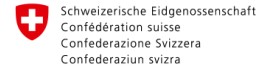




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## REGIONAL CONSULTATIONS

## REPORT

# MIDDLE EAST AND NORTH AFRICA

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Our sincere thanks go to the survivors, victims, families of the disappeared, civil society representatives, international organisation representatives, experts, and national human rights institutions who participated in these consultations, as speakers and from the audience. Their invaluable insights and shared experiences are at the heart of the consultations, providing a unique understanding of the best practices, challenges, and recommendations in the fight against enforced disappearances.

CEDI would also like to thank everyone else who contributed to a successful event, including the interpreters in Arabic, English and French, and everyone who helped prepare the consultations: Mr. Saad Hussein, member of CEDI's Advisory Board, the Secretariats and Members of the United Nations Committee on Enforced Disappearances and of the Working Groups on Enforced or Involuntary Disappearances, and the OHCHR Regional Office, for facilitating contacts.

Special thanks to Ms. Tatiana Avanthay, our Communications Consultant, for ensuring that these online events ran smoothly.

CEDI is also grateful to its partners for their support.

## **1. Introduction**

The first ever [World Congress on Enforced Disappearances](#), co-organised by [CEDI](#), the United Nations [Committee on Enforced Disappearances](#) (CED), the [Working Group on Enforced or Involuntary Disappearances](#) (WGEID), and the Office of the [High-Commissioner for Human Rights](#) (OHCHR), will take place on 15 and 16 January 2025 in Geneva, Switzerland. One of its objectives is to put families and CSOs back at the centre of the joint efforts for the ratification and implementation of the Convention.

To facilitate their contribution, CEDI organized a series of online regional consultations with victims, family members, civil society organisations, international organisations and national human rights institutions, in May and June 2024 to:

- Provide a space for stakeholders in the region to share experiences
- Gather their suggestions for the World Congress and the action plan that will be presented.

This report is based on the online regional consultation on the MENA region held on 31 May 2024, part of a series of exchanges conducted from May to June 2024. The report highlights best practices, challenges, and recommendations shared during these sessions, with the insights gathered aimed at informing the World Congress on Enforced Disappearances, drawing from experiences across multiple countries.

### **Programme:**

- Introduction to the World Congress – *Speaker*: Mohammed Ayat, Member and Former Chairperson of the United Nations Committee on Enforced Disappearances.
- Overview of the situation of the Convention in the Region – *Speaker*: Lyn Eid, Human Rights Officer at the Regional Office of the OHCHR for the MENA Region.
- PANEL I – States Parties to the Convention. – *Facilitator*: Saad Hussein, Advisory Board Member CEDI.
  - Régional Federation
    - Nassera Dutour, President of the Euro-Mediterranean Federation against Enforced Disappearances (FEMED), President of the Collectif des Familles de Disparus en Algerie.
  - Iraq – *Speakers*:
    - Kazem Zughair Jassim Al-Baydani, Al-Munqith Organization for Human Rights.
    - Abbas Al Quryshie, Iraqi Centre of Documentation.
    - Ahmed Al-Mousawi, Iraqi Civil Society.
    - Faten Al-Halafi, Mercy Humanitarian Association.
  - Morocco – *Speakers*:
    - Rachid El Manouzi, Association des Parents et Amis de Disparus au Maroc.
    - Moussa Salem, Representative of the Coordination Committee for the Family of the Disappeared.

- PANEL II – Other countries. – *Facilitator*: Nisreen Zerikat, Jordan National Center for Human Rights.
  - Syria – *Speakers*:
    - Fadoma Mamod, Organization of Families for Freedom.
  - Yemen – *Speaker*: Naglaa Fadel, Association of Mothers of Abductees.
  - Lebanon – *Speakers*:
    - Layal Diab, Act for the Disappeared.
    - Prof. Jihad Nammour, University of Saint Joseph of Beirut.
- Conclusion – *Speaker*: Bissan Fakhri, MENA Campaigner, Amnesty International.

## **2. Overview of the situation of the Convention in the Region**

Lyn Eid

Human Rights Officer at the Regional Office of the OHCHR for the MENA Region

In the Middle East and North Africa Region, States Parties continue to commit the crime of enforced disappearances in the region, including against women and children as vulnerable groups. The cases of enforced disappearance happen together with further violations of human rights, such as torture and sexual and gender-based violence. The climate of impunity is still dominating the region; authorities often refuse to provide explanations about the disappeared person. Furthermore, most of these countries are not members of the Convention for the Protection of All Persons from Enforced Disappearances. More precisely, only six are committed to it: Iraq, Mauritania, Morocco, Oman, Sudan, and Tunisia. Many international human rights organisations have regularly documented cases of enforced disappearances in many Arab countries. After the Arab Spring, in the last fifteen years, the number of people forcibly disappeared has risen enormously. Difficulties related to the fact that the victims are considered to be more than those recorded, considering that many governments do not allow for investigations in cases of enforced disappearances, especially where armed conflict is taking place.

The countries in the region are called:

1. To carry out transparent and comprehensive investigations for enforced disappearances and take the necessary measures to find the remains and whereabouts of the disappeared.
2. To answer the requests for individual cases, call the task force to carry out regional visits and give it full access to carry out missions.
3. To ratify the International Convention on the Protection of All People from Enforced Disappearances with a full implementation of national legislation and to ensure that local legislation criminalises enforced disappearances. It is also essential to adopt policies that assist the work of civil society regarding compensation and rehabilitation and support cases and families.

## PANEL I

### **Facilitator**

Saad Hussein

Advisory Board Member CEDI

### **A. Iraq**

Nassera Dutour

President of the Fédération Euro-Méditerranéenne contre les Disparitions Forcées, President of the Collectif des Familles Disparues en Algerie

Lessons learned:

- **Existing mechanisms:** Different mechanisms, such as those of transitional justice, can be used with the families or by family association, providing avenues for truth-telling, justice, reparations and guarantees of non-recurrence.

Proposed initiatives:

- **Regional or Interregional Seminar on Enforced Disappearances:** Creating a platform for families, associations, and direct victims to share experiences, discuss challenges and explore solutions related to enforced disappearance.

- *When?* Almost one year after the World Congress on Enforced Disappearances.
- *Duration?* The seminar could last two or three days.
- *Proposed Agenda:*

- ❖ Day 1-2:

- Exchange of Experiences: Sessions dedicated to sharing positive and negative experiences.
- Monitoring and Follow-Up: Workshops on effective monitoring and follow-up activities to ensure accountability and support for victims.

- ❖ Day 3:

- Focus on Non-Ratifying Countries: Discussions aimed at raising awareness and promoting the ratification of the Convention on Enforced Disappearances.



## ***Best Practices of Iraqi Civil Society in Encouraging the Iraqi Government to Join the International Convention for the Protection of All Persons from Enforced Disappearance***

Kazem Zughair Jassim Al-Baydani  
Al-Munqith Organization for Human Rights

It is well known the extent of the severe violations that were revealed to the world after the fall of Saddam Hussein's regime prominently featured the crime of enforced disappearance. Numerous mass graves were uncovered, containing the remains of thousands of victims, many of which were exhumed haphazardly by victims' families seeking to discover the fate of their loved ones during a time when the Iraqi state and its institutions were fragmented. Civil society, newly emergent, became a key player in organising the search and investigation process. Under the previous regime, there was no freedom to form and establish organisations. Community initiatives were launched to preserve documents related to security agencies, manage prisons and detention facilities, and protect mass grave sites. The religious authority in Najaf issued a fatwa requiring the protection of these sites from arbitrary digging, preparing them for legal, religious, and scientific handling under the supervision and participation of international organisations after the establishment of a legal framework following the formation of the first Iraqi governments under occupation and the re-emergence of the Iraqi state.

Key positive practices of Iraqi civil society:

- ***Establishment of the first Multi-Representation Task Force:*** The Al-Munqith Organization for Human Rights team, including international and institutional actors, featured the newly established Ministry of Human Rights, founded in September 2003.
- ***Development of a national legal framework:*** Efforts included creating laws to manage the issue of enforced disappearances, such as the Law on the Protection of Mass Graves, the Martyrs Foundation Law, the Political Prisoners Law, the National Center for Missing and Disappeared Persons, and the National Documentation Center. Judicial orders were also issued regarding the issuance of declaratory death certificates, reducing the necessary period from four to two years, thus resolving many legal statuses of the disappeared and unknown individuals.
- ***Capacity-building and networking:*** Iraqi civil society improved its performance post-Saddam by launching initiatives to enhance its own capacities and forming civil society organisation networks and alliances, emphasising partnerships with Iraqi governmental institutions and international organisations.
- ***Recommendations to the Iraqi Government:*** The national team's recommendation concluded that there was no constitutional or legal barrier to Iraq joining the International Convention for the Protection of All Persons from Enforced Disappearance. Consequently, the Iraqi Council of Ministers approved the recommendation, instructing the Ministry of Foreign Affairs to take the necessary steps for signing and ratifying the Convention.

- **Advocacy campaigns:** Civil society launched campaigns to press the Iraqi parliament to ratify the Convention without reservations, highlighting the importance of joining the Convention to prevent past atrocities and crimes.
- **Support for the Iraqi High Criminal Court:** Civil society supported the court in prosecuting former regime officials, providing legal and psychological support to victims' families and advocating for the issuance of judgments to ensure accountability for crimes such as Anfal, Dujail, and targeting of Fayli Kurds.
- **Awareness and information dissemination:**
  - *Spreading Information:* Disseminating information about the Convention's importance through seminars, workshops, printed materials, websites, and social media.
  - *Public Engagement:* Organising interactive awareness campaigns to encourage public support for the Convention.
- **Capacity-building:**
  - *Training Civil Society Members:* Organising training programs on understanding and applying the Convention, international cooperation, monitoring, accountability, and human rights.
  - *Supporting Local Organisations:* Managing funding and support programs, training, and information exchange.
- **Participation in decision-making:**
  - *Government Engagement:* Civil society's direct cooperation with the government through meetings, letters, and memos, participating in national teams preparing periodic or contractual reports, and providing actionable recommendations for the state's adherence to the Convention.
  - *International Participation:* Engaging with international bodies dealing with conventions through shadow reports, information exchange, dialogue with visiting teams, and participation in UN surveys to improve convention implementation.
- **Accountability:**
  - *Monitoring Government Progress:* Civil society monitors government progress in applying the Convention, using public data to analyse government performance.
  - *Reporting Violations:* Reporting any violations of the Convention by the government or individuals, publishing reports, complaints, and public statements.
- **Building Alliances:** Cooperating with NGOs, universities, and the private sector to implement and apply the Convention, achieving better results through collective efforts.
- **Patience and Perseverance:** Acknowledging that policy change takes time, Iraqi civil society remains patient and persevering in its efforts to encourage governments to meet their international obligations, including the Convention for the Protection of All Persons from Enforced Disappearance. Current efforts focus on advocating for a national law against enforced disappearance, a significant step in respecting Iraq's international commitments and providing greater protection for its citizens.

