

## **BLOCKS ON EMPLOYMENT RIGHTS IN MORROCCAN OCCUPIED WESTERN SAHARA**

In May 1977 Morocco took over 65% of the shares. Saharawi workers were reassembled on the site under Spanish and Moroccan instructions. The Spanish government representatives insured that the Saharawi personnel's contracts with the Spanish company would be respected.

Government representatives accompanied by Said Ouassou Laayoune governor and head of the police force. During the meeting the police closely observed the workers groups in order to identify the men's reaction to this new situation. Two people were stopped at the meeting and five the following night. They were consequently incarcerated for several months, then later regained their prior employment position.

From May 1977, salaries were assured by the OCP and distributed to Saharawi workers in dirhams, whilst the Spanish received their salaries in pesetas. On this occasion the salaries were reduced due to the loss in purchasing power. A protest broke out and was concretised by the interdiction to receive payment whilst continuing to work, the repressive context towards the Saharawi population would not allow them to consider strike action.

At this point in the armed conflict between Morocco and the Polisario, Saharawi workers regularly disappeared from the occupied territories, research was carried out by people suspected to be independence sympathisers. Nobody dared speak either within or outside the company. Several governors followed on, but the most dangerous was Salah Zanig (1980) who was responsible for many police brutalities.

The atmosphere of terror lasted up until 1990, on this date the Moroccan unions arrived in Laayoune. Saharawi workers contacted them and handed them over the files. These were hence declared incompetent and responded that the situation concerned the Spanish government. The workers addressed both political parties and the Moroccan public powers (see list provided by FIDH).

When these attempts failed they decided to strike for 21 days during the summer of 1996 at the Phosboucraa site. The movement was followed 100% by both Saharawi and Moroccan workers. For 18 days employees could not leave the site to get in supplies, then they were obstructed in order that they could. During the strike, meetings were held with out result. The director made promises he did not keep, the objective was the return to work.

Discussions lasted three years. In 1999 Laayoune students started a protest over the right to work. They were joined by Phosboucraa workers, then all Saharawis in protest against the oppressive social situation which oppressed them and deprived them of their fundamental rights to housing and social cover. Women geared themselves into action along with, the unemployed, the handicapped, the elderly and the homeless. For ten days each of these groups installed their tents on the regional governments headquarters. Le Walli of Laayoune convoked the elders and urged them to disassociate themselves from the movement, considering that at their age it was inappropriate for them to mix with these youths. Their interlocutors judged that during their youth in 1975, they had been deprived of their rights and that it was time they supported their children to obtain all their rights together.

The Moroccan authorities wanted to put an end to the sit ins, and separate the MINURSO, three days later they invited members to a beach party at Fam El Oued. The police intervened at three o'clock in the morning indifferently striking young women, the elderly and the handicapped.

The following day Le Walli called the individuals responsible for the Phosboucraa company and told them that he had been called by the royal cabinet to examine solutions. The OCP director convoked those responsible for the workers. The meetings lasted two months with-out results, on the final day those elected from the population accepted a compromise without reference to the workers representatives : they accepted the amount of 9000 à 12000 against the denial of all their rights. Many employees refused this trap recognising that it was not in their vested interest.

They next contacted Spain who abandoned them in a situation of 'no rights. The director implicated in the functioning and profits of the company based in Las Palmas regularly visits the site. The workers' representatives assisted at the International Confederation on human rights organised by the FIDH at Casablanca in January 2001. Since 1999, the workers have demonstrated every 1st May ( the french workers national day).

### **A Few Witnesses**

Boutassoufra El Ahem – born in 1952- Welder.

He entered the company on the 26.07. 74 – matriculated 5604.

At the time of the french occupation his salary was 4200 pesetas, in 1977 he stepped down from grade 5 to grade 3. He had an industrial accident on the 15.02.82. His boss ordered him to unweld a rusty lid from a petrol can of sulphuric acid with a blow torch. The petrol can exploded burning his face and body. No ambulance arrived on the scene and he didn't even have time to take a shower. He recieved no compensation, nor cover for the operation abroad which cost 120,000 dh at the Ophtalmologist service of Barraquer hospital in Barcelona.

Said Larabas Ahmed Salem- born in 1947 Specialised worker.

Employed in 1973. In 1977 he was at level 4 his salary was 4000 pesetas, when the company was taken over by OCP he was retrograded to level 3.

