

**Visit Report: Occupied Western Sahara & Morocco,
cities of Laayoune, Agadir and Rabat
27th October - 7th November 2014**

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1. Introduction:

My name is Isabel Maria Gonçalves da Silva Tavares Lourenço, I have Portuguese nationality, and am a member of Fundación Sahara Occidental and Adala UK.

I visited Western Sahara and Morocco with an accreditation of Fundación Sahara Occidental as international observer and with a mandate from Adala UK.

The goal of the visit was to attend as an international observer the judicial appeals of the Saharawi political prisoners Mr. Abdelmotalib Sarir, Mr. Mohamed Barber and Mr. Alyien Moussaoui on the 28th of October 2014 in Laayoune's court of appeal, and that of Mr. Abdallahi Boukioud on 3rd of November 2014 in Agadir. A second goal was to observe the situation in Laayoune as well as talking to several Saharawi NGOs and families of political prisoners.

During the week of 28th October to 2nd November 2014 I stayed in Laayoune city and interviewed and contacted several Saharawi human rights associations, committees and activists as well associations for the defence of natural resources, the well-being of women and children and Saharawi media groups. I also visited the families of former and current political prisoners and interviewed several children that had been subjected to ill-treatment and torture by the Moroccan occupying forces.

During my whole visit I was continually followed by police and other representative of the Moroccan authorities, in uniform as well as in plain clothes. I was filmed and photographed and even detained for over one hour without any explanation, and my passport was repeatedly taken for long periods of time by the police officers.

On November 3rd I attended the trial of Mr. Abdallahi Boukioud in Agadir and met with Saharawi University Students.

From 4th to 7th November, I was in Rabat and tried to obtain visitation authorization to the 23 political prisoners detained in Sale and stayed at the houses of the families of the prisoners.

The whole visit gave me an insight I did not have, and a very clear perspective of the current situation in Western Sahara and the general feeling of the population.

It is obvious that the occupation is only possible due to the huge presence of military, police and auxiliary forces and their brutal tactics, and also due to the fact that the international community is complicit with the silence about the occupation and the stalemate in the United Nations Security Council.

23 years after the ceasefire that was never broken by the Saharawi, who resist peacefully, the patience of the population is coming to an end and a peaceful and just solution must be implemented in the last African colony.

2. Entering Western Sahara

I arrived at Laayoune airport on October 27th at 17h40. I had taken the Royal Air Morocco plane from Lisbon to Casablanca and then to Laayoune. Although the plane had very few passengers I was given the last seat from Casablanca to Laayoune, which forced me to be the last passenger to exit the plane.

At the entrance I was asked what the purpose of my visit was and I explained that I was an international observer, accredited by Fundación Sahara Occidental to attend the judicial process of the three Saharawi political prisoners and showed the official on duty the accreditation.

The superior officers (without uniforms) where already waiting for me and I was told to wait and my passport was taken into a back room without further explanation. During over one hour I was asked the same questions over and over, what my profession was, who I knew in Laayoune, where I would stay, who would pick me up from the airport, if it was my first visit to Laayoune, why I want to go to Laayoune, if I knew anybody else on the plane, which languages I speak, my name, and then starting again from the beginning.

After about one hour, a man without uniform came with a mobile phone in his hand and told me to talk to the person on the other end. I told him I hadn't called anyone and I would not talk to someone I didn't know. He told me it was El Wali (governor) who wanted to welcome me to Laayoune. Mr. El Wali spoke in English and told me that I was welcome as a tourist but only as a tourist and that I was forbidden to go to any trial or anything else. I thanked him for his welcome and informed him that I was not a tourist that I was an international observer and that only the judge could tell me not to attend the trial, so Mr. El Wali had to chose to either let me enter Western Sahara so that I could present myself at 09h00 the next day at the court house or to refuse my entry which would mean that I would go to my embassy in Rabat.

He hung up after saying once again that I could enter but only as a tourist.

After another hour of being asked the same questions by different men, they gave me my passport, but at the same moment a young man in plain clothes entered and started to take pictures of me. I asked him to delete the photos but he laughed, so I asked the uniformed police officer to take his camera and delete the pictures but he said he could not do that since this was his superior.