## ***The Impact of Documenting the Crime of Enforced Disappearances, Reforming the Justice System and Achieving Justice for Victims***

Abbas Al Quryshie  
Iraqi Centre of Documentation

Documenting the crime of enforced disappearance is a moral and humanitarian responsibility that calls on everyone. It is also a legal responsibility; everyone should contribute to fighting against accountability, preserve memory, prevent the recurrence of this crime and build a culture based on human rights.

The Iraqi Centre of Documentation has the following goals:

- ***Supporting the prosecution of the perpetrators of the crime:*** Through the legal support group and in coordination with judicial and law enforcement authorities, it helps the victims by collecting the necessary evidence to prosecute the perpetrators and hold them accountable for their actions. It provides specialised research, analysis, and methodology on the manner in which this crime is committed, highlighting the gaps that allow individuals and regimes to commit this crime and presenting a vision to prevent it.
- ***Supporting victims and their families:*** The Documentation Center supports victims and their families through legal documentation and several forms of legal, psychological and social forms. It provides documented information to victims and families, and the necessary evidence to claim compensation for the damage suffered, realising the right to know the truth of victims and families about what happened.
- ***Preserving memory and preventing forgetfulness:***
  - I. Commemorating the victims and preventing them from being forgotten through periodic conferences, specialised seminars, memorial events, establishing unified burial sites, creating memorials and museums, issuing many documentaries on the crime of enforced disappearances, and telling victims' stories.
  - II. Preserving historical records of these violations, allowing future generations to know about the extent of the injustices that happened (for example, the Encyclopedia of Mass Graves and other research and studies).
  - III. Community education: In coordination with the Centre of Higher Education, the Centre contributed to the creation of the curriculum that documents various crimes, including that of enforced disappearances. The database has contributed to community awareness of the seriousness of this crime. There is also a project, which is in the implementation phase, on a specialised museum that documents extreme crimes, including the crime of enforced disappearances.
- ***Support to human rights efforts:*** Contributing to change, the Documentation Centre supports human rights efforts, providing documentation for several stakeholders to advocate for the rights of victims. It also promotes legal reform centers.
- ***Importance of cooperation:*** The Centre also seeks collaboration at the national and international levels.

The CEDI initiative can be beneficial to:

1. Facilitate the exchange of information and experiences in the field to fight enforced disappearances.
2. Support the efforts of the Iraqi civil society by providing technical assistance and providing a path to develop their skills in areas such as evidence collection, documentation of violations, and psychological support for the victims.
3. Providing consultations and introducing best practices and international experiences that can lead the Documentation Center and the Iraqi civil society to reach effective solutions.
4. Joint work to introduce the Iraqi experience by introducing its positive aspects and challenges that may have presented obstacles to implementing many reforms that could be done more quickly and in a more compatible manner with international standards.

### ***The Role of the Iraqi Civil Society in Monitoring Enforced Disappearance Crimes and Prosecuting their Perpetrators***

Ahmed Al-Mousawi  
Iraqi Civil Society

The Iraqi civil society has played a crucial role in monitoring and documenting enforced disappearance crimes. Iraq, having witnessed the fall of a dictatorial regime, saw enforced disappearance as one of its systematic practices, leaving behind hundreds of thousands of victims whose fate was revealed in hundreds of mass graves. The beginnings of Iraqi civil society post-2003 were marked by dealing with the issue of mass graves. Previously, the regime restricted the establishment of civil society organisations, limiting civil representation to a single organisation that primarily served as a facade for intelligence activities.

From the early days after the regime's fall, civil society efforts focused on restraining the families of victims and excavating mass grave sites, as well as gaining access to the archives of security institutions in their quest to uncover the fate of their loved ones. These efforts manifested in various activities, notably:

- ***Communicating***: Communicating with victims and their families to investigate the circumstances of disappearances, identifying victims, and gathering relevant information;
- ***Engaging with witnesses***: documenting testimonies of survivors that led to the discovery of burial sites and identification of those responsible for the crimes.
- ***Researching official records***: issuing lists of victims after examining government documents collected from security and intelligence sites (police stations, security offices, party headquarters, and prisons) to obtain information about cases of enforced disappearance.
- ***Gathering information from open sources***: collecting information from open sources such as media and social media platforms, which included credible

testimonies and reports on serious crimes, including enforced disappearances.

These efforts illustrate the pivotal role of Iraqi civil society in gathering information crucial for uncovering the truth behind enforced disappearances and bringing perpetrators to justice.

- **Documenting Information:**

- *Information Preservation:* As a civil society, we have endeavoured to securely preserve the information collected to deliver it to the governmental entity, specifically the Ministry of Human Rights, which was formed and functioned genuinely as a precursor organisation.
- *Information Analysis:* We analyse the collected information to identify patterns and trends in enforced disappearance crimes committed by the regime, aiming to benefit future investigations to hold perpetrators accountable and determine the fate of victims.
- *Report Preparation:* We, as a civil society, contributed to preparing comprehensive reports to present Iraq periodically and contractually, or in the course of discussing the Universal Periodic Review report, to clarify the stance of the civil society on the legal and procedural approaches to combat enforced disappearances consistent with the content of the International Covenant on Civil and Political Rights and the text of the Convention for the Protection of All Persons from Enforced Disappearance.

- **Advocacy:** Raising Awareness about Enforced Disappearance: With the goal of raising awareness about enforced disappearance crimes, several awareness campaigns and educational initiatives were launched. These initiatives supported the stance of the joint governmental Committee with civil society tasked with studying Iraq's position on joining the Convention. This effort was successful in influencing Iraq to adopt a positive stance on the Convention, ultimately leading to its accession.

- *Advocating for investigations into enforced disappearance cases:* We have exerted and continue to exert pressure on governmental authorities to investigate cases of enforced disappearance and hold perpetrators accountable for cases that occurred under the previous regime and those alleged to have occurred post-2003.
- *Advocating for legislative reform:* Aimed at urging Iraq to fulfil its international commitment under the Convention criminalising enforced disappearance, a joint committee has worked on drafting an Anti-Enforced Disappearance Law in Iraq. This initiative faces numerous challenges, and its draft undergoes ongoing revisions and amendments.
- *Providing support to victims and their families:* Within civil society alliances, various legal and psychological support programs have been initiated to assist victims and their families.

- **Capacity building:**

- *Training:* As Iraqi civil society, either individually or through networks of civil society organisations, we have launched numerous joint projects with the government and its ministries. These specialised programs focus on raising awareness about enforced disappearance crimes and understanding the provisions and obligations of the Convention that Iraq has committed to.
- *Support for national institutions:* As civil society, we have coordinated efforts to support and collaborate with the Independent High Commission for Human Rights in Iraq. This collaboration has resulted in joint training programs, information and report exchanges, mobilisation for advocacy campaigns, and management of pressure campaigns.

The role of civil society in monitoring enforced disappearance crimes is crucial for ensuring the accountability of perpetrators and achieving justice for victims and their families. It also contributes to preventing future enforced disappearance crimes.

Challenges:

- **Threats and intimidation:**

- *Intimidation and harassment:* Civil society members, particularly those involved in monitoring enforced disappearance crimes, have been subjected to intimidation and harassment by various parties. This includes threats of violence and arrest.
- *Fear tactics:* Fear tactics may be used to deter victims and their families from reporting cases of enforced disappearance or cooperating with civil society organisations.

These challenges highlight the risks faced by those engaged in human rights advocacy in Iraq, particularly concerning enforced disappearance cases.

- **Restrictions on freedom of expression and assembly:** Civil society positions advocating for investigations into enforced disappearance allegations are often categorised by authorities as insulting or defamation under Article 226 of the Penal Code. This clear infringement is used explicitly to restrict civil society organisations from publicly discussing enforced disappearance issues.
- **Difficulty in gathering information:**
  - ❖ *Fear of victims and their families:* Victims and their families are terrorised, fearing retaliation or persecution if they report cases of enforced disappearance.
  - ❖ *Lack of government cooperation:* Government authorities often fail to cooperate in investigations into enforced disappearance cases.
  - ❖ *Limited available information:* Investigations are frequently hindered due to insufficient or incomplete information regarding enforced disappearance cases.

- ***Stigmatisation of international cooperation and foreign funding:*** Civil society organisations involved in investigations related to enforced disappearance crimes often face stigmatisation due to their collaboration with international and UN organisations.
- ***Lack of resources:***
  - *Insufficient Funding:* A major obstacle to our work as civil society is the inadequate funding necessary for monitoring enforced disappearance crimes.
  - *Human resource shortages:* Qualified personnel to conduct such investigations are scarce, necessitating the necessary human resources for gathering, analysing, and documenting information.
  - *Lack of expertise:* Civil society also lacks continuous skill development essential for investigating enforced disappearance cases compared to the state's capabilities in law enforcement skill development.
- ***Weak coordination among civil society organisations:***
  - *Lack of coordination:* We consistently face challenges in coordinating among ourselves as a civil society, with a lack of overarching umbrella and scarce networks on such sensitive issues. This can lead to duplication of efforts and waste of resources.
  - *Differences in goals and methods:* Civil society organisations may differ in their goals and methods of operation, making it difficult for them to work together effectively.
  - *Political and partisan influence on some organisations:* Many organisations are fronts for political parties with agendas that diverge from the aims of international conventions and human rights work. They often wield funding and influence that can overshadow genuine civil society.
- ***Lack of awareness about enforced disappearance:***
  - *Lack of awareness:* There may be insufficient awareness about enforced disappearance among the public and governing elites, making it challenging to garner support for civil society organisations working to monitor these crimes.
  - *Stigma:* Enforced disappearance crimes may carry a stigma, causing victims and their families to hesitate in speaking openly about their experiences.

Despite these challenges, our role as civil society in monitoring enforced disappearance crimes is crucial for ensuring the accountability of perpetrators and achieving justice for victims and their families. Through collaborative efforts, we aim to confront these challenges effectively.

