



SMACO ANNUAL REPORT 2024

THE EFFECTS OF MOROCCAN UNMANNED AERIAL VEHICLES (DRONES) ATTACKS AGAINST CIVILIANS IN WESTERN SAHARA CURRENT WAR



SUMMARY

After nearly thirty years of waiting for a UN referendum on self-determination, hostilities resumed in Western Sahara when Moroccan troops attacked peaceful protesters in El Guergarat in 2020. The Polisario Front declared a state of war in response. The conflict escalated with the use of advanced military drones supplied by Israel, Turkey and China.

This drone warfare has led to a significant increase in civilian casualties, with attacks primarily targeting civilians, infrastructure, and gold mining sites. The attacks, characterized by their indiscriminate nature, have caused extensive material losses and societal disruption. Victims, predominantly Sahrawi, Mauritanian and Algerian nationals, face challenges in receiving medical assistance and evacuation due to the remote locations of the attacks.

Furthermore, the use of thermobaric weapons against civilian targets has led to severe injuries and fatalities. The conflict's side effects include economic hardship, loss of livelihoods, and displacement among the affected population.

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Morocco killed with drones in Western Sahara in a single month the equivalent of approximately 16% of the total that the Obama administration killed over 8 years in 4 countries.

This report deals exclusively with 73 Moroccan drone¹ attacks against civilians that have occurred during the years 2021, 2022, and 2023 in the liberated territories of Western Sahara to the east of the berm. 160 civilian victims have been recorded, including 80 fatalities of different nationalities: Western Sahara, Algeria, and Mauritania.

These attacks are just a sample and were analyzed based on the available information.



MINURSO soldiers observing the remains of the two Algerian trucks hit by Moroccan drones, 2021.



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INTRODUCTION

The Western Sahara or Saguia el Hamra and Rio de Oro is a territory in North Africa covering 284,000 square kilometers, bordered by the Kingdom of Morocco to the north, Algeria to the east, Mauritania to the south and east, and the Atlantic Ocean to the west. It was a Spanish colony from 1884 and became the 53rd Spanish province in 1958, three years after Spain joined the UN. It is the only non-self-governing territory in Africa, pending decolonization in accordance with Chapter XI of the United Nations Charter. Spain remains the de jure administering power, though not de facto.

Throughout history, the Sahrawi people have undertaken numerous struggles against foreign aggressions. These resistances were both armed and civilian. Starting in 1958, Sahrawis clearly demanded the right to self-determination and independence. On December 20, 1966, in its Resolution 2229 (XXI), the United Nations General Assembly invited the administering Power (Spain) to determine as soon as possible, in accordance with the aspirations of the indigenous people of Spanish Sahara, the modalities for the organization of a referendum sponsored by the United Nations so that they can freely exercise their right to self-determination. This is how Spain internationally accepted the status of the non-self-governing territory of the Spanish Sahara, submitting reports on the situation of the Sahrawi people to the United Nations in accordance with Article 73 e). of the UN Charter.

In 1970, a peaceful movement was brutally repressed, and its leader, Sidi Mohamed Basiri, disappeared at the hands of Spanish authorities. Three years later, the Popular Front for the Liberation of Saguia El Hamra and Rio de Oro (Polisario Front) was created, a national liberation movement recognized as such by UN General Assembly Resolution 34/37 in 1979. On February 27, 1976, the Polisario Front proclaimed the creation of the Sahrawi Arab Democratic Republic (SADR) to fill the void left by Spain's abandonment of the territory. The SADR is one of the founding members of the African Union. Additionally, the Polisario Front has been a party to the Geneva Conventions since June 23, 2015, in accordance with Article 96.3 of Additional Protocol I to the Geneva Conventions.

Starting from October 31, 1975, the Polisario Front faced the dual Mauritanian-Moroccan invasion, eventually compelling Mauritania to sign a peace agreement (the Algiers Agreement - August 1979) and withdraw from the southern territory of Western Sahara in 1979. From the 1980s onward, the occupying forces built a 2,720 km-long wall dividing the territory into two, with over 7 million landmines. The Sahrawi people, in turn, are divided into three main areas: occupied territories, liberated territories, and refugee camps in Algeria. The latter are heavily reliant on international humanitarian aid.

The war against the invading forces continued until September 6, 1991, with the implementation of a ceasefire under the supervision of the United Nations. This ceasefire marked the first step of the UN-OAU Peace Settlement Plan, accepted by both Morocco and the Polisario Front in 1988 and adopted by the United Nations Security Council in Resolution 690 of 1991, leading to the establishment of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The referendum was supposed to be organized in 1992.

RESUMPTION OF HOSTILITIES

For nearly thirty years, the Sahrawi people held onto the hope that the United Nations would fulfill its commitment to holding a referendum on self-determination. However, Moroccan distortions and obstacles, coupled with the tepidness and lack of firmness from the Security Council, have continuously delayed the popular consultation, preventing the achievement of a lasting peace.

The "No war No peace" situation collapsed when Moroccan troops launched a military attack on November 13, 2020, against peaceful protesters in the illegal breach of