My suitcase wasn't in the airport according to the officers, although I had seen it on the conveyer belt, and I could only retrieve it three days later.

After one hour of waiting I could get a taxi and was followed by two motorcycles (the same police in plain clothes that were at the airport all the time) to the hotel where two plain clothes policemen were waiting in the reception.

3. Court of Appeal, Laayoune: judicial process of Mr. Abdelmotalib Sarir, Mr. Mohamed Baber and Mr. Alyien Moussaoui (28th Oct 2014) and Court of Appeal, Agadir: judicial process of Mr. Abdallahi Boukioud (3rd Nov 2014).

At 8h30 on 28th October, I presented myself at the court of appeal of Laayoune, accompanied by Mr. Hmad Hamad, vice-president of CODAPSO (Committee for the support to self-determination of Western Sahara) to attend the judicial process of the three Saharawi political prisoners. None of the evidence of the defence was admitted nor included by the Judge and no evidence of their guilt was presented. In the afternoon they were each sentenced to 10 months in prison. They all claimed to have been victims of torture, which they had already denounced before the judge of the first instance and also where these 3 prisoners in a group of 7 Saharawi political prisoners that were tortured in the court yard of the black jail of Laayoune on September 23rd 2014.

For a detailed report on the trial see Annex I.

At 9h00 on November 3rd, I presented myself in the court of appeal of Agadir, accompanied by my translator Miss Laila Fakhouri, to attend the judicial process of the Saharawi political prisoner Mr. Abdallahi Boukioud. None of the evidence of the defence was admitted nor included by the Judge and no evidence of his guilt was presented. In the afternoon he was sentenced to four years imprisonment.

For a detailed report on the trial see Annex II.

4. Contact with families of Saharawi political prisoners

During my entire stay in Laayoune I contacted as many families of Saharawi political prisoners as possible, in order to obtain information regarding their conditions in prison, their physical health and other problems.

Each family I visited or encountered in meetings had the same complaints with small variations. They all experience dire economic needs due to the incarceration of their husbands, sons and fathers who are, in most cases, the sole breadwinners.

But what affects the families the most is that they are accused of crimes they did not commit, that none of the accusations are ever proven and that evidence of their innocence is not admitted in court. Political prisoners were also subjected to ill-treatment, torture and periods of disappearance. Their family members are often themselves victims of harassment, children included.

Prison conditions are appalling as is well documented by numerous human rights organisations: food is scarce and beatings, humiliations and ill-treatment occur on a daily basis.

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Often prisoners' belongings are removed and they have to sleep without clothes or blankets.

The only group that is not currently subjected to this kind of treatment is the Gdeim Izik Group in Sale 1, due to international pressure, although medical attention is equally insufficient and their health status is alarming.

All families (including the ones of the Gdeim Izik Group) referred to the lack of or the inadequacy of health care; the administration of medicines that are not related to prisoners' complaints and illnesses; as well as chronic illnesses. Neither the families nor the detainees or their attorneys are informed about the results of medical examinations, x-rays, scans, MRI, blood and urine tests.

All political prisoners demand to be seen and examined by independent international medical organisations in order to document the ill-treatment and torture they suffer.

The huge distances (over 1,000km) the families have to travel to visit the prisoners and the arbitrary transfer of prisoners from one prison to another without warning was another aspect mentioned by the families. Often family members arrive after a one or two day journey and are denied a visit.

The prisoners depend on family visits as these provide them with money to buy food and other essential items they need. Without the food that is bought by the families malnutrition is a reality. Vitamins, protein and other deficiencies in the diet are another manifestation of their deteriorating health, as well as drinking of water that is not bottled (bottled water has to be bought by the prisoners). All prisoners complain about kidney disease, general pain in their backs (mostly due to torture), rheumatism (sleeping on floors without any clothes or blankets is a common punishment).

Mr. Abdeslam Lomadi (Ait Melloul Prison) and Mr. Brahim Daoudi (Inezegan prison) were diagnosed with tuberculosis; both are held in overcrowded cells without proper medical treatment.