## ***Best Practices of Iraqi Civil Society in Supporting Victims of Enforced Disappearance and Their Families***

Faten Al-Halafi

Mercy Humanitarian Association

The effects of the crime of enforced disappearance do not stop with the direct victim but cause profound psychological and social suffering to their families. They experience feelings of sadness, anger, and intense fear for the fate of their loved ones, with a constant sense of helplessness and hopelessness. Deep psychological trauma may lead to psychological disorders such as anxiety, depression, and stress disorders. After the shock, there is no feeling of guilt or shame. This may be accompanied by social influences such as stigma.

The social situation puts the family in a position of discrimination by society and thus isolation and marginalisation, leading to significant financial difficulties, especially if the victim is the primary breadwinner for the family and the family is broken up and exposed. Children suffer from neglect and violence. The quest for the truth continues to find out the fate and whereabouts of his loved ones. There are often great difficulties in obtaining this information, and they demand justice and accountability from perpetrators, punishing them and achieving justice for their loved ones. This is usually accompanied by frustration and loss of hope due to the long history of suffering and lack of justice.

The effects on physical health also constitute an added burden, and some of them may slide into addiction. Turn to drugs or alcohol as a way to deal with pain and suffering. And with the progress and implications of the security concern.

In such an environment, the Iraqi civil society and our organisation have activated themselves guided by the contents of the International Convention for the Protection of All Persons from Enforced Disappearances, which Iraq ratified.

Challenges:

- ***Absence of a specific recognition:*** The current national mechanisms and legal frameworks do not explicitly recognise enforced disappearance as a distinct crime.
- ***Limited criminalisation provisions:*** The provisions related to the criminalisation of offences are limited in scope. They primarily address abuse in detention and instances where officials exceed their powers.
- ***Requirement for judicial decision:*** Acknowledging the case of enforced disappearance necessitates a judicial decision. This requirement means that, in practice, cases of enforced disappearances are often initially treated, for instance, as arbitrary detention until the judiciary issues its decision describing the case.

Best practices:

- ***Providing psychological and social support:*** Our organisation is dedicated to providing psychological and social support to victims and their families
  - ***Periodic family sessions:*** It also holds periodic sessions with the families of alleged victims of loss, kidnapping and enforced disappearance.
  - ***Safe spaces for expression:*** Our teams seek to provide a safe space for victims and their families to express their feelings and receive support. This is



done by active listening, demonstrating empathy and providing non-judgmental understanding.

- *Counselling services*: We offer psychological counselling services, along with individual and group psychological support, to help victims and their families cope with psychological trauma.
- *Provision of essentials*: We engage in several relief initiatives to help meet basic needs such as food, medical care and education, ensuring that affected individuals have access to essential resources.
- *Rights and advocacy training*: We focus on building the capacity of victims to claim their rights and defend themselves effectively.
- ***Providing legal support and assistance***: In Iraq, at present, there are many cases of alleged enforced disappearance, and there are many requests to several parties, including our organisation, to provide legal assistance.
  - *Establishment of a legal office*: Our organisation has established a legal forum, which is a legal aid office that provides legal support for the families of the victims. The office handles cases of enforced disappearance during the time of the previous regime. It supports living victims and their families in preparing compensation files with transitional justice institutions (such as the Organisation of Martyrs Foundation and the Organization of Political Prisoners). Furthermore, it collects information about cases of enforced disappearance, documenting them in a systematic, accurate, and coordinated manner with the Commission for Human Rights as a national institution to verify the accuracy and validity. Additionally, it provides legal assistance during the trial phase to assist victims and their families in prosecuting perpetrators and demanding justice. Finally, it raises awareness and engages in dialogues, networking with the main actors, urging Iraq to expedite the adoption of national legislation to combat enforced disappearances.
- ***Coordination and cooperation***: Our organisation coordinates with a group of organisations that represent families of victims, trade unions, and legal federations with the aim of creating a united front that supports and accelerates the integration of the crime of enforced disappearances into the national legal system and mobilising to approve the draft submitted to the House of Representatives.
- ***Coordination with parliamentary committees*** Our organisation coordinates all its activities with parliamentary committees. From time to time, specialised seminars are held, the aim of which is to raise awareness and mobilise for the proper application of the Convention on the National level.
- ***Participation in international efforts***: Our organisation supports the international movement and international efforts to combat disappearances. For this purpose, it engages in cooperative relations and continuous, effective communication internationally and with the United Nations Office and mission in Iraq, actively participating in the preparation of shadow reports.

## **B. Morocco**

### ***Coordination for Families, Best Practices and Challenges***

Rachid El Manouzi  
Association des Parents et Amis de Disparus au Maroc

The King of Morocco, Hassan II, answered a journalist's question about the secret detention centre at Kellaat Mgouna, where hundreds of missing people were held for several years. His reply was: "Kellaat Mgouna is the capital of roses"...

For many years, we lived in denial. Disappearances in Morocco? We have never heard of it. In 1991, thanks to the struggle of the families of the disappeared and international support, hundreds of disappeared reappeared. They were released from secret detention centres with very serious after-effects. Morocco is the only country where people who disappeared after 18 years in detention centres have seen the light again and learned to live again.

Enforced disappearance has been used systematically by the Moroccan regime to silence any opposition wishing to challenge the reputation of a regime which favours a minority of notables to the detriment of an entire people who aspired, after being granted independence, to a better life where education, health, work and housing are undeniable rights. In 1973, following popular uprisings, a wave of intense repression hit the left-wing opposition. Thousands of people were abducted by the special brigades of the secret police. Men, women, children, the elderly and the young disappeared, some dying in secret detention centres.

In addition to the Kellaat Mgouna detention centre, there were also those in Agdz, Tazmamart, Derb Moulay Cherif, and others. Even the hangars at Anfa airport were requisitioned. According to the testimonies of former missing persons, hundreds of people were sequestered in these hangars without any contact with their families or the outside world. Everyone considered them dead. Eighteen members of my family and I were victims of the disappearance.

Today, more than 400 families do not know the location of these graves. They continue to fight and demand the truth, the whole truth: 'Where are our missing? If they are dead, hand over their bodies; if they are alive, free them.

The following are our requests:

1. Telling the truth and the whole truth about all the cases of the disappeared. To achieve this, we are calling for a new independent mechanism to be set up, as defined by a large number of civil society associations at the Marrakech conference on 20.04.2022.
2. Putting an end to impunity, starting by removing from positions of responsibility those involved in the disappearance of people.
3. Setting up health and psychosocial facilities to support victims and their families.
4. Rehabilitating the former secret detention centres by converting them into remembrance centres.

5. Involving civil society actors in the fight against disappearances so that the whole of society is made aware of the problem.
6. Encouraging the authorities to recognise the competence of the Committee against Disappearances by setting aside the reservations to Articles 31 and 32 of the Convention.
7. Organising trainings for the younger generation on international mechanisms, advocacy, and other relevant topics.
8. Protecting sites and mass graves to enable scientific identification of the victims.
9. Encouraging states to set up centres or teams specialised in collecting DNA, especially as many relatives die, and it will be difficult later to compare the DNA of bodies found with their relatives, hence the creation of a genetic bank.
10. Collecting all objects that will facilitate anthropological research
11. Creating databases of the missing.
12. Make public archives available to families and researchers.
13. Setting up truth commissions where possible.
14. Adopting a national strategy to combat impunity. Carry out criminal investigations to facilitate the prosecution of those responsible for disappearances.
15. Setting up memorial centres.
16. Officially proclaim a day for the disappeared in each country.
17. Raising awareness among young people in schools and universities. Encourage studies and dissertations.

### ***The Coordination Committee***

Moussa Salem

Coordination Committee for the Family of the Disappeared

The Coordination Committee for the Family of the Disappeared has established adequate mechanisms to facilitate comprehensive investigations into cases of forced disappearance. Key activities include:

- ***DNA analysis:*** The Committee has initiated DNA analysis to identify the remains of the disappeared, ensuring accurate identification and providing closure for families.
- ***Result dissemination:*** Results from investigations and DNA analyses are systematically communicated to the families of the victims.
- ***Protection of burial sites:*** Efforts are made to safeguard burial sites and preserve the dignity of the victims.

The Coordination Committee has implemented several support measures for the families of the disappeared, which include:

- ***Publication of lists:*** Lists of victims, including those who died and the survivors, have been published to maintain transparency and inform the public.
- ***Medical coverage:*** The Committee provides medical coverage to the families of the disappeared, ensuring their health needs are met.

- **Income stability:** Families are provided with a stable income to guarantee a dignified standard of living.
- **Protection and advocacy:** Families receive protection, and the Committee engages in advocacy to raise awareness of their plight.
- **Convention Ratification:** Morocco ratified the Convention on enforced disappearances due to the Committee's persistent advocacy efforts.
- **Limitations:** Despite this progress, Articles 31 and 32 of the Convention were not adopted, indicating ongoing challenges.

## PANEL II

### **Facilitator**

Nisreen Zerikat

Jordan National Center for Human Rights

### A. Syria

#### ***The General Assembly Resolution Establishing the Independent Institution on Missing Persons in the Syrian Arab Republic***

Fadwa Mahmood and Asmaa Al-Farraaj  
Families for Freedom

The organization Families for Freedom advocates for the issue of disappearance, supporting families with training, capacity-building initiatives and all the possible means. The United Nations General Assembly adopted a resolution establishing the Independent Institution on Missing Persons of the Syrian Arab Republic to clarify the fate and whereabouts of the missing persons and to provide adequate support to victims, survivors and families of those missing, in cooperation and complementarity with all relevant actors.

- **Development of a roadmap:** The Organisation of Families for Freedom has developed a detailed roadmap outlining essential demands and actions necessary to address the issue of enforced disappearances. This roadmap serves as a strategic guide for advocacy efforts, highlighting critical areas for intervention and policy change.
- **Discovery of whereabouts:** A primary focus of the Organization of Families for Freedom's efforts is the discovery of the whereabouts of the disappeared. The organisation employs various strategies and collaborates with other entities to locate and identify individuals who have forcibly disappeared.
- **Establishment of a dedicated institution:** We have directed significant efforts towards the creation of an institution specifically dedicated to finding the whereabouts of the disappeared within Syrian territory. Our institution aims

to centralise and streamline efforts to locate missing persons, providing a focused and coordinated approach to this complex issue.

- **Proposal for issuing ‘missing person’ certificates:** Families for Freedom has proposed the issuance of “missing person” certificates to facilitate procedural matters for families of the disappeared. These certificates would assist families in legal, administrative, and financial processes.