On the 10.01.76 he worked close to a rolling carpet which supplied phosphate to the port of Laayoune. He was with four Spanish when their car exploded on a mine. The boss Remundo died, and his 2 colleague mechanics Antonio and Megilangia legs were amputated, the fourth recieved injuries to the face and went blind. Said was injured in the thorax and was transported to the Canary Islands. On return his state of health deteriorated, he suffered nervous problems he should have returned to hospital but the Morroccan authorities refused. Ever since he consults his Doctor once a month, without medical cover. He recieved no compensation for this industrial accident or for his dismissal.

His accident occured whilst the company was still under Spanish administration.

Anelor Mohamed- born in 1940

Suffered an accident on 1/ 11/67 as a result his leg was amputated. His monthly allowance is 550 dh.

### **Human Rights Militants Professional Interdictions**

L'houssine Moutik ex-president of the Sahara section of the FVJ was driving a delegation of human rights militants who met Mrs Catherine Lalumiére and a European Parliament delegation in Western Sahara in february 2002. At this time he was on paid holiday. On returning to work at Sepomer Company in the Sahara he was informed of his dismissal, without any explanation. After trying in vain to obtain justification for this arbitrary measure by recorded delivery, he averted the AMDH who also tried to obtain an explanation, thier intervention proved equally fruitless. The concerned started criminal procedures which terminated on the 2 December 2003 with a judgement at the Laayoune Court of Appeal : affair number 122/03 stating acknowledgement of an abusive dismissal and opening rights to the victim of owed payment of salary, paid holidays and notice for an amount of 100 000 dh and compensation of 60 000dh. Up until now, the employer has still not ceded to the judicial decision. In August 2002 he created a service and advice company in order to meet the financial demands of his family( he is married and father to three children). To this day he has still failed to obtain a register of commerce, a formality which generally takes 24 hours in Morrocco.

The militant's sister was equally victim to an abusive dismissal from Goulimine townhall ; she obtained her reintegration after three years of processes in June 2003. During this period they told her that « if your brother calms down we will regulate his problem ». She has since worked three months without recieving a salary or recieving the damages deemed her due by the judgement at the end of 2003.

Arrest and imprisonment are most of the time the result of unemployment as demonstrates the cases of the following people :

### MOUSSAOUI, Dkhil

Was a maths teacher ; he was exiled to Zaroun in Morocco on the 14 May 1991. He was removed in November 1992 and disappeared until March 1993 from his post CMI of Laayoune where he was tortured. At his liberation he was requested to quit the territory, he remained in the national education system without exercising his job and in return received only meagre compensation. He was removed from public office in May 1996. The 20th December 1999 he received a letter cancelling his reinstatement and inviting him to take a position in Meknes. He was received at the concour of careers advisor in 2000 and nominated head of human resources at Dakla Academy (Western Sahara). He was again removed in this town, driven to Laayoune judged and condemned to a years imprisonment for (association with criminals and degradation of public property) events which he contested in vain. He was liberated in January 2004 with 12 other prisoners of Saharawhi persuasion. He received no reply to his demand by letter dated 17 February 2004 for reinstatement to his position.

### He has received no salary since 1995

This situation, his suffering during his imprisonment, the numerous hunger strikes to obtain the statute of prisoner of conscience lead to a nervous breakdown at his leave from prison.