Mr. Abdejalil Laaroussi in Sale 1 prison suffers from extreme high blood pressure, epistaxis (nose bleeding), rectorragia (bleeding from the rectum), frequent loss of consciousness of up to 30 min and more. *Annex III - blood pressure measurements and medical statement.*

Mr. Abdallahi Boukioud, in Ait Melloul Prison, was presented to the Agadir court of appeal on November 3rd and I could see how thin and fragile he was due to the constant ill-treatment he had been subjected to. Mr. Boukioud had been on hunger strike several times this year in protest against his situation and to demand the most basic rights. One of these lasted for 67 days after which he was force-fed. He presented several complaints about the torture he suffered to the Moroccan authorities without any response (included in the report of his trial Annex II).

Mr. Mbarek Daoudi, detained in Sale, started a hunger strike on 1st November. He has serious heart problems, and has been waiting for a trial for over one year.

All families which I contacted had very similar testimonies. Their sons, brothers and husbands are peaceful political activists who defend the right to self-determination of Western Sahara and participate in peaceful demonstrations.

Political prisoners are almost always accused of the same crimes: obstruction of public streets, damaging public property, arson, throwing stones. Sentences vary from 10 months to life imprisonment. Even when there is concrete proof that the accused were not in the city where the alleged crimes took place, the evidence is not admitted or taken into account by the judge and the general attorney of the king. The accusations and sentences are always based on testimonies obtained under torture or "testimonies" of a third party that is not present at the trial (as was the case of Mr. Abdallahi Boukioud's trial that I witnessed on November 3rd). Documents and confessions are often "signed" with a fingerprint although all Saharawi political prisoners can read and write.

5. Contact with former and current political prisoners

During my stay I talked to over 20 former political prisoners, both men and women. Some of them had been in Meguna secret prison for over 12 years. Their testimonies of torture, long periods of total isolation, humiliations, starving, constant beatings and lack of basic hygiene were extremely shocking.

Reports about prison conditions and torture are similar in all reports; methods of torture include:

- 'Airplane' - Victims are forced to bend over while standing with their legs straight. The person's head is bent down until it cannot go down any further, while the hands are pulled up and held up to the highest point. The hips have to point upwards.
- Beatings
- Burning with cigarettes
- Chemical burns
- Chemical inhalation
- Removal of finger and toe nails
- Light Deprivation
- Pretend Drowning
- Electrocutation
- Flagellation
- Whipping of feet
- Force-feeding
- Hanging by the feet

- Mutilation
- Oxygen deprivation
- Rape / sexual assault
- "Roasted Chicken" - victim is suspended from a pole or spit
- Sodomy with sharp objects such as (broken bottles), iron rods, legs of chairs
- Solitary confinement
- Sleep deprivation
- Starvation
- "Strappado"/"squassation" (also known as "reverse hanging" and "Palestinian hanging")
- Stress positions
- "Sweden drink" ingestion of urine and faeces
- Ta'liq hanging from a metal bar.
- Waterboarding

These torture methods are reported not only by former political prisoners, they also frequently feature in the reports of observers of trials where prisoners denounce torture and demand medical expertise; however, these claims are never investigated by the judge.

Other prisoners with whom I could speak over the phone also confirmed these methods of torture.

Torture is on-going and is used to obtain confessions but also to "subdue" and "re-educate" Saharawi political prisoners.

6. Discrimination against Saharawi prisoners

Saharawi prisoners that are not political prisoners also suffer from discrimination, torture and abuses.

Mr. Mgaimima Brahim Jalil was released in the beginning of 2014 after 10 years in prison. During his trial, evidence was presented by the defence that Mr. Mgaimima Brahim Jalil had a problem with his foot which made it impossible for him to have committed the actions he was accused of and which were never proven. During his 10 years of incarceration he was repeatedly tortured and was on hunger strike for 366 days during which he was force fed on several occasions. Each time he was told that the accusations would be dropped, but he was sentenced to 10 years and a fine of 90,000 Euros. He was moved around several prisons, first the Black Jail of Laayoune, then Ait Melloul where he spent 20 days in total isolation in a 1.5m x 2m cell without ventilation or light, with a hole in the middle to use as a toilet. He could receive visitors once a month for ten minutes.