The Independent Institution on Missing Persons in Syria (IIMP) is the result of long-term, tireless efforts by families.

## **B. Yemen**

### ***The Challenges of Documentation of Enforced Disappearance Cases***

Naglaa Fadel

The Association of Mothers of Abductees

Yemen has endured a severe humanitarian crisis for nine years due to a complex armed conflict involving various internal and external parties. Historically, enforced disappearances have been prevalent during civil wars in the 1970s and 1980s, driven by a culture of impunity.

The ongoing conflict has exacerbated the practice of enforced disappearances, leading to catastrophic humanitarian impacts. Secret detention sites are used for the forcibly disappeared, making it nearly impossible for families to locate their loved ones. Many detainees are held in military areas not protected under humanitarian law, risking death from bombings.

Challenges faced by victims and families:

- **Prolonged disappearances:** Forcibly disappeared individuals may remain missing for years without legal assistance.
- **Torture and death:** Detainees often suffer systematic torture, leading to fatalities.
- **Financial exploitation:** Families are subjected to financial blackmail for information about their loved ones.
- **Emotional distress:** Families experience severe anxiety and fear, especially upon hearing of deaths under torture.

The Association of Mothers of Abductees also provided psychological support to the families of the women and children of the victims. Still, it was not able to provide psychological support to the survivors because the effects of enforced disappearance were not easy to deal with. We trained women from the families of the victims and transformed them into human rights activists after they were only victims. I worked with my fellow freedom fighters to convey the voice of the victims and their families through our vigils (we are the only organisation that holds vigils in Yemen). We were attacked, beaten, and detained in some of these vigils. We also issued urgent reports on cases of disappearance and annual and qualitative statements and reports that addressed enforced disappearance. For example, we issued a report entitled (The Black Shell) about one of the prisons that

prevented detainees from communicating with their families and visiting them for years. After issuing the report, there was an incentive for the media to talk about this prison and put pressure on the violating party, which later allowed visits to the families of the victims and broke the situation. After all these advocacy efforts, we noticed a noticeable improvement in places of detention, as the violating parties reduced the periods of disappearance and allowed visits to the victims' families. Pressure was also placed on these parties to talk about the fate of some of the disappeared and provide compensation to their families.

Recommendations:

1. We are still struggling and demanding that the Yemeni government ratify the Convention for the Protection of All Persons from Enforced Disappearance.
2. Harmonising Yemeni legislation with international agreements that Yemen has signed.
3. Establishing a truth commission to reveal the fate of the forcibly disappeared, guaranteeing the right to know for the victims' families, providing guarantees that the crime of enforced disappearance will not be repeated, and working to make reparation for the victims and their families.
4. Establishing an international investigation committee to hold accountable those responsible for crimes of enforced disappearance from all sides of the violation, including Emirati and Saudi figures who were involved in the forced disappearance of dozens of Yemeni citizens.
5. Developing the capabilities of researchers in human rights organisations to deal with cases of enforced disappearance and document them in accordance with the mechanisms of the United Nations.
6. Providing technical assistance to identify people from their remains that are found in mass graves that appear from time to time.

## **C. Lebanon**

### ***Informing Families and Challenges***

Layal Diab  
Act for the Disappeared

Lebanon has signed but never ratified the Convention for the Protection of All Persons from Enforced Disappearances. Law n. 105 of 2018 provides for the creation of the National Commission for the Missing, envisaging the right to know, compensation, non-recurrence, non-discrimination, and protection of data and determines the criteria for the use of DNA. However, the challenges, such as the lack of resources and capacity of the Commission, must be underlined.

## ***A Laboratory on Human Rights***

Jihad Nammour  
University of Saint Joseph of Beirut

In collaboration with the UN Office of the High Commissioner for Human Rights, the National Committee for Disappeared People, and 'Act for the Disappeared', we have inaugurated a laboratory dedicated to the study and advocacy of human rights, specifically focusing on the issue of enforced disappearances. This initiative arises in response to the recent threats of closing down or stopping the funding of the National Memory Museum.

The laboratory aims to engage civil society and various stakeholders involved in the issue of enforced disappearances to accumulate and transmit knowledge, ensuring the continuity of the fight against this crime and equipping students with the necessary skills to carry it forward.

Enforced disappearances have been a critical human rights issue globally. In our context, acts that occurred before 1990 are often dismissed by society as unimportant, leading to a lack of acknowledgement and action. This perception undermines the severity of this crime and the ongoing impact on victims' families and communities.

### **3. Conclusion**

Bissan Fasih  
MENA Campaigner  
Amnesty International

- There is a lack of political will from governments and authorities: the decision-makers and high-level stakeholders must be involved in the World Congress on Enforced Disappearances.
- The difference between laws and implementation has emerged. There are cases in which governments and authorities recognise the issue of enforced disappearance, albeit there are no meaningful steps taken to implement the laws and move forward.
- The World Congress on Enforced Disappearances needs to ensure that there is meaningful space for advocacy, dialogue and experience sharing concerning lessons learned.

## **ANNEXES**

### **List of annexes:**

- Defenders for Human Rights, Africa Watch and Réseau International des Droits de l'Homme et de Développement, "Written contribution to contribute to the efforts to address the issue of enforced disappearances. Experiences, practices, and challenges. The case of the Sahrawi camps in Tindouf, Algeria".
- Lebanese National Commission for the Missing, "Memorandum".
- The Network of the Independent Commission for Human Rights in North Africa (CIDH AFRICA), "Report Of The Enforced Disappearance In Northern Africa".





الشبكة الدولية  
لحقوق الإنسان  
والتنمية



Réseau International  
des Droits de l'Homme  
et de Développement

**Written contribution to contribute to the efforts  
to address the issue of enforced disappearances  
Experiences, practices, and challenges  
The case of the Sahrawi camps in Tindouf, Algeria**

**Addressed to  
World Conference on Enforced Disappearances  
Committee on enforced disappearances**

**Laayoune, Morocco  
June 25, 2024**

Coalition of Sahrawi NGOs  
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## General context

In a world full of international and non-international armed conflicts, and the widespread spread of gross human rights violations, governments, United Nations international mechanisms for protecting human rights, and civil society organizations still face major challenges to combat and eliminate the problem of enforced disappearance.

The Coalition of Sahrawi NGOs, as a platform for working to protect and promote human rights in North Africa, is made up of Africa Watch, Defenders for Human Rights and the International Network for Human Rights and Development, to raise awareness of international human rights law and international humanitarian law, as well as interaction With the treaty bodies and special procedures of the Human Rights Council and the universal periodic review mechanism, on the occasion of the review of reports of states in the region.

Members of the Coalition of Sahrawi NGOs participated in the regional consultations in North Africa and the Middle East on May 31, 2024, via Internet, in order to share experiences, expand challenges, and provide recommendations, with the aim of constructively contribution to the ongoing efforts made by the World Congress on Enforced Disappearances and addressing the issue of disappearances, because of its devastating impact on the lives of millions of people and groups, and its continued impact over time on the forcibly disappeared, their families, and their communities.

In this paper, we seek to present a summary of the work of the coalition components for years on the issues of enforced disappearance in Sahrawi camps in the Tindouf region, southwestern Algeria, due to their danger on two levels, the first of which relates to the lack of a legal status for these people who have been in refugee camps since 1975, following the outbreak of an armed conflict between the Kingdom of Morocco and the Polisario Front, as an armed organization supported militarily, diplomatically and financially by successive Algerian governments, and secondly, the enforced disappearances that Sahrawis were subjected to in the camps on the basis of identity and regional and tribal affiliation.

### **I. Enforced disappearance in Algeria, systematic and continuing violations over time**

1. Since the independence of Algeria, the Algerian governments have continued to resort to the practice of enforced disappearance methods with a large amount of intimidation against opponents, the community of human rights defenders and political activists who do not share the state's political orientations or its economic and social plans, which generated widespread discontent among Algerian society, as a result of the spread of repression, corruption and plundering public money, narrowing the scope of freedoms and eroding rights.
2. The severity of political repression and the resort to enforced disappearances to suppress opposition voices increased during the waves of outbreaks of violence following the army's intervention to suppress demonstrations demanding respect for the democratic choice resulting from the victory of the Islamic Salvation Front in the municipal elections in the 1990s. The international community was unable to intervene to protect the democratic path

from the army intervened<sup>1</sup>, and the security services launched large-scale campaigns in various regions of Algeria, using extrajudicial killings and enforced disappearances on a large scale<sup>2</sup>.

3. The coalition of non-governmental organizations records that the Algerian authorities issued an amnesty to regular international employees in the army, gendarmerie, and security forces who participated in the suppression of protests<sup>3</sup> in the years of the 1990s until the beginning of the third millennium, despite the resulting deaths, enforced disappearances, missing persons, and wounded, the fragmentation of families, and the suffering of the victims and their families.
4. The Coalition points out that Order No. 06-01 regarding the implementation of the Charter of Peace and Reconciliation<sup>4</sup> as a reconciliatory mechanism between the state and society, contributed to establishing a policy of impunity for state employees, in clear violation of the rules of international law that prohibit exempting those responsible for committing international crimes such as extrajudicial killing, enforced disappearances and torture are excluded from prosecution<sup>5</sup>.
5. The coalition believes that the state of Algeria did not do what was necessary to protect the lives of Algerians from brutal acts of killing and enforced disappearance. Rather, there were repeated testimonies of the involvement of military and civilian security services in committing large-scale enforced disappearances, which were not adequately counted by victims' organizations and members of their families, despite the intensified efforts of the Working Group on Enforced or Involuntary Disappearances.

## **II. Cooperating with international mechanisms to protect human rights**

6. The Coalition regrets the very slow cooperation of the State of Algeria with the Human Rights Committee in its practice regarding cases of enforced disappearance<sup>6</sup>, despite its ratification of the Optional Protocol annexed to the International Covenant on Civil and Political Rights, and its recognition of the competence of the Human Rights Committee to receive and consider individual communications.

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<sup>1</sup> The context of enforced disappearances during the Black Decade, during the coup against the democratic choice in Algeria.

<https://www.algerie-disparus.org/disparitions-forcees/solutions-pour-un-reglement-juste-des-disparitions-forcees/>.

<sup>2</sup> A black human rights record in Algeria since the years of political conflict in the 1990s and the resulting violence and counter-violence.

See Amnesty International's report on Algeria's legacy of impunity.