Full name	Employee	Job lost	Place of detention
Received at 25 .03.2004			
NACERI Ahmed	Mairie de Khouribga	19 juin 2002	Laayoune Ait Melloul
DIMAOUI Abdeslam	Tribunal de 1 <sup>ère</sup> Instance Agadir	27 mai 1977	Kénitra
ANTITICH Sidati	Délégation Education Nationale Smara	17 novembre 2001	Laayoune
ZARGO Elmahdi	Mairie de Laayoune	1987	Laayoune
LAKHDAR Lahlie	Fonctionnaire Casablanca	17 novembre 2001	Laayoune
BAHAHA Salek	Fonctionnaire Fos Boucrâa	Juin 2000	Agadir Marakech
DIMAOUI Lahbib	Cour d' Appel d' Agadir	25 mai 1977	Kénitra
ADDIA Ahmed	Tribunal de 1 <sup>ère</sup> Instance Agadir	Juin 1977	Kénitra
AABDOU Bachir	Province de Goulimine		
BRAHIM Laghzal	Mairie de Tan Tan	Juillet 1999	Agadir Marakech
KHAYA Cheikh	Crédit Agricole Laayoune	Juillet 1999	Agadir Marakech
TAMEK Ali Salem	Mairie d' Assa	Août 2002	Rabat Ait Melloul
MOUSSAOUI Dkhil *	Délégation Education Nationale Dakhla	2 avril 2003	Laayoune
CHAGGAR Mohamed	Délégation de la santé publique de Tan Tan	1987	Laayoune
BOUGRAYNE Hadi	Province de Smara	27 septembre 2002	Laayoune
SALEH Labayhi		Septembre 2002	
HAMMAD Ahmed	Province de Laayoune	Février 2002	
ISMAAILI Brahim	Province de Rachidia	Février 2002	
IDRISSI Mokhtar	Délégation au tourisme	1976	Gaalat M'Gouna 1976/1991
CHAOUI Mani	Mairie de Djéria	1990	Aoujda
ISMAAILI Brahim	Province de Rachida (Maroc)	2002	
BANOU Mohamed Esalek	Province Smara	23 3 2004	

### **Arbitrary Mutations of Public Workers**

\* JAIM Mohamed, the delegate of workers of Phosboukraa's company. In May 1st 2002, he was arbitrarily transferred to the Moroccan town, Khouribga. He participated in the meeting of the Human rights' defenders together with the European parliamentary delegation lead by Mrs Laumière on February 2002.

\* School entrance 2003/ 2004 over, twenty teachers were arbitrarily to Moroccan towns in flagrant violation of existing transferal rules which existed at the heart of the Moroccan Ministry of Education.

Amongst these cases :

Lidri Elhoucine, office member of the ex-FVJSAH and member of the ex Daddach committee, college philosophy teacher. The previous year he had applied for a transfer to Goulmime which he had signed at the beginning of the school year, the minister of Moroccan education then ordered him to go to Chichawa, 80 km south of Marrakesh.

Latif Allal, English teacher at El Ayoune, transferred to Erfoud near Errachidia. Close to a member of ex-FVJSAH, who had several times demonstrated solidarity with defenders of human rights.

Laghzal Elloud : teacher at El Ayoune, the brother of the old Sahrawi political prisoner Laghzal Brahim . Muted to Khenifra in the High Atlas.

Mayara Mohamed Salem : teacher at El Ayoune, member of the ex-FVJSAH office and member of the ex-Daddach committee. He was muted to Elhawz near Marrakesh.

Iguilid Hammoudi : Philosophy teacher at El Ayoune, president of the local AMDH section muted to Erfoud.

Ahmed Khabz Skhoune, transferred to Rachidia,

Boutazrout Mohamed transferred to El Jadida

Belegzal Abdlemjid transferred to Azilal

Khaadad Hamadi transferred to Souera

Salek Jamaa transferred to Kalaat Esraghna

Habadi Hamadi transferred to Marrakesh

Raybou Abdallah transferred to Zagoura

Aswell as three teachers of Boujdour Bougnine Lahcen, trade unionist of the FDT, general watchman over a college, referred to Benimellal.

Saili Mohamed, trade unionist at the FDT and member of ex-FVJSAH, general college watchman transferred to Benguerir.

Lakhal Mohamed Salem, member of ex-FVJSAH and local section of the GSU, transferred to Safi. Four teachers of Assa were also transferred. Four militant Moroccans, trade union members , of ONG and leftwing political parties,(GSU and Annahj Addimoucrati), were equally displaced towards Moroccan towns.

### **ATTEINTE AU DROIT D'ASSOCIATIONS**

#### **Humann Right**

The association of young qualified unemployed Saharawi of Laayoune witnessed their locale destroyed by police in August 2002 during the repression, passive sit-ins were organised following the employment anarchy that millions of unemployed (Saharawi and Moroccans) had been victims and in which the Moroccan government had been accomplice. Many militants of this association were condemned to 12-18 month prison sentences in September 2002.

#### **Union Trusteeship**

The Moroccan work confederation (CDT) excluded Ali Salem Tamek, responsible for the Assa union section (Assa town situated in the south of Morocco) due to the position he had taken on his release from prison relating to the self autonomy of the Saharawi people.

Such a decision encouraged the Moroccan government in their media campaign and they organised to meet with this ex- prisoner.