He was humiliated by the prison guards on a daily basis, which also encouraged other inmates to mistreat him.

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In 2008, he was transferred to Tiznit prison and everything started again, including torture, ill-treatment and 28 days of solitary confinement. He made went on hunger strike several times but the conditions did not improve.

In Ait Melloul and Tiznit the cells he was in were approximately 7m x 5m with 44 beds for 96 to 100 prisoners. There were two holes in the floor to be used as "toilets" and one bucket for rubbish. Prisoners stay inside these cells for 12-14 hours per day.

Mr. Brahim Jalil suffers from several diseases, his vesicle was removed and after his release he underwent several exams and was told that he only had one kidney. He protested and said that that was not possible and after a further examination the second kidney was "found" – it was smaller than a marble.

Mr. Brahim Jalil would like to undergo independent medical examinations that can prove everything he told me. He also declared that he would continue to defend the right to self-determination of Western Sahara in a peaceful manner.

He has filed complaints to the National Council of Human Rights of Morocco and to the Ministry of Justice.

I have singled out this interview, not only because of the long incarceration period but also because Mr. Jalil has passed through different prisons. The interviews with other ex-prisoners and ex-political prisoners and family members of the current prisoners confirm all of this information.

7. Interviews with children

I spoke to all children I met and in general asked them the same questions, i.e. if they liked school, which their favourite subjects were, what they liked to play, in the case of the boys who their favourite football player was, if they slept well, if they ate well, if they had difficulties focusing, if they liked to play in the street, what they would like to be when they are older, what their typical school day was like.

Children in public schools generally did not like school, because they are beaten, called 'dirty saharawis', and humiliated by the teachers and employees. Each Monday morning they are forced to sing the Moroccan national anthem and recite the pledge to the "green march". If they refuse or make a mistake they are beaten. They are not allowed to speak their mother tongue "Hassania" in school, nor can they draw the flag of the RASD.

During the breaks, there is a lot of violence in the school yard without the staff intervening. Police officers in plain clothes are also present in the school yards every day. These threaten Saharawi children with rape and sexually assault the girls.

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Two of the children talked about these sexual abuses, but said that they would never tell anyone and that the policemen knew that. It is a very big taboo and children are told that the family will suffer if they talked about it.

The children do not sleep well, they have nightmares, and are afraid to be "taken in the night". They have difficulty focusing and suffer from incontinence. Several of them say they "freeze" when they see a police van. Police vans surround schools and police officers harass Saharawi students when they leave school.

Two of the boys I interviewed were severely beaten and tortured by the police. Both were beaten in the middle of the street without apparent reason. One of them had a broken jaw from the kicks he received and the other had a broken arm.

Labat, 8 years old, was playing in the street with two friends on a Saturday afternoon when a police car with 5 agents stopped near them. His friends run away but he "froze". He was severely beaten and kicked, his jaw broke and he drew a lot of blood from his mouth. He was in pain and very afraid as he had heard the driver of the police car say: "beat him until he is dead!"

They left him in the middle of the street and a neighbour brought him to his mother. He had to wait 15 days to be treated in hospital because it took the family that long to raise the money. He has severe headaches, is always afraid and has tried to kill himself by jumping out the window. His mother does not know what to do. She has presented official complaints to the authorities.

Mahmoud (13) was coming home from school when 4 police cars stopped. The agents got out and started beating him. His sister (12) heard him and came running but the police threw stones at her. He was beaten senseless with a bar, hands and batons as well as being kicked. When he could no longer move they dragged him off his feet and threw him to the floor repeatedly. He then put his arm to protect his head and they broke his arm. Eventually they left him in the street.

Mahmoud was "operated" twice. The first time the doctor put a metal plate in his arm but it had to be removed again. The second "operation" was the removal of the metal plate without any anaesthesia or painkiller. The doctors opened his arm with a knife and took out the metal plate. "I only saw blood and it hurt horribly" said Mahmoud.