<https://www.amnesty.org/fr/wp-content/uploads/sites/8/2021/07/mde280012009fra.pdf>

<sup>3</sup> See Articles 45 and 46 of Chapter Six relating to the procedures for expressing gratitude to those who helped the People's Democratic Republic of Algeria.

[https://menarights.org/sites/default/files/2016-12/ALG\\_CharteReconcil\\_2006\\_AR\\_0.pdf](https://menarights.org/sites/default/files/2016-12/ALG_CharteReconcil_2006_AR_0.pdf)

<sup>4</sup> *ibid.*

<sup>5</sup> See the preamble to the International Convention for the Protection of All Persons from Enforced Disappearance:

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>

<sup>6</sup> See:

Human Rights Committee, Summary records of the review of the third periodic report of Algeria by the Human Rights Committee, 31 October 2007, UN Doc. CCPR/C/SR.2495, paragraph 5.

7. In all its Opinions regarding Algeria, the Committee has found that the State party is responsible for numerous violations of its obligations under the International Covenant on Civil and Political Rights, including enforced disappearances<sup>7</sup>
8. Any cooperation of the State of Algeria with international United Nations mechanisms for the protection of human rights, which does not include the expression of a strong political will to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which it signed on February 6, 2007, cannot have a positive impact on the climate of Rights and freedoms in the country, and the wounds of the victims, the forcibly disappeared, and the families of the victims will remain open, and the series of violence and conflict will perpetuate indefinitely, unless the public authorities come forward with concrete procedures and measures in relation to turning the page on the painful past and starting to implement true national reconciliation, contrary to what is included in the Charter for Peace and Reconciliation for what is afflicting it. There are shortcomings that make the executioner above the issue and the victim vulnerable to repression if he demands an effective remedy that reveals what happened to him and his family and ensures that those responsible for the large-scale murders and enforced disappearances committed do not escape punishment.

## Recommendations

9. The Sahrawi NGOs Coalition recommends that the WCED, the Committee on Enforced Disappearances, and the Working Group make further efforts to encourage the Algerian government to take the necessary measures to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which it signed in 2007.
10. Draws the attention of the WCED and other stakeholders to the need for the State of Algeria to harmonize its national legislation with the requirements of the International Convention for the Protection of All Persons from Enforced Disappearances, and to take all necessary measures to ensure that disappeared persons and their families have access to effective remedies, and to conduct comprehensive and independent investigations into all allegations of enforced disappearance and to uncover the truth, what happened, including exhuming bodies from mass graves and unknown individual graves, using scientific methods to identify the remains, ensuring the implementation of a comprehensive collective and individual reparation programme, and pledging to provide guarantees of non-recurrence.
11. The Coalition recommends that the State of Algeria cooperate constructively with UN treaty and non-treaty mechanisms in relation to issues of enforced disappearance to improve the human rights situation in the country, and pave the way for the start of national reconciliation that addresses the atmosphere of tension resulting from the punitive authorities' policy against victims, members of their families, human rights defenders, and activists who They seek change that contributes to strengthening a democratic transition towards achieving a state of rights and law.
12. The Coalition encourages the State of Algeria to implement the recommendations and opinions of the treaty bodies on enforced disappearances, provide the necessary information on the outstanding cases presented to the Working Group on Enforced or Involuntary Disappearances, and allow the group to organize a country visit as a matter of urgency<sup>8</sup>.

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<sup>7</sup> See the assessment of information relating to the follow-up to the concluding observations on Algeria on its fourth report to the Human Rights Committee:

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F136%2F2FAdd.1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F136%2F2FAdd.1&Lang=en)

<sup>8</sup> It should be noted that the Algerian state sent an invitation to organize a country visit to the Working Group on Enforced or Involuntary Disappearances in December 2013, but the Working Group has not been able to conduct the visit so far.

### **III. Enforced disappearance in the Tindouf camps, the suffering of prolonged asylum and the oppression of the Polisario**

13. The Sahrawi people living in the Tindouf camps have been suffering from a situation of lawlessness in that region since the establishment of these camps in southwestern Algeria in 1975. The situation of these people is getting darker, as they lack any legal refugee status that protects them in those camps and guarantees their enjoyment of the rights stipulated in the 1951 International Convention on the Status of Refugees and its Protocol regarding the status of refugees.
14. Thousands of Sahrawis in the Tindouf camps are subject to the authority of a military organization called the Polisario Front. This organization fully manages the camps, based on a comprehensive delegation of judicial, legal and administrative jurisdiction to the country hosting the camps for five decades, and in a solution of any international oversight of the state of rights and freedoms in that region.
15. The Sahrawis in the camps were subjected to extrajudicial killings, widespread enforced disappearances, torture, and abusive and degrading treatment, based on color<sup>9</sup>, race<sup>10</sup>, belonging to specific social groups, and political opinions. Since the beginning of the 1980s, the Polisario Security Services has isolated hundreds of people from certain tribes, forcibly disappeared them, and subjected them to brutal torture for many years.
16. They distributed them into three main networks: the Glaybat El Foula network, the Tekna network, and the French-Mauritanian network<sup>11</sup>. They accused them of spying for Morocco and France, to provide good justifications to the population of the camps to incite local public opinion against them, and to exploit waves of ideological charges against them to liquidate and torture them, against the backdrop of deep-rooted grudges and tribal conflicts, decades before the establishment of the Polisario organization.
17. Exposing Sahrawis in the camps to enforced disappearances is not a passing matter dictated by the circumstances of the establishment of the camps. Rather, it is a systematic practice that the Polisario organization resorts to whenever it wants to launch a campaign of intimidation against the camp residents, by targeting minorities, intellectuals, or members of the organization who are familiar with the secrets and violations of the Polisario leadership, as happened with Dr. Khalil Ahmed Breih, against whom the Human Rights Committee issued a decision condemning the Algerian authorities for kidnapping him<sup>12</sup>.
18. Enforced disappearances continued in the camps under the supervision of Polisario officials and their security apparatus, with Algerian protection, despite the attention of the Algerian state being drawn by the Human Rights Committee to the need to protect all

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<sup>9</sup> Some black families in the camps were subjected to the worst forms of slavery in the camps, with a direct license from the Polisario organization, as some Sahrawi families in the Tindouf camps in Algeria enslave slaves for forced labor, herding, and performing hard work, which constitutes a blatant violation of human rights as stipulated in various provisions of relevant international conventions. The Sahrawi NGOs Coalition has obtained reliable information about the existence of these internationally condemned practices. The members of the coalition examined the condition of the Shayda family and its ten freedmen, who suffered from enslavement for decades inside the camps, until they were liberated by the Mauritanian army on the Algerian-Mauritanian border.

<sup>10</sup> Hundreds of people were subjected to large-scale enforced disappearances in the Tindouf camps in the eighties and nineties of the last century, due to their belonging to specific tribes, and they were thrown into irregular detention centers that are not subject to the supervision of the Algerian authorities or the interests of the United Nations High Commissioner for Refugees or the International Red Cross.

See the annex for non-exhaustive lists of forcibly disappeared Sahrawis in the Polisario camps.

<sup>11</sup> See the annex for non-exhaustive lists of forcibly disappeared Sahrawis in the Polisario camps.

<sup>12</sup> See the opinion of the Human Rights Committee adopted under Article 5 (4) of the Optional Protocol on Communications No. 2924/2016, regarding the case of the forcible disappearance of Khalil Ahmed Breih in Algiers on January 6, 2009, in front of the Polisario representative office in Algiers.

<https://documents.un.org/doc/undoc/gen/g20/279/60/pdf/g2027960.pdf?token=kG6pHMcTvBkCjS1Yj9&fe=true>

persons within its territorial influence, including Sahrawis living in the camps, and to end the delegation of its jurisdiction to a military non-state actor<sup>13</sup>.

19. During the review of the fourth report of the State of Algeria before the UPR mechanism, Algeria received recommendations related to the necessity of protecting people on its territory, including Sahrawis living in camps, asylum seekers and migrants, as well as presenting those responsible for these gross human rights violations, including cases of enforced disappearances against detainees in the Tindouf region are brought to justice, and work immediately to conduct a comprehensive census of the population of the Tindouf camps in accordance with Algeria's international obligations and in implementation of the resolutions of the Security Council and the Secretary-General of the United Nations<sup>14</sup>.
20. The Sahrawis living in the Tindouf camps suffer from international neglect and oblivion in a barren desert that does not provide the minimum conditions for a decent life, in the absence of a legal status that protects them in accordance with what is stipulated in the Convention on the Status of Refugees and its annexed protocol.
21. This anomalous situation resulted in their exclusion from the cases reached by the Working Group on Enforced Disappearance, and their inability to visit the country despite repeated requests for years.

## Recommendations

22. The Coalition recommends that the WCED, the CED, the WGEID and other United Nations mechanisms, in relation to making efforts to eliminate the problem of enforced disappearances, urge the State of Algeria to revoke its delegation of its judicial, legal and administrative jurisdiction to the Polisario, that does not fulfill any international obligation to protect the people living in the Tindouf camps.
23. Encourage the Algerian authorities to ratify the International Convention for the Protection of All Persons from Enforced Disappearances, to monitor and document cases of enforced disappearances in the Tindouf camps, to submit individual complaints regarding the cases received by the Committee and the Working Group, and to ensure reparation for the Sahrawi victims of enforced disappearances in the Tindouf camps.
24. The Coalition notes the absence of cooperation by the State of Algeria with the communications of the Working Group and the opinions of the treaty committees, led by the Human Rights Committee, in relation to cases of enforced disappearance. Accordingly, the Coalition recommends drawing the attention of the Algerian authorities to the need to cooperate positively with the recommendations and opinions of the treaty bodies and special procedures of the Human Rights Council, to improve the human rights situation in the country, including the situation in the Tindouf camps located on its territory.

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<sup>13</sup> See the recommendation in paragraph No. 10 of the concluding observations of the Human Rights Committee of the State of Algeria on the occasion of the review of its fourth report before the Committee dated 04 and 05 July 2018, through which the Committee urged the Algerian authorities that the delegation of its jurisdiction to regulate the Polisario should be abolished, for violating Article 2 (1) of the Covenant. International Committee on Civil and Political Rights.

**CCPR/C/DZA/CO/4**

<sup>14</sup> See the recommendations of the report of the Working Group on the Universal Periodic Review of the State of Algeria at its third and fourth sessions.

