

87th Ordinary Session of the African Commission on Human and Peoples' Rights

***Point 7 : Special Rapporteur on Freedom of Expression and Access to Information in Africa
Intervenant : Yaguta-Fatma Moulay - International Service for Human Rights (53)***

Honourable Chairperson, honourable Commissioners, distinguished delegates, ladies and gentlemen,

Human rights defenders in occupied Western Sahara operate in an environment marked by systematic repression including arbitrary arrest, torture and detention, where peaceful human rights work is treated as a security threat. These acts constitute clear violations of Articles 5, 9, 10 and 11 of the African Charter on Human and Peoples' Rights. Sahrawi human rights defenders documenting violations, mobilising communities, or asserting the right to self-determination, as protected under Article 20 of the African Charter, are exposed to overlapping forms of criminalisation including administrative harassment, physical and psychological abuse, sexual violence, surveillance, and restrictions on fundamental freedoms, leading to a climate of intimidation and self-censorship, limiting defenders' ability to organise, document violations, or communicate securely.

Freedom of expression is curtailed through censorship, intimidation, and judicial harassment. Sahrawi journalists, bloggers, and citizen reporters face confiscation of cameras and phones, physical assaults, and prosecution for online content. State-aligned media outlets regularly engage in smear campaigns against defenders, portraying them as traitors or foreign agents, thereby legitimising further repression. These patterns are further compounded by restrictions on independent monitoring, such as the expulsion of international observers and limitations on access to the territory.

Public meetings, trainings, and cultural events organised by Sahrawi activists are frequently banned or disrupted. Homes used for meetings are surrounded by police, and participants are subjected to identity checks and intimidation. Human rights defenders engaging with regional and international mechanisms, including the African Commission, are particularly exposed to reprisals. These restrictions severely limit the ability of Sahrawi human rights defenders to organise collectively, share information, and exercise their fundamental rights.

We urge the Commission to:

1. Publicly condemn reprisals, intimidation, and harassment against Sahrawi human rights defenders and civil society actors, including those engaging with the African Commission and other international and regional mechanisms.

2. Ensure systematic and sustained follow-up on cases and communications related to human rights violations in Western Sahara, including during State reporting and promotional missions.
3. Facilitate safe, accessible, and confidential channels for Sahrawi civil society to engage with the Commission, including during public sessions and through protection-oriented mechanisms.
4. Initiate a fact-finding mission to assess the situation of human rights defenders and civic space in Western Sahara, including allegations of torture, reprisals, and restrictions on freedom of expression, association and assembly.

We note with regret the cancellation of the ISHR side event scheduled for 12 May 2026 at 13:30 in Press Room 2, entitled: “Ending the Silence on the Protection of Human Rights Defenders in Western Sahara”, co-sponsored by ISHR, Front Line Defenders, Hegoa and the Working Group on Human Rights in Occupied Western Sahara (WGHRWS).

We urge the Commission to reject any attempts to exert external pressure to undermine the independence of the Commission and its ability to hear from civil society in order to effectively carry out its work, and reaffirm its commitment to protecting civic space and human rights defenders across the continent.