During the time he was beaten the police agents insulted him and said that his mother was a 'Saharawi whore', his father a 'Saharawi pig' and other insults.

Adala UK will soon present a detailed report on the cases of Saharawi children that are subjected to abduction, arbitrary detention, ill-treatments and torture.

8. Interviews with Saharawi NGOs and Human Rights Associations

During my stay in the city of Laayoune, I contacted several Human Rights Associations and other NGOs as well as a Human Rights Association from the city of Smara.

Their reports and information confirm what is already known through reports of organisations such as Human Rights Watch, Amnesty International, the Robert Kennedy Foundation and other International NGOs, as well as the last report of Mr. Christopher Cross, special envoy for Western Sahara of the Secretary General of the United Nations, and Mr. Juan Mendez, the United Nations' special rapporteur on torture.

Since the beginning of this year, there has been an increase in repression and brutality by the occupying Moroccan authorities. All peaceful demonstrations are brutally dismantled. The streets are "swept" and houses invaded and destroyed. Human rights activists are tortured in the desert and abandoned there and Saharawi journalists and correspondents are being "hunted down".

The international press does not enter Western Sahara and the expulsion of foreigners is considered normal. Human rights activists and NGOs are declared persona non grata and expelled or banned from entering. Natural resources continue to be plundered and environmental protection does not exist.

Saharawis do not have access to jobs. Those who worked for instance for Fos Bucraa during the Spanish occupation were replaced by Moroccans as soon as they had acquired the necessary skills and Saharawis were forced to retire.

Saharawi land ownership is not respected by the Moroccan authorities who help foreign companies to occupy land by force and expel the families that live there. Recently, a family was expelled from their land by force by the Moroccan authorities so that a French company could install an electric powerlines.

All associations, NGOs and activists see no other solution than the urgent implementation of the referendum. In their view, the situation is unsustainable, daily life is like living in the biggest prison of the world.

9. Interviews with Saharawi Women

Saharawi women are extremely well-respected in their society and enjoy equal rights to men. A large number of them are leaders of NGOs and other social and human rights associations. Like all Saharawis in the occupied territories they also suffer from the political, social and economic apartheid.

Their participation in demonstrations and the peaceful movement for self-determination is enormous, in spite of the beatings, humiliations and daily

aggressions they are subjected to by the Moroccan authorities.

Several women I interviewed had also been imprisoned for over 12 years. They were subjected to all kind of torture (as previously mentioned) and two of them had miscarriages due to torture.

10. Interviews with Saharawi journalists and media correspondents

The three media groups I met – RASD TV; Equipo Media and the Saharawi Centre for Media and Communication – all reported the same problems.

Freedom of press does not exist in Western Sahara. Journalists, correspondents, cameramen/women and photographers are often detained, mistreated, beaten, tortured, abducted and detained.

Mr. Mahmoud El Haisen, journalist at RASD TV, was detained after producing a short documentary about police repression after the Algerian team's football match during the world cup this year. His trial was scheduled for the 19th November but was postponed again to 10th December. He has presented several complaints to the Moroccan authorities and CNDH concerning torture. He also has serious health problems.

Journalists must take photographs secretly and do most of their work "undercover".

All of the journalists also informed me that foreign journalists are not allowed to enter Western Sahara by the Moroccan authorities unless they represent their "official" version.

11. Interviews with young people (18 - 35)

All young people I talked to, both in Occupied Western Sahara as well as Saharawi students in Agadir, experience the same feelings of exclusion, harassment, and lack of opportunities.

They do not accept the Moroccan occupation and although they are at the moment pursuing peaceful resistance, they will not accept the continuance the present stalemate in the negotiations for much longer. For them, self-determination is clearly the only solution.

Jobs are not available to them. In order to study at university they have to leave Western Sahara as there are no universities there; however, as Saharawi students they are discriminated by their university professors.

12. Health Care

All Saharawis gave me the same answers regarding health care in Western Sahara. It hardly exists for Saharawis. There are only Moroccan doctors, Saharawi doctors are not allowed to practice.