**A/HRC/36/13**

**A/HRC/52/12**

**Appendix No. 01: A non-exclusive list of victims of enforced disappearance in the Tindouf camps in the southwestern Algeria and died as a result of brutal torture or were executed outside the law**

<b>N°</b>	<b>First and last name</b>	<b>Place of kidnapping</b>
1.	Bouna Wald Laalam	Tindouf Camps
2.	Abdelaziz Wald Haidala	Tindouf Camps
3.	Mohamed Mouloud Wald Eddarday	Tindouf Camps
4.	Taghra Wald Babbah	Tindouf Camps
5.	Lakhhal Wald Lhaydag	Tindouf Camps
6.	Mohamed Wald Lazgham	Tindouf Camps
7.	Ahmed Fal Wald Bahaha	Tindouf Camps
8.	Cheikh Wald Yaarah Alla	Tindouf Camps
9.	Baba Wald Labrass	Tindouf Camps
10.	Brahim Wald Lmaylass	Tindouf Camps
11.	Mohamed Wald El Kaki	Tindouf Camps
12.	Moulay Lahcen Wald Brahim Wald Abdallahi	Tindouf Camps
13.	El Mehdi Wald Othman Wald Essouiyah	Tindouf Camps
14.	Mohamed Wald El Fater “Maarouf”	Tindouf Camps
15.	Mohamadna Wald Ahmed Yamer	Tindouf Camps
16.	Mohamed El Mokhtar Mohamed Moussa “Tfail”	Tindouf Camps
17.	Hamdati Wald Abdelfattah	Tindouf Camps
18.	Hammoudi Wald Ahmed Fal	Tindouf Camps
19.	Ahmed Fal Wald Mbairik	Tindouf Camps
20.	Mohamed Wald Daddah	Tindouf Camps
21.	Sidi Mohamed Wald Ettoumi	Tindouf Camps
22.	Amman Wald El Kouri	Tindouf Camps
23.	Mohamed Cheikh	Tindouf Camps
24.	Mohamed Cheikh Wald Abdellah	Tindouf Camps
25.	Nadir El Moussaoui	Tindouf Camps
26.	El Hanafi Wald Allal	Tindouf Camps
27.	El Hadi Mohamed Wald Mohamed Salem	Tindouf Camps
28.	El Mahjoub Wald Abdellahi Wald Ahmed Meska	Tindouf Camps
29.	El Khalil Wald Hmayen	Tindouf Camps
30.	Sallamtou Wald El Bou	Tindouf Camps
31.	El Bourhimi Salama	Tindouf Camps
32.	Saad Wald Sid Ahmed El Kaouri	Tindouf Camps
33.	Mbarek Wald Bighiden	Tindouf Camps
34.	Souilam Sbayou	Tindouf Camps

**Non-exhaustive lists of the names of Sahrawis who were subjected to enforced disappearance, who later survived and returned to the Kingdom of Morocco.**

<b>N°</b>	<b>First and last name</b>	<b>Observations</b>
1.	Esaadi El Wali Wald Mbarek, aka "Mandela"	Born in 1954 in Laayoune, a former official in the Directorate of Culture in the Smara camp, he returned to Morocco on 04/03/1995.
2.	El Kharchi Lehbib Wald Ahmed Baba	Born in 1955, in Assa, a former member of the support service at the "Martyr Lahdad" base, returned to Morocco on 05/23/1994.
3.	El Kabch Mohamed Nafaa Wald Mbarek	Born in 1956 in Jdiriya, a former employee on the 12th of October School, he returned to Morocco on November 19, 1999. He died of complications from torture in the camps.
4.	Kher Ahmed Wald Mohamed Wald Mbarek, aka "Saroukh"	A former political mentor at the October 12 School, he returned to Morocco on 03/18/1995
5.	Bahi Mohamed Wald Ahmed Eddayf	Born in 1946 in Casablanca, journalist. He returned to Morocco on May 17, 1996.
6.	Bahiya Mohamed Salem Wald Ali	Born in 1949 in Jrayfia, former member of the army, former sheikh of identification in the Polisario camps, he returned to Morocco on 11/03/1995.
7.	Boussoula Cheikh Mohamed Wald Mohamed Fadel Wald Laaroussi	Born in 1950 in Laayoune, a former member of Military Security, in charge of coordination in the Third Military Region. He returned to Morocco on 06/04/1990.
8.	Bayda Moulay Ali Wald Mohamed Salem	Born in 1956 in Laayoune, former acting director of the administrative department of the Ministry of Transport and Equipment, Polisario, returned to Morocco on February 17, 1992.
9.	Mohamed Ahmed Wald El Mamoun	He was born in 1955 in Awsard. A former employee of the Ministry of Information, he returned to Morocco on September 30, 1992.
10.	Lamdagri Hassanna Wald Mohamed	Born in 1954 in Laayoune, a former military teacher on the 12th of October School. He returned to Morocco in 1992.
11.	Chouiar Wald Mohamed Mouloud Wald Ali Wald Said	Born in 1959, in Assa, former soldier, returned to Morocco on 05/21/1990.
12.	Abdellah Wald Zoubir Wald Sid Ahmed	Born in 1956 in Laayoune, a former official in the Professional Training Unit on the 12th of October School. He returned to Morocco on 07/22/1989.
13.	Mohamed Wald Abdessalam Wald Ahmed	Former warehouse keeper, returned to Morocco on 04/02/2000.
14.	Sibawih Mohamed Wald Mohamed Wald Bambi	Born in 1952 in Awsard, car mechanic. He returned to Morocco on October 10, 1991.
15.	Omar Wald Ihdih Wald Abdelhaye	Born in 1942 in Laayoune, a former driver at the 12th of October School, returned to Morocco on 05/02/1990.
16.	Tarouzi Ahmed Wald Ahmed Aicha	Born on 12/15/1958 in Laayoune, a former soldier and teacher. He returned to Morocco on 08/30/1991.
17.	Badahi Mohamed Wald Mohamed Salem, aka "Britania"	Born in 1959 in Laayoune, former official of the Culture Club in Dakhla Camp, returned to Morocco on February 13, 1995.
18.	Chanboura Mohamed Fadel Wald Sidi Amar	Born in 1962 in Dakhla, former soldier, returned to Morocco on 09/12/1989.
19.	Mayara Moulay Abdallahi Wald Naama Wald Sidi Othman	Born in 1961 in Dakhla, former soldier, returned to Morocco on 07/20/1991
20.	El Azzouzi Mohamed Khouna Wald Hammanna	Born in 1962, in Zoug, former soldier. He returned to Morocco on 07/20/1991.
21.	Bahia Hama Wald Mohamed El Kaouri	Born in 1952 in Dakhla, former soldier, returned to Morocco on 07/13/1992.



22.	Baida El Houcine Wald Mohamed Salem	Born in 1958 in Laayoune, former head of a unit in the Polisario Ministry of Economic Development. He returned to Morocco on 03/18/1995.
23.	Ahmed Mahmoud Wald Abdallahi Wald Ahmed Yaacoub	Born in 1957 in Laayoune, a former soldier, he returned to Morocco on 02/17/1992.
24.	Belkhair El Houcine Wald Mohamed Wald Lahcen	Born in 1953 in Laayoune, a former official in the Supply Department of the Ministry of Culture. He returned to Morocco on November 17, 1992.
25.	Tawal Aamrou Wald Wald Sid Ahmed El Kaouri, aka "Tawalou"	Born in 1961 in Dakhla, former division chief in the 4th Military Region, returned to Morocco on 04/12/1991.
26.	Ahmed Fal Wald Mohamed Houidi	Born in 1960 in Dakhla, a former guard at the 9 June School, he returned to Morocco on 04/23/1992.
27.	Maoulainine Mohamed El Mustapha, aka "Mrabbih Rabbou"	Born in 1950 in Dakhla, former director of Radio Free Sahara in Algeria. He returned to Morocco on January 19, 1989.
28.	Saleck Wald Sidi Othmane Wald Ali Akmach	Born in 1954 in Dakhla, formerly in charge of supplying the first military sector, he returned to Morocco on 06/03/1988.
29.	Mohamed Salem Wald Khatri Wald Mohamed	Born in 1959 in Tafariti, former farmer, returned to Morocco on 06/03/1989.
30.	Laaroussi Sidi Mohamed Wald Hamed Laaroussi	Born in 1953 in Laayoune, former radio technician, returned to Morocco on 06/14/1990.
31.	Lehbib Wald Cherif Wald Kaziza	Born in 1956 in Hagounia, a former nurse, he returned to Morocco on 10/20/1990.
32.	Eddah Wald Aabaidi Ali Manna	Born in 1955 in Dakhla, a former Spanish teacher on the 9 June School, returned to Morocco on 04/08/1991.
33.	El Aadmi Saleh Wald Brahim	Born in 1961 in Guelmim, former political mentor in the Central Support Service of the Security Directorate. He returned to Morocco on 05/13/1991.
34.	Lahdad Ahmed Wald El Bachir	Born in 1962 in Tan Tan, former soldier. He returned to Morocco on 07/16/1991.
35.	Mohamed Said Wald Ajwad Wald Saleck	Born in 1968, in Bir Anzran, former secretary of the Bahara Center, returned to Morocco on 08/20/1991.
36.	Khatri Sidi Wald Bara	Born in 1948 in Laayoune, a former soldier, he returned to Morocco on 08/20/1991.
37.	Ali Salem Wald Abidine Wald El Abd	Born in 1959 in Laayoune, a former member of military security, he returned to Morocco on November 18, 1991.
38.	Zemrani Rbiaa Mint Ahmed	Born in 1953 in Laayoune, former teacher in Dakhla camp, returned to Morocco on 01/01/1992.
39.	Bougarne El Hadrami Wald Brahim Wald Mohamed	Born in 1920 in Awsard, former gardener, returned to Morocco on 04/05/1992.
40.	El Bachir Wald Abdalla Wald Dkhil	Born in 1954 in Laayoune, a former representative of Morocco in Barcelona. He returned to Morocco on 08/27/1992.
41.	Abdessalam Wald Naama Wald Sidi Othmane	Born in 1966 in Dakhla, former teacher at 9 June School, returned to Morocco on 07/07/1992
42.	Omar El Hadrami	Born in 1949, in Assa, former director of military security, returned to Morocco on 08/08/1989.
43.	Essallami Ezzine Brahim Wald Ali Wald Sidi Bousfaiha	Born in Bir Anzaran, former soldier, returned to Morocco on 08/18/1991
44.	Labbat Wald Amninou Wald Hammadi	Born in 1966 in Dakhla, former soldier, returned to Morocco on 06/23/1992.
45.	Laabdi Moulay Wald Aabda Wald Baba	Born in 1967 in Laayoune, a former driver, returned to Morocco on 12/23/1999.

