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Mr Mevlüt Çavuşoğlu  
President of PACE  
Parliamentary Assembly of the  
Council of Europe  
Avenue de l'Europe  
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Geneva 10 June 2011

Dear Mr President,

The *Fondation Danielle Mitterrand-France Libertés* has joined with our associations which have followed very closely the meeting of 31 May in Paris of your Committee on juridical questions. According to our information, the Committee unanimously adopted a draft resolution concerning the status of partner for democracy lodged by the Moroccan Parliament with the Council of Europe. Thus Morocco would become the first country to obtain this status. During the June session of the Parliamentary Assembly, you will deal with this question on Tuesday 21 and will take a decision.

Permit us to express to you our profound regret and as the French Ambassador Stéphane Hessel, says, our deep indignation at this denial of what is really being experienced in Morocco by many Moroccan men and women and by the Saharawi people who live in the territories of Western Sahara occupied by Morocco. Only if you really do not know the country could you seriously believe what the presidents of the two chambers of the Moroccan Parliament have said (see point 3 of the Report of the deputy Luca Volontè) when they say that « the parliament that they represent shares the values of the Council of Europe, namely a pluralist and egalitarian democracy, the rule of law and respect of human rights and fundamental freedoms.

Do you really think that the Moroccan state shares the same values as those of the Council of Europe ? We have a great respect for your institution with which we

collaborate in many other areas, but here, it is in the process of losing its credibility and allowing itself to be drawn into decisions which do it no honour.

We will not repeat the examples we gave you in our last letter concerning the reality on the ground in Morocco and in occupied Western Sahara (appendix 1) but we ask several questions about how you could have become aware of Moroccan « democracy ». Have you been to El Aaiun, the capital of Western Sahara to meet with Saharawi human rights defenders, which would allow you to evaluate whether, as the Moroccan parliamentarians say, Morocco respects human rights ? Have you been into Moroccan prisons to meet prisoners of opinion who are adopted by Amnesty International in particular ? Have you discussed with the Swiss, Swedish and Finnish representatives who attended the trial quite unworthy of a State of Law, at the end of 2010 and the beginning of 2011, of the 7 Saharawis who were arrested on their return from the Saharawi refugee camps ? Have you read the report of Reporters without Borders on the freedom of the press in Morocco (appendix 2) ? Have you met with the people who are fighting for the release of the journalist Rachid Nini and against censorship ? Do you know that the press cannot speak democratically about the future of Western Sahara or the king and his role in the country ?

We could systematically take up many points in your report and comment on them. We just pick out two. Let us pause at point 8.12 which says :*preventing torture and inhuman or degrading treatment of persons deprived of their liberty; fighting impunity for crimes of torture and ill-treatment.* It is not a question of preventing torture, Mr President, but of demanding its immediate cessation. It happens on a daily basis in many prisons and in the Black Prison of El Aaiun particularly. As for impunity, it has up until now been total, as Amnesty International writes in the summary of its 2011 report on the situation which prevails in Morocco and in occupied Western Sahara : No steps were taken to bring perpetrators of past gross human rights violations to justice, and little progress was made in introducing long-promised judicial and institutional reforms.

And the report adds: Restrictions on freedom of expression, association and assembly continued, particularly on issues considered politically sensitive such as the status of Western Sahara. Human rights activists, journalists, members of the unauthorized political group Al-Adl wal-Ihsan, and Sahrawi activists continued to face harassment and politically motivated charges. Dozens of people were detained on suspicion of security-related offences; some were held incommunicado and allegedly tortured or otherwise ill-treated. Security forces forcibly removed thousands of Sahrawis from a protest camp amid clashes resulting in deaths and injuries. Arrests and collective expulsions of foreign nationals continued. Death sentences were passed; no executions were carried out. (Amnesty International, Report 2011)

As for point 9 it says: *Furthermore, the Assembly expects that Morocco will continue to seek the settlement of international disputes by peaceful means in accordance with the United Nations Charter. In this context, it particularly calls on the Parliament of Morocco to enhance its contribution to solving the Western Sahara problem in accordance with the relevant resolutions of the United Nations Security Council.* It is

not credible for an institution such as the Council of Europe to reduce the conflict in Western Sahara, which is really a situation of decolonisation and occupation, to an «international dispute». And you treat this serious question with a great pusillanimity. Do you realise that for over 35 years Morocco has not been respecting its commitments to the UN ? How will it respect those which it will undertake by signing this statute of democratic partner ?

Mr President, we are in losing the hopes that we vested in the Council of Europe as an international body, leader of the promotion of the values of democracy, respect of human rights, justice and the search for peace. We say so to you formally : you are committing a serious mistake. Morocco, with the help of France, has put in place an extremely powerful system of seduction and participation in the life of international institutions which is very largely out of step with reality of the Moroccan and Saharawi population. Morocco does not respect the agreements it has signed, it does not respect the UN's resolutions concerning the right to self-determination of the Saharawi people, any more than it respects the commitments to which occupying powers are bound in non-self-governing territories, that is to say, territories which still have to reach independence.

We remain at your disposition, Mr President, to meet you or reply to the doubts which we may have perhaps created in you concerning the necessity of treating this item during your session in June. We think that you should obtain real changes from Morocco and within Morocco before taking your decision.

We send our hurried greetings,

Oretta Bandettini di Poggio, Fondation Danielle Mitterrand-France-Libertés

Christian Viret, Président du Bureau International pour le Respect des Droits de l'Homme au Sahara Occidental

Berthier Perregaux, Président du Comité suisse de soutien au peuple sahraoui

Copied to:

- Mr Philippe Boillat, Director General of Human Rights and Legal Affairs of the Council of Europe
- Mr Secretary General of the Council of Europe, Thorbjorn Jagland
- Mr Luca Volontè, reporter for the Partner for Democracy status of Morocco of the Commission on political issues of the Council of Europe's Parliamentary Assembly
- Mesdames et Messieurs les parlementaires suisses au Conseil de l'Europe