Saharawis only go to hospital in situations of extreme necessity, not only because treatment has to be paid for or obtained with bribes, but also because they do not trust in the doctors. There are many reports of injections that are given to every Saharawi that goes to hospital, regardless of their medical condition, and nobody knows what kind of injections they receive.

It is also normal practice to have an x-ray each time you go to hospital. This excessive use of x-rays is well-known. Moreover, family members are told to be in the x-ray room, without any protection, to "secure" the patient, so that they are also exposed during the process.

It is common for Saharawi patients to be "abducted" from hospital by police agents and taken to the police station.

To access better medical care, Saharawis have to leave western Sahara and visit specialists, either in Morocco or Spain; however, these have to be paid for privately.

13. Economic, social and cultural situation

It is no exaggeration to talk about an economic, social and political apartheid in Western Sahara. Job opportunities are not available to Saharawis, unless they "proclaim their loyalty" to the Moroccan King and the occupation.

Saharawis depend mostly on a type of unemployment benefit, according to Moroccan law, that is insignificant and that is taken away if they are labelled as "independence activists". This is another way to put pressure on and threaten the Saharawi population.

Saharawi culture is not accepted although the Moroccan constitution states that it defends multiculturalism and the use of Hassania, the Saharawi language.

The names of all Saharawis were changed after the occupation. Not only the

order of family names was altered but also the first names. So when you ask someone his/her name it is common to be asked 'my real name or my Moroccan name?' The goal of this is clearly to alter the Spanish name registers and create one more obstacle for a census as well as for the property register.

The Saharawis have for centuries been camel owners and herders. To pursue this activity it is necessary to follow the camels in the desert and live in tents. The Moroccan government forbids tents and surveys the desert constantly with helicopters. People who have a tent are fined or beaten and then fined.

There are several reports of Moroccan authorities shooting entire herds of camels. Camels that are shot cannot be eaten as the meat would not be halal and is therefore left to rot away in the desert.

Saharawis affirm their identity through their traditional clothing (*daraa* for the men and *melfas* for the women). They wear them with pride and also as a symbol of resistance.

14. General Impressions of the City of Laayoune

The city of Laayoune has a climate of constant surveillance. There is a large presence of police, military and other authorities which is very intimidating.

There are clear differences between Saharawi and non-Saharawi neighbourhoods, also related to their economic status. There are entire neighbourhoods under construction in order to attract more Moroccan settlers.

To enter or exit Laayoune one has to pass several "check points".

Moroccan flags are displayed along the streets and buildings, all shops display an image of the Moroccan King. The huge presence of flags is in no relation to any Moroccan city I visited and it is clearly a political statement, and an affirmation of the occupation.

Laayoune is a city under siege.

15. Detained for one hour without justification

On 1st November, the vice-president of CODAPSO Hmad Hamd, two other CODAPSO members, Abiy Abdelaziz and Lehueidi Mahmud, and I were on the way to Fum Lawad beach when we were detained at a check point as we were leaving Laayoune.

A plain clothes police officer approached our car and demanded to see our

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passports. The Saharawis did not hand over any documents, saying that they did not recognize Moroccan sovereignty over them. Hmad Hamd said 'They know us and they know exactly who we are. We are activists and we want self-determination, everybody knows that.'

The policeman asked them to get out of the car and we all did, apart from the CODAPSO vice-president who said that they would have to get him out by force. The other two were taken to the office and a policeman told me in French to sit down, pointing at a chair in the middle of the sun, full of ants, insect excrements so I did not sit down.

The chief police officer of Wifak district, Laayoune, Estyu, turned around and shouted insults at me in Arabic and things like 'Moroccan Sahara is Moroccan and always will be', for about 40 minutes. After one hour, the other two came out of the office again and said we could leave. I told them I needed my passport back and wanted an apology for shouting at me and intimidating me.

The whole we were there, photographs were taken of us and we were filmed.

We were surrounded by five vans with plain clothes police. As we were leaving, we were followed by even more cars, only to arrive at another post, where my passport was again taken away for 15 minutes.

After that, we were followed by cars, motorbikes and a four by four, on all sides. When we arrived at the beach, there were more uniformed and plain clothes police officers there, waiting for us. They followed us for the whole hour we spent at the beach. When we returned to the city, we were followed again, just like every day the previous week.

16. Bus/train journey Laayoune - Agadir - Marrakesh - Rabat

I travelled from Laayoune to Agadir on the night from 2nd to 3rd November by bus, leaving at 21h00 and arriving at 07h30.

I planned to make the exact same trip by bus and train which the prisoners' families have to make to visit them (from Laayoune to Ait Melloul, Tiznit, Inzegan, Rabat) to see exactly how long and how difficult the journey is.

As I arrived at the bus station, I was informed by the staff that two policemen in plain clothes were already there to accompany me. All of the other passengers had warned me that the police had come for me.

During the trip I had to get off the bus at every check point, police station and gendarmerie post in order to identify myself, answer the same questions over and over again, and hand over my passport more than ten times.

I was always the only person to be "investigated"; no other passenger had to get off the bus or identify themselves.

The two police officers in plain clothes were seated in front of me and even accompanied me to the bathroom. Yet, they never addressed me.

In Agadir I went straight to the courthouse and attended the trial of Mr. Boukioud. During lunch I met with Saharawi students. In the afternoon I took a bus to Marrakesh and from there the train to Rabat where I arrived at 23h00.

17. Visitation rights of the Saharawi political prisoners in Sale 1, Rabat and health issues

Adala UK had asked for an authorization to visit all political prisoners in Sale 1 prison in Rabat. After several faxes and e-mails that were sent over several weeks and never answered, as well as several phone calls with the general administration for penitentiary and reintegration, we decided that as soon as I arrived at Rabat I should go there in person and find out why we couldn't get an answer.

On the morning of the 4th November, I went to the General Administration for Penitentiary and Reintegration, and presented a copy of the correspondence asking to meet with the responsible official.

After one hour of waiting at the reception desk, the lady informed me that I should present a complaint, that would be answered in one or two months. I explained that I would not present any complaint but wished to talk with someone responsible since I would be leaving the country shortly.

After another two and a half hours, I was received by Mrs. Lysan on the second floor of the building, who told me she was given authorization to inform me that the prisoners Adala UK asked to visit were under direct jurisdiction of the Minister of Justice, since their trials were in "cassation" and therefore only the Minister of Justice himself could grant authorization to visit these prisoners. I informed Mrs. Lysan that we already sent several letters to the Minister of Justice but that we never received an answer, if she could please give me some kind of direct e-mail contact. She told me that she could not help me.

In Rabat, I stayed in the apartment that the families of political prisoners rent to stay there during their visits. The apartment, which has 3 rooms and one small kitchen, has no bathroom (there is a communal bathroom in the hall of the building), no hot water, the windows are broken and there is almost no furniture.

The families tried to rent a better apartment but no one wants to rent anything to them and even in this building, the owners already tried to terminate the lease several times.

Rents are high and it is another cost for the families. The presence of family members is necessary not only to visit the prisoners but also to buy them food and other necessities that have to be delivered to prison.

18. Conclusions

In my opinion, action needs to be taken urgently in order to enable a visit of the Red Cross or another independent medical group to all Saharawi prisoners in order to examine them and provide medical expertise to confirm their claims of torture and identify the grave illnesses they suffer.

The judicial processes are illegal and the liberation of all political prisoners should be immediate since there are no evidence to confirm the crimes they are accused of.

The United Nations Security Council should urgently include a mechanism to monitor human rights in Western Sahara. One year after this, a census should have been completed and the referendum put in place.

The international community cannot continue to make commercial and other agreements with an occupying country, all agreements should be denounced until the realisation of the referendum.

The International community has all tools at its disposal to assure a peaceful solution and the decolonization of Western Sahara, as has been possible in the case of East Timor.

There are no violations of any agreements on the part of the Saharawis. They have been waiting peacefully for a solution and their trust in the international community cannot be betrayed.

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