46.	Ballali Nouredine Wald Bachri	Born in 1947 in Smara, a former representative of the Polisario in Syria. He returned to Morocco on 08/30/1989.
47.	Mohamed Takioullah Maelainine	Born in 1953 in Laayoune, former director of the civil police, returned to Morocco on September 10, 1992.
48.	Laabadila Wald Maoulainine Wald Essamlali	Born in 1959 in Dakhla, a former radio journalist, he returned to Morocco on 10/24/1991.
49.	Mohamed Lamine Wald Brahim Essalem	Born in 1947 in Dakhla, a former driver in the Protocol Department, returned to Morocco on 07/09/1989.
50.	Diddih Wald Mbairik Wald Brahim Essalem	Born in 1961 in Laayoune, a former hospital official, returned to Morocco on 06/29/1991.
51.	Mohamed Wald Khatari Wald Omar Oubella	Born in 1960 in Dakhla, a former soldier at the Ghazouani base. He returned to Morocco on February 26, 1992.
52.	Bouchalga Hamid Wald El Mokhtar	Born in 1970 in Laayoune, a former soldier, he returned to Morocco on 06/06/1992.
53.	Ballahi Lakhliifa	Born in 1954 in Lagouira, former Director General of the Ministry of Information, returned to Morocco on September 25, 1991.
54.	Diddih Labaihi Wald Kharroub	Born in 1960 in Jdiriya, a former security officer in the Military Security Directorate, he returned to Morocco on February 3, 1992.
55.	El Mahjoub Wald Ali Salem	Born on 04/25/1965 in Smara, former director of the Inspection and Programming Department at the Ministry of Defense, returned to Morocco on 02/03/1992.
56.	Haddou Wald Nafaa Wald Eddaf	Born in 1956 in Smara, former security director at the 12th of October School, returned to Morocco on 02/03/1992.
57.	Brahim Wald Fdaili Wald Ayyad	Born in 1956 in Smara, former security director at the 12th of October School, returned to Morocco on 02/03/1992.
58.	Said Mohamed Wald Mohamed Salem Wald Baba, aka "Echarradi"	Born in 1958 in Dakhla, former acting director of the Postal Directorate in Dakhla camp. He returned to Morocco on 08/17/1992.
59.	Ezzawgay Sidi Belaid Wald Laaroussi Wald Lahcen	Born in 1967 in Laayoune, a former soldier, he returned to Morocco on 12/01/1992.
60.	Souilem Lahbib Wald Mohamed	Born in 1970 in Laayoune, a former soldier, he returned to Morocco on 01/21/1993.
61.	Mansour El Bachir Wald Hmayda Wald Mrayzig	Born in 1960 in Laayoune, a former soldier, he returned to Morocco on 01/25/1993.
62.	El Bandir El Kaouri Wald Harmatollah	Born in 1953 in Tan-Tan, one of the founders of Polisario, he returned to Morocco in 1976.
63.	Mohamed Wald Ahmed Hammou Wald Ahmed Baba	Born in 1961 in Dakhla, former soldier, returned to Morocco on November 16, 1990.
64.	Abdallahi Wald Mohamed Ennajem Wald Abdallahi	Born in 1967 in Jrayifia, a former secretary at the Ministry of Defense Supply Center, he returned to Morocco on 01/28/1991.
65.	Balla Wald Ahmed Zine	Born in 1963 in Dakhla, former official in charge of support for the 8th Military Region. He returned to Morocco on 04/18/1991.
66.	Boutabaa Mohamed Iahdih	Born in 1970 in Laayoune, a former nurse, he returned to Morocco on 08/13/1991.
67.	Ahmed Wald Laaroussi Wald Lyaddassi	Born in 1952 in Laayoune, electrician, he returned to Morocco on September 2, 1991.
68.	Ansari Abdelaziz Wald El Bachir	Born in 1972 in Tarfaya, a former secretary at the June 9th School. He returned to Morocco on 12/24/1991.
69.	Ezzoubair Hammoud Wald El Bachir Wald Mohamed Salem	Born in 1954 in Dakhla, former soldier, returned to Morocco on 12/24/1991.

70.	Maelainine Mohamed Brahim Wald Cheikh Talbouya	Born in 1958 in Laayoune, a former official in the Information Department of the Ministry of the Interior and the Support Service in the Communities Department. He returned to Morocco on 01/07/1992.
71.	Bougharioune Mohamed Wald El Ghali	Born in 1970 in Laayoune, a former soldier, he returned to Morocco on 01/12/1992.
72.	Brahim Wald Saleh Wald Mohamed Saleh	Born in 1962 in Dakhla, a translator and former military nurse. He returned to Morocco on January 17, 1992.
73.	Moulay Wald El Bachir Wald Nafaa	Born in 1956 in Hawza, former soldier and driver at the Hanafi base. He returned to Morocco on May 25, 1992.
74.	Hanza Wald Mohamed Salem	Born on 12/31/1966 in Dakhla, a former soldier. He returned to Morocco on 07/13/1992.
75.	Mohamed Salem Wald Lemrabet Wald Abbah	Born on 05/21/1971 in Laayoune, a former soldier, returned to Morocco on 10/20/1992.
76.	Mbairi Mbarek Wald Abdallahi Wald Mohamed Boussayf	Born in 1956 in Tichla, a former soldier, he returned to Morocco on 07/22/1989.
77.	El Kannan Mohamed Salem Wald Abbas, aka "Lakhal"	Born in 1960 in Laayoune, a former member of the Studies and Research Department of the Ministry of Defense, he returned to Morocco on 12/30/1991.
78.	Sidi Wald Aabaid Wald El Mahfoud	Born in 1972 in Laayoune, a former soldier, he returned to Morocco on November 12, 1992.
79.	Mohamed Baricalla Wald Omar Wald Eddaya	Born in 1964 in Lagouira, former soldier, returned to Morocco on 02/26/1992.
80.	Eddaya Hammouda Wald Mohamed Abdallahi	He was born in 1971 in Hagounia. A former secretary in the Military Health Directorate, he returned to Morocco on 04/27/1992.
81.	Bayyat Wald. Ahmed Baba Wald Ezzaygham	Born in 1958 in Dakhla, former deputy representative of Polisario in Belgium. He returned to Morocco on 06/22/1992.
82.	Eddayh Wald Mbayrik Wald Lahraytani	Born in 1956 in Dakhla, former soldier, returned to Morocco on 07/19/1992.
83.	El Moussaoui Ahmed Wald Mohamed Wald Sidi Ali	Born in 1971 in Laayoune, a former soldier, he returned to Morocco on September 21, 1991.
84.	Amhamed Wald Abdallahi Wald Ahmed, aka "Hammad"	Born in 1955 in Dakhla, former soldier, returned to Morocco on 06/26/1992.
85.	Daadi El Mahfoud Wald Ahmed Lakhal, aka "Aaouita"	Born on 12/16/1963 in Agadir, a former chef, he returned to Morocco on 10/12/1992.
86.	Essouiyah Iahdih Wald Essaleck Wald Ahmed Salem Wald Allal	Born in 1968 in Laayoune, former soldier, returned to Morocco on 06/06/1992.
87.	El Aanzoug Ennajem Wald Abdellah Wald Mohamed Lamine	Born in 1965 in Marrakesh, a former soldier, he returned to Morocco on 09/27/1992.
88.	Kharbouch Abderrahime Wald El Bachir	Born in 1966 in Laayoune, a former soldier, he returned to Morocco on 10/15/1991.



## جانب اللجنة المعنية بحالات الاختفاء القسري المنبثقة عن الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري

الموضوع: مذكرة خطية بخصوص العمل من أجل مصادقة لبنان على الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري.

تحية طيبة وبعد،

لقد أنشئت الهيئة الوطنية للمفقودين والمخفيين قسراً في لبنان بموجب القانون 2018/105، الذي يؤكد على استقلالية الهيئة على كافة المستويات وعلى البعد الإنساني الخالص لمهمتها ووظيفتها في الكشف عن مصير المفقودين والمخفيين قسراً.

وإن أبرز أهداف هذا القانون تتمثل بتكريس حق المعرفة لأفراد أسر المفقودين والمخفيين قسراً بشأن مصائر هؤلاء، وإنشاء مرجعية وطنية لقضية المفقودين والمخفيين قسراً في لبنان تتمثل بالهيئة الوطنية، التي تتولى جمع المعلومات، وتوثيقها، وإنشاء سجلات مركزية واتخاذ خطوات عملية لتحديد أماكن المقابر الجماعية تمهيداً لتحديد هوية الضحايا.

كما نص قانون إنشاء الهيئة الوطنية للمفقودين والمخفيين قسراً (القانون 2018/105) على وجوب اتخاذ إجراءات وقائية للحد من حالات فقدان في الحاضر والمستقبل، وكذلك أكد القانون على مهمة الهيئة الوطنية في نشر الوعي حيال الجانب الإنساني للمفقودين والمخفيين قسراً وأسراً، واحتياجاتهم ومعاناتهم بين أوساط صنّاع القرار والرأي العام.

وفي هذا السياق تعتبر الهيئة الوطنية أن قضية المفقودين والمخفيين قسراً في لبنان هي من القضايا الإنسانية الملحة التي تتطلب تحركاً عاجلاً وفعالاً من جميع الأطراف المعنية. ونحن، في الهيئة الوطنية، نؤمن بأن انضمام لبنان إلى اتفاقية مناهضة الإخفاء القسري سيساهم بشكل كبير في تعزيز الجهود الوطنية والدولية لحماية حقوق الإنسان وضمان عدم تكرار هذه الانتهاكات الجسيمة.

لذلك، تتوجه الهيئة الوطنية للمفقودين والمخفيين قسراً في لبنان إليكم بهذه الرسالة لتأكيد موقفها الواضح والحازم في دعم مسار انضمام لبنان إلى الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري، حيث أن هذا الأمر يشكل جزءاً أساسياً من الأهداف الاستراتيجية التي وضعتها الهيئة في خطتها الاستراتيجية لعام 2022 في مستهل ولايتها الحالية، والتي تعمل حالياً على تطبيقها بجدية والتزام.

