembre 1983	?
28. Wahib Mohamed	2 mars 1982 à Ras El Khanfra	26 février 1984	?
29. Azouz Mohamed	4 janvier 1980 à Hagounia	12 mars 1984	?
30. El Rana Mahjoub	17 janvier 1979 à Lemseid	21 mai 1984	Décédé
31. Ahmed El Bachir Mbarek	22 novembre 1975 à Laayoune	19 avril 1984	Décédé
32. Ehchabchi Kouïdère	12 juin 1979 à Assa	10 mai 1984	?
33. Bouzroul Laarbi	11 août 1979 Birenzarane	12 juin 1984	Décédé
34. Ahmed Nah Mohamed Sidi Ahmed	4 décembre 1975	16 août 1984	?
35. Mohamed Alal Ambar	20 octobre 1981 à Guelta Zemmour	3 août 1984	?
36. Assiati Hossin El Bachir	5 octobre 1981	16 décembre 1984	?
37. El Bouhi Mohamed	14 octobre 1979 à Mahbas	6 mai 1985	Décédé
38. Oughrasse Mabrouk Mohamed Ali	25 octobre 1977 à Oued Ensar	23 juin 1985	Décédé
39. Ahmed Mustapha Ali Salem	27 juin 1976	1985	?
40. Amaef El Muyah Mohamed	21 août 1978 à Jahifa	1985	?
41. Ourhou Ahmed	25 octobre 1980 à Ras El Khanfra	11 juillet 1985	?
42. Mohamed Ahmed Allal	13 juillet 1976 à Tadayaght	3 septembre 1985	?

43. Ibrahim Mbarakak Lehdire	8 juin 1979 à Ghreid	8 octobre 1989	?
44. Achwaghir Lahssan	11 août 1979 à Birenzarane	1er novembre 1985	?
45. Lakhlifa Omar Ali	11 janvier 1978 à Ghreid	1985	?
46. Ahmed Mohamed Saïd Lahcen	3 juin 1978	8 novembre 1986	?
47. Raoui Kabour	6 octobre 1979 à Assa	1987	Décédé
48. Abdani Ahmed Mohamed	12 mai 1980 à Elhank lakhal	8 novembre 1987	Décédé
49. Ghayate Sidi Ahmed	8 avril 1987 à Haouza	27 août 1987	?
50. Mohamed Salek El Jira	18 mai 1978 à Grayar lakhchab	13 juin 1987	?
51. Laaroussi Mohamed Abdeslam	8 juillet 1987 à Farsïa	4 novembre 1987	?
52. Abdeljabar Mohamed	25 février 1987 à Farsïa	13 mars 1987	Décédé
53. Makhloufi Ahmed	12 janvier 1979 à Langab	26 mars 1987	?
54. Mohamed El Mehdi Mohamed	25 octobre 1977 à Bir Lahlou	1987	Décédé
55. El Kadmi Ahmed Mouloud	16 avril 1987 à Haouza	16 avril 1987	?
56. Kazid Abdelkadi	8 avril 1987 à Haouza	19 mai 1987	?
57. Lahssan Hmida Hamadi	4 janvier 1980 à Hagounia	12 septembre 1988	Décédé
58. Khatar Mohamed El Hossin	16 septembre 1979 à Langabe	7 décembre 1988	?
59. Tamahmachte El Hossine	11 août 1979 à Birenzarane	15 avril 1989	Décédé

60. Azrame Abdelaziz	11 mars 1980 à Ouargziz	29 mars 1989	?
61. El Handi Ahmed Jilali	13 octobre 1984	05 mai 1989	Décédé
62. Laamimi Saïd	6 novembre 1979 à Bou Craa	1989	Décédé
63. Tayba Brahim	24 août 1979	29 mai 1989	Décédé
64. Bouzid Lahocin Mohamed	14 octobre 1981 à Guelta Zemmour	23 novembre 1989	Décédé
65. Echadawi Abdeslam	18 novembre 1989 à Amgala	22 novembre 1989	?
66. Kalkoul Abderazak	11 août 1979 à Birezarane	16 mars 1990	Décédé
67. El Yacoubi Mohamed	14 octobre 1979 à Mahbas	14 mars 1990	?
68. Talha Abdallah	8 novembre 1989 à Mgala	20 mars 1990	?
69. Acram El Mokhtar	3 septembre 1980 à Tata	13 mai 1990	?
70. Boukili El Mokhtar	11 août 1979 à Birezarane	1990	Décédé
71. Abderahmane Ben Lahcen	17 septembre 1980 à Ras El khanfra	12 février 1991	?
72. Mozoun El Arbi	11 août 1979 à Birezarane	13 février 1991	Décédé
73. El Maataoui Mahjoub (aide-pilote)	9 décembre 1979 à Zag	26 septembre 1991	Décédé
74. El Karwi Ouled Abdallah	14 octobre 1981 à Guelta Zemmour	24 novembre 1991	Décédé
75. El Midaoui El Khamare	13 juillet 1987 à Tertika	21 décembre 1991	Décédé

76. El Bachir Mbarek Ali	5 mai 1979	22 novembre 1991	?
77. Choukake Mohamed	14 juin 1985	11 mai 1992	Décédé
78. Mustapha Mohamed Kouri	17 mai 1978 à Grayar Lakhchabe	23 mars 1992	Décédé
79. Boujemaa Aba Lahcen Rahmate	A Grayar Lakhchabe	3 septembre 1992	?
80. El Houcin Ahmed Ould Haj Assalhi	8 juillet 1987 à Tichla	5 janvier 1993	?
81. Mahmoud Blale Souilème	4 janvier 1980 à Hagounia	13 décembre 1993	Décédé
82. Ali El soulème El Zawi	25 février 1987 à Farsïa	16 août 1993	Décédé
83. Boujemaa Brika El Ghazoini	18 novembre 1987 à Oum Drega	1993	Décédé
84. Mahjoub Mohamed Saghir	6 octobre 1979 à Smara	1993	Décédé
85. Nabil Abdallah	17 septembre 1980 à Ras El Khanfra	25 novembre 1994	?
86. Etouhani Lhoucin	24 août 1979 à Bouérate	11 mars 1994	?
87. El Ainawi Mohamed	21 mars 1986 à Farsïa	3 mars 1994	?
88. Chbabout Hamza	24 août 1979 à Bouérate	25 septembre 1994	Décédé
89. Laarwa Blal	11 avril 1979 à Khalwa	3 novembre 1994	Décédé
90. Finidi Omar	25 février 1987 à Farsïa	24 juillet 1994	Décédé
91. Barghout Ahmed matricule 36/1993	14 octobre 1981 à Guelta Zemmour	15 décembre 1994	Décédé

92. Iloul Allal	11 janvier 1978 à Akrour	24 décembre 1994	Décédé
93. Ben Esami Lahcen	3 janvier 1980 à Hagounia	1994	?
94. Ahmadou Sidi Baba	4 juin 1979 à Assa	20 avril 1995	Décédé
95. Ouchmou Lhoucin ou El Chamouel Hassine Ben Ahmed matricule74/58068	14 octobre 1981 à Guelta Zemmour	4 juin 1995	Décédé
96. Ait Chrif Lhocin ou Ibn Cherif El Hassine	28 août 1980 à Dakhla	12 juin 1995	?
97. Achaoui Ben Salem	16 septembre 1976 à Fard Elhmar	23 juin 1995	?
98. El Baazowi Elmaatib	16 avril 1981 à Akka	13 juillet 1995	?
99. Oma Lahcen	20 août 1980 à Tata	7 août 1995	Décédé
100. Lahrach Driss	1976	3 novembre 1995	Décédé
101. Ibrahim Ahmed Mlilou	?	20 novembre 1995	Décédé
102. Elyousfi Mohamed	14 octobre 1981 à Guelta Zemmour	22 juillet 1995	?
103. Darbouche Mohamed	24 août 1987	26 février 1996	?
104. El boukili Mohamed	31 décembre 1981	4 février 1996	Décédé
105. Mohamed Ben Kadour	14 octobre 1981 à Amgala	13 juillet 1996	Décédé
106. Kourhi Mustapha	13 février 1976 à Bou Craa	27 février 1997	?

107.	Zarouel Abdallah	1981 à Tarfaya	11 novembre 1997	?
108.	Oukrar Mohamed	11 août 1979	28 février 1998	?
109.	Zarzaoui Moha	1975	9 mars 1998	?
110.	Mohamed Jemih Garate	3 juillet 1981	6 septembre 1998	?
111.	El Azi Ben Lahcen	24 août 1979	août 1998	?
112.	Aït Ahmed Lahcen	1979	17 février 1999	?
113.	El Haj Mohamed Ben Lahcen	1979	13 juin 1999	?
114.	El Hassiène El Hayechi n° CICR 3176	1979	10 septembre 1999	?
115.	El Khaïti Aziz ou El Kechichi Abdelaziz n°CICR 3102	1979	22 juin 2000	?
116.	Marahbemi Aktour	1979	21 septembre 2000	?
117.	El Hassouèti Bouthib	1979	15 mars 2001	?
118.	Azida Mohamed	1979	27 décembre 2001	?
119.	Harassi Mohamed	?	?	
120.	Lahboub Mohamed	?	?	

Annex 5

Places of the tombs of 45 Moroccan POWs both civilian and military buried in a site located some 4 km south of the prison Hamdi Abba Cheikh⁶⁰ (10 of the persons could not be identified by the author of the document).

MENNAOUI MOHAME	LAMROUA BLAL	CHBABOTE HAMZA
TIHANI HOUCINE	BERGHOUT MOHAMED	MOHAMED BEN KADOUR
INCONNU	AILOULE ALLAL	ZEROUAL ABDESLAM
INCONNU	AHMADOU SIDI BABA	ADRARE MOHAMED
INCONNU	OUCHEMOU LEHSEN	ZARZOURI HOUCINE
INCONNU		
INCONNU	AIT CHERIF HOUCIN	BAHRI KASSOU
INCONNU	BOUZAOU MAATI	LARBI LEHSEN
INCONNU	OUMA LEHCEN	MASBAH ACHOUR
ALAID MOHAMED	LAHRACHE DRISS	NAHAL BEN ISSA
CHADAOU ABDESLAM	BRAHIMI AHMED	SOUDATI BOUCHAIB
BOUZIT LEHSEN	DRIOUECH MOHAMED	
AAMIMI SAID	BOUKILI MOHAMED	
INCONNU	HOUARI LEHSEN	
MOZOUN LAARBI	AIT HAMMAD LEHSEN	
MAATAOUI MAHJOUB	SABIRI MOHAMED	
INCONNU	BEN HSAIN AYACHI	
	KCHAICHI AZIZ	

INCONNU

⁶⁰ This site is documented in the photographic annex #5 of the print version of the present report (photographic annexes are not included in the electronic version of the present report).

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France Libertés is committed to :

- denounce the violations of liberties and human rights
- support local initiatives that favour the right to justice, education, health, housing and land
- relay the voice of the “voiceless”.

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