

charge, were not brought promptly before a judge or tried within a reasonable time by an independent and impartial tribunal. The WG noted that information provided by several human rights organizations reported various similar arrests, alleged to have occurred for the same reasons in Laayoune in May and June 1995. These reportedly led to summary proceedings before special courts, e.g. the Permanent Tribunal of the Royal Armed Forces, and the individuals arrested had been subjected to torture and ill-treatment. The information also indicated that the summary proceedings had resulted in the imposition of 15- to 20-year sentences. The WG declared that the detention and treatment of the five people concerned in Decision 4 contravened the right to fair trial and were therefore arbitrary character.

**Disappearances, Working Group on enforced or involuntary:** (E/CN.4/1997/34, paras. 8, 238–246)

The report notes that no new cases of disappearance were transmitted to the government. The majority of the 232 cases of disappearance handled by the Working Group (WG) were reported to have occurred between 1972 and 1980 and during the 1980s. Most of them concerned persons of Saharan origin who were reported to have disappeared in territories under the control of the Moroccan forces, because they or their relatives were known or suspected supporters of the Polisario Front. The report notes that students and better educated Saharans were reported to have been particularly targeted and that, in some instances, disappearances followed mass arrests after demonstrations or before visits of prominent persons or officials from other countries. The disappeared were reportedly confined in secret detention centres, as well as cells in some police stations or military barracks, and secret villas in the suburbs of Rabat. The report notes that despite the release in 1991 from secret detention centres of more than 300 missing persons, among them some people of Saharan origin, the Moroccan authorities continue to deny all knowledge of hundreds of other disappeared persons who remain unaccounted for. Families are said still to be unable to obtain any information on the fate and whereabouts of their disappeared relatives, some of whom have reportedly been missing for some 20 years. The information received by the WG has indicated that some of the disappeared were extrajudicially executed soon after arrest, while others died in secret detention; that the deaths of those who disappeared have never been officially acknowledged by the Moroccan authorities, and no investigation has been carried out in order to bring to justice those responsible for their disappearance and death. The information also states that none of the families of the victims received any compensation or have been able to determine where their relatives are buried. The WG also noted that restrictions on the right to freedom of expression, association and movement have been placed on many of the former disappeared who were released in 1991 and that some of them have been rearrested and again held in secret detention, often for prolonged periods. The information on these cases indicates that the families have been unable to obtain any information on their whereabouts during their secret detention.

The report notes that the government provided the WG with information on 41 individual cases and that in 28 cases the government stated: the persons concerned were free; in

six cases the persons had never been arrested; in five cases the persons were detained; one person had left the country and another case was a duplicate. The report notes that the government has expressed a willingness and determination to clarify the fate of individuals still considered as disappeared and stated that investigations were being conducted on all the outstanding cases. There remain 142 cases to be clarified.

**Extrajudicial, summary or arbitrary execution, Special Rapporteur on:** (E/CN.4/1997/60, paras. 16, 19, 32; E/CN.4/1997/60/Add.1, paras. 308–310)

The report refers to information received by the Special Rapporteur (SR) related to an individual whose body was found near a military barracks on the beach of El Ayoun in October 1995. The information received by the Special Rapporteur (SR) indicated that the man had previously been arrested by the Moroccan Territorial Security Division (DST), and had reportedly been placed in isolation at a high security penal colony and subjected to ill-treatment. The government responded that, according to a forensic physician's report, the body had shown no signs of violence and that the victim had probably drowned. The government further stated that the deceased had suffered from psychiatric problems.

The report also summarizes the response received from the government to information contained in the SR's 1996 report related to a case of ill-treatment in custody and suicide. The government stated that the prosecutor's office had ordered an autopsy, which had found no correlation between the death and the alleged ill-treatment, and had confirmed that the man had died by hanging. The government also emphasized that a preliminary investigation had been carried out at the place of death and that no sign of negligence or ill-treatment had been discovered. On that basis, proceedings had been terminated.

**Racial Discrimination, Special Rapporteur on:** (E/CN.4/1997/71, para. 39)

The Special Rapporteur's report includes information provided by the government stating that: monitoring questions relating to the status of working conditions, reception and protection of the interests of Moroccan migrant workers is a major concern; the government focusses efforts in this area on maintaining of contacts and dialogue with the governments of host countries; and, Moroccan law prohibits all forms of propaganda for war and severely punishes incitement to national, racial or religious hatred. The government noted that Morocco has ratified the International Convention on the Elimination of All Forms of Racial Discrimination and that the Human Rights Ministry recently established a xenophobia and racism unit which closely monitors the violations of human rights suffered by Moroccan communities abroad.

**Religious intolerance, Special Rapporteur on:** (E/CN.4/1997/91, paras. 9, 17, 22, 24, 26, 35, 41, 66)

The report notes incidents of religious intolerance towards Christians in Morocco and that there is a ban on proselytizing which, if violated, may result in imprisonment. The Special Rapporteur (SR) refers to information received indicating that clergy and believers have been ill-treated, arrested and detained and notes the case of the detention and subsequent hospitalization of a Muslim who had converted to Christianity and been found guilty of evangelism. With