الهيئة الوطنية  
للمفقودين والمخفيين قسراً  
لبنان



وعليه تؤكد الهيئة استعدادها للتعاون الكامل مع كافة الجهات الدولية المعنية بهذا المجال، ولا سيما لجنة المعاهدة الدولية، وهي تسعى للحصول على دعم اللجنة الدبلوماسية والمادي والاستفادة من كافة الوسائل الممكنة لدعم جهودها في تحقيق هذا الهدف.

وإن التعاون بين الهيئة الوطنية ولجنتكم الموقرة سوف يكون له دور كبير في تعزيز القدرات الوطنية لمواجهة هذه القضية الإنسانية الهامة. والهيئة تتطلع الى دور ومساهمة فعاليتين في المؤتمر الدولي حول الاختفاء القسري المزمع تنظيمه في شهر كانون الثاني من العام 2025 في جنيف، وللنتائج والتوصيات التي سوف تصدر عنه، لا سيما فيما يتعلق بقضية المفقودين في لبنان، وكذلك في سوريا حيث أن عددا من المفقودين المشمولين بولاية الهيئة الوطنية للمفقودين والمخفيين قسرا في لبنان يُرَجَّح بشكل كبير وجودهم في سوريا.

في الختام، تؤكد الهيئة الوطنية أنها تتطلع الى رد إيجابي من قبلكم وإلى دعم متعدد الأبعاد والمستويات، وتؤكد الاستعداد للتعاون معكم بشكل وثيق لتحقيق الهدف المشترك في حماية حقوق الإنسان ومكافحة الاختفاء القسري.

وتفضلوا بقبول أسمى عبارات التقدير والاحترام.

الهيئة الوطنية للمفقودين والمخفيين قسراً

رئيس الهيئة بالإنابة

د. زياد عاشور



The National Commission for  
the Missing and Forcibly Disappeared  
Lebanon



## **Report Of The Enforced Disappearance In Northern Africa.**

### **the Network of the Independent Commission for Human Rights in North Africa (CIDH AFRICA):**

- CIDH AFRICA is an independent regional human rights commission covering countries in North Africa. It was established in 2013 to promote and protect human rights in the region.
- Member states of CIDH AFRICA currently include Algeria, Egypt, Libya, Morocco, Sudan, and Tunisia. The commission is headquartered in Morocco.
- The main objectives of CIDH AFRICA are to:
  1. Monitor the human rights situation in North Africa
  2. Investigate human rights violations and abuses
  3. Provide advisory opinions and recommendation Rights to governments
  4. Raise awareness and educate the public on human rights
- CIDH AFRICA has the authority to receive individual complaints of human rights violations and can issue binding decisions against member states. It also conducts country visits and issues periodic reports on the human rights landscape in the region.
- Key focus areas for CIDH AFRICA include freedom of expression, freedom of assembly, women's rights, children's rights, and the rights of minority and marginalized groups.

### **Here is a detailed report on the enforced disappearances of Khalil Ahmed and El Mehdi Ben Barka and the enforced disappearance of 85 Saharawi Citizens in Tindouf Camps as well as an overview of the relevant international human rights law:**

#### **Enforced Disappearance of Khalil Ahmed in the Tindouf Refugee Camps**

Khalil Ahmed was a prominent Sahrawi activist and organizer who went missing from the Tindouf refugee camps in southwestern Algeria in 2006. The Tindouf camps are home to tens of thousands of Sahrawis, the indigenous people of Western Sahara, who have lived in exile there since fleeing a war with Morocco in the 1970s.

Ahmed was a vocal critic of the Polisario Front, the political organization that controls the Tindouf camps and advocates for Sahrawi independence from Moroccan rule in Western Sahara. His disappearance was widely believed to be the result of an enforced disappearance carried out by Polisario security forces, though the Polisario Front has denied any involvement.

Despite calls from human rights groups for a full investigation into Ahmed's fate and whereabouts, his case remains unresolved. The lack of accountability and transparency around his disappearance highlights the difficult human rights situation in the Tindouf camps, where Polisario authorities have been accused of arbitrarily detaining, torturing, and forcibly disappearing those who criticize their rule.

### **The Tindouf Refugee Camps and the Sahrawi Conflict**

The Tindouf refugee camps were established in the 1970s after the outbreak of the Western Sahara conflict between the Polisario Front and the Moroccan government. Western Sahara, a former Spanish colony, was annexed by Morocco in 1975 after Spain withdrew. This led to a war between the Polisario Front, which seeks independence for Western Sahara, and the Moroccan military.

Tens of thousands of Sahrawis fled the fighting and established refugee camps in the Algerian region of Tindouf, near the border with Western Sahara. The Polisario Front, which represents the Sahrawi nationalist movement, has administered and controlled these camps ever since.

The Tindouf camps, which are home to an estimated 60,000 Sahrawi refugees, have been the subject of significant human rights concerns over the years. Polisario authorities have been accused of severely restricting the freedoms of the camp residents, including arbitrary detention, torture, and enforced disappearances of those who criticize the Polisario leadership or express dissent. Human rights organizations, such as Amnesty International and Human Rights Watch, have repeatedly called for independent and impartial investigations into the human rights violations occurring in the Tindouf camps. However, the Polisario Front has resisted such efforts, arguing that the camps are under Algerian sovereignty and that it is not responsible for any abuses.

### **The Enforced Disappearance of Khalil Ahmed**

Khalil Ahmed was a prominent Sahrawi activist and organizer who had been critical of the Polisario Front's governance of the Tindouf refugee camps. In 2009, he went missing from the camps, and his fate and whereabouts have remained unknown since then.

According to reports, Ahmed was last seen on July 17, 2006, when he left his home in the Smara refugee camp to attend a meeting. He never returned, and his family and friends immediately raised the alarm, fearing that he had been the victim of an enforced disappearance.

Enforced disappearance is a serious human rights violation that occurs when a person is detained, abducted, or otherwise deprived of their liberty by state authorities or agents acting with the support or acquiescence of the state, and the state then refuses to acknowledge the deprivation of liberty or to reveal the person's fate or whereabouts.

In Ahmed's case, the Polisario Front has denied any involvement in his disappearance, but the widespread belief among human rights groups and Sahrawi activists is that he was the victim of an enforced disappearance carried out by Polisario security forces.

The reasons behind Ahmed's disappearance are not entirely clear, but it is widely believed that his vocal criticism of the Polisario Front's governance and human rights record in the Tindouf camps made him a target of the authorities. As a prominent activist and organizer, Ahmed's disappearance was seen as a warning to others who might dare to challenge the Polisario's control over the camps.

### **The International Community's Response**

The enforced disappearance of Khalil Ahmed has been the subject of significant international attention and concern. Human rights organizations, such as Amnesty International and Human Rights Watch, have called for a full and impartial investigation into his case, as well as the broader human rights situation in the Tindouf camps.

The United Nations Working Group on Enforced or Involuntary Disappearances (WGEID) has also taken up Ahmed's case, issuing several communications to the Algerian government and the Polisario Front requesting information on his whereabouts and the steps being taken to investigate his disappearance.

However, the response from the Algerian government and the Polisario Front has been largely uncooperative. Both have denied any involvement in Ahmed's disappearance and have resisted calls for independent investigations, arguing that the Tindouf camps are under Algerian sovereignty and that the Polisario Front is not responsible for any human rights violations that may occur there.

This lack of accountability and transparency has been a significant obstacle in efforts to determine the fate and whereabouts of Khalil Ahmed. Without access to the camps and the cooperation of the Algerian government and Polisario authorities, it has been extremely difficult for human rights groups and the international community to effectively investigate the case and hold those responsible to account.

There is evidence that 85 Saharawi citizens were allegedly killed by the Front Polisario, the movement seeking independence for Western Sahara, between 1979 and 1999. The fact that the Front Polisario has not acknowledged or taken responsibility for these deaths is very troubling and suggests a lack of accountability.

Issues of enforced disappearances and extrajudicial killings are grave violations of human rights that require thorough, impartial investigations. Families of victims deserve to know the truth about the fate of their loved ones and to see those responsible held accountable.

Here attached you find the names of the enforced disappearance of 85 Saharawi citizens.

### **Enforced Disappearance of El Mehdi Ben Barka in Morocco**

El Mehdi Ben Barka was a prominent Moroccan Marxist political leader and opponent of King Hassan II's government. In 1965, he was kidnapped in Paris, France, and his fate has remained unknown ever since.

The enforced disappearance of El Mehdi Ben Barka was a major political scandal that strained relations between Morocco, France, and other countries at the time. It is widely believed that



the Moroccan government was behind his disappearance, likely with the involvement of French intelligence services.

Ben Barka was a leading figure in the Moroccan opposition movement and a vocal critic of King Hassan II's authoritarian rule. He had been living in exile in France, where he continued to organize and agitate against the Moroccan regime.

On October 29, 1965, Ben Barka was abducted from a street in Paris, where he had been meeting with French leftist intellectuals. Eyewitnesses reported seeing him being forced into a car by armed men, and his disappearance sparked a major international incident.

### The Alleged Involvement of the Moroccan and French Governments

The circumstances surrounding Ben Barka's disappearance and the subsequent investigation pointed to the involvement of the Moroccan and French governments.

Moroccan authorities were quick to deny any involvement, but evidence soon emerged that implicated high-ranking officials in the Moroccan government and intelligence services. It was alleged that the Moroccan government had orchestrated the abduction and disappearance of Ben Barka, with the tacit approval and assistance of French intelligence services.

The French government initially denied any knowledge of or involvement in the affair, but it later emerged that French police and intelligence officials had been aware of the plot and had even provided logistical support to the Moroccan agents involved in the kidnapping.

The scandal caused a major diplomatic crisis between Morocco and France, as well as straining relations between Morocco and other countries, including Algeria and Tunisia, which were sympathetic to Ben Barka's political cause.

### The Ongoing Search for the Truth

Despite numerous investigations and inquiries over the years, the full truth about who ordered and carried out Ben Barka's disappearance has never been conclusively established. The case remains one of the most enduring and mysterious political disappearances of the 20th century.

Attempts to uncover the truth and hold those responsible to account have been hampered by a lack of cooperation from the Moroccan and French governments, as well as the passage of time and the deaths of key witnesses and participants.

In the decades since Ben Barka's disappearance, various theories and speculations have emerged about his fate, but no definitive evidence has been found to confirm what ultimately happened to him. Some believe he was killed soon after his abduction, while others suggest he may have been spirited away to Morocco or another location and detained or executed in secret.

The lack of closure and accountability in the Ben Barka case has been a source of frustration and anguish for his family and supporters, who have continued to press for the truth to be revealed and for those responsible to be brought to justice.