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Morocco: Lift Travel Restrictions on Sahrawi Activists

(Rabat) - Morocco should immediately end an effective ban on foreign travel against selected Saharawi activists, Human Rights Watch said today. Since August 2009, the government has revived this arbitrary and repressive measure, which it had used frequently more than a decade ago but less frequently since then.

According to information obtained by Human Rights Watch, in recent months authorities have turned back at least 13 Sahrawi activists, whose papers were reportedly in order at the airport or land borders, confiscating passports from seven of them, without providing a legal basis for doing so. Authorities have also failed to approve passport renewal applications of at least three other Sahrawi activists, who said they had submitted all of the necessary paperwork weeks and in some cases more than one year earlier for a process that normally takes no more than a few days.

"Morocco is again holding the right to travel hostage to a political test," said Sarah Leah Whitson, Middle East director at Human Rights Watch. "This is reminiscent of the days when authorities arbitrarily provided or withdrew the passports of dissidents at will."

The restrictions on foreign travel are part of a pattern of increased repression against Sahrawis who oppose Morocco's sovereignty claim over the Western Sahara and who favor self-determination for the contested territory. In a speech affirming the new, harder line toward Sahrawi activists, King Mohammed VI declared on November 6:

Now is the time for all government authorities concerned to strive doubly hard, show great resolve and vigilance, enforce the law and deal vigorously with any infringement of the nation's sovereignty, security, stability and public order....Let me clearly say there is no more room for ambiguity or deceit: either a person is Moroccan, or is not....One is either a patriot, or a traitor....One cannot enjoy the rights and privileges of citizenship, only to abuse them and conspire with the enemies of the homeland...

Ten days later, Moroccan authorities summarily [deported to Spain Aminatou Haidar](#), president of the Collective of Sahrawi Human Rights Defenders (CODESA), because, upon arriving at El-Ayoun airport, she had listed her home address as being in Western Sahara, an appellation that Morocco does not recognize. They allowed Haidar to return 33 days later, after an international campaign on her behalf. This was the first time Morocco had deported a dissident citizen since 1991.

On October 8, Moroccan authorities arrested seven Sahrawi activists upon their return from a visit to the Tindouf refugee camps in Algeria, where they had met openly with the leadership of the Polisario, the movement for the independence of Western Sahara. The seven remain in pre-trial detention, facing charges before a military tribunal of "undermining" the internal and external security of the state. Referring civilians to a military court is a rare and ominous development.

Beginning in November, Morocco also began preventing foreigners who travel to Western Sahara from visiting Sahrawi activists in their homes, breaking up such meetings and telling the foreigners that they must [get prior clearance](#) from the authorities for such encounters. Such restrictions apparently have no basis in Moroccan law.

The new wave of travel restrictions include:

- On August 5, authorities at the airport in Agadir prevented six Sahrawi student activists from boarding a flight to London, although they had valid passports and visas to enter the United Kingdom. The police reportedly told the six that they could not leave because they were "Polisario" and because the police had orders "from above." When the six staged an impromptu protest sit-in at the airport, the police forcibly evicted them and drove them back to El-Ayoun, where they live. The six had been invited to attend a two-week cross-cultural workshop organized by Talk Together, a British nongovernmental organization, together with other youths. The six are Mohamed Fadel Ellassri, Mohamed Daanoun, Hayate Rguibi, Nguia El-Hawassi, Mimouna Amidan, and Shammad Razouk.
- Rguibi and al-Hawassi tried to board a flight from Mohammed V airport in Casablanca to the UK on November 18, but police again turned them back, without providing an official reason, and subjected the two young women to lengthy questioning before releasing them.
- On October 6, police stopped five prominent Sahrawi activists at the Bir Guendouz border crossing with Mauritania, held them for about eight hours, and then turned them back after confiscating all their passports, national ID cards, and cell phones. The activists said the police told them they could not travel because they planned to attend a Polisario gathering in Mauritania. The men filed formal complaints in court and sent letters of protest to various ministries. Three months later, authorities have returned neither their documents nor their cell phones, nor provided an official reason for the travel ban or confiscations. The men are: Sidi Mohamed Daddach, president of the Committee for the Defense of Self-Determination for the People of Western Sahara (CODAPSO), Ahmed Sbai, a member of the Association of Sahrawi Victims of Grave Human Rights Violations (ASVDH), Larbi Messaoud, a member of the Collective of Sahrawi Human Rights Defenders, Brahim Ismaeli, president of the Forum for the Memory of the Sahrawi People, and Atik Brai of the Dakhla-based Committee against Torture.
- On October 18 authorities at El-Ayoun airport prevented Sultana Khaya from traveling to Spain and confiscated her national ID card, passport, and Spanish residency visa. Khaya, of the city of Boujdour in Western Sahara, is vice-president of the Forum for the Future of Sahrawi Women. Three months later, authorities have not returned her documents.
- On November 18, authorities at Mohammed V airport in Casablanca prevented Abderrahman Bougarfa of El-Ayoun from departing for Spain, interrogating him and then confiscating his passport. They provided no official reason for the travel ban or for seizing the passport. Bougarfa was thus prevented from attending a conference in Spain on Western Sahara. Two months later, authorities have not returned his passport.
- Brahim Sabbar, secretary general of the ASVDH, has been without a passport since he applied in 2000. In November 2008, he submitted a new application at the Wilaya of Guelmine, only to be told that his passport could not be issued because the police

had put out a warrant for his arrest. He presented himself to authorities, who declined to arrest him or clear his file. Since then, authorities have neither explained to him the basis for the warrant nor issued him a passport. Bachir Lefkhaoui, a member of ASVDH's executive committee, applied at the Wilaya of El-Ayoun to renew his passport early in 2009, and has received since then neither the passport nor an explanation for the delay, despite visiting the passport office there three times. Hmad Hammad, vice president of CODAPSO, applied in December 2009 to renew his passport with the passport office in the Wilaya of El-Ayoun, where he lives. Hammad was sent from one office to another, only to be told that the decision rests with the Interior Ministry in Rabat. Since then, Ghalia Djimi, vice-president of the ASVDH, and Moustapha Dah, her husband and an ASVDH member, submitted applications to replace their expired passports on December 24 and January 5 respectively, and are still waiting for a response.

Many of the above-mentioned activists, when they were able to travel abroad in the past, used the opportunity to criticize Moroccan human rights practices toward Sahrawis and to advocate peaceful self-determination for Western Sahara. Human Rights Watch has not received any reports of obstacles to foreign travel for Sahrawis who support Moroccan sovereignty and seek to expose human rights violations attributed to the Polisario.

Morocco is a state party to the International Covenant on Civil and Political Rights (ICCPR), which states in article 12, "Everyone shall be free to leave any country, including his own." The Covenant prohibits states from imposing restrictions on this right "except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant." Morocco has made no effort to show that the current spate of travel restrictions meets these conditions.

In the 1970s and 1980s, Morocco often denied passports or the right to travel to dissidents and former political prisoners, both Sahrawi and non-Sahrawi. This practice diminished overall during and since the 1990s, with notable exceptions. For example, on March 27, 2003, Morocco prevented a 13-member delegation of relatives of Sahrawi "disappeared" persons and Sahrawi human rights activists, including Bachir Lefkhaoui, from leaving for Geneva to participate in United Nations human rights activities. The passports were not returned to most of them until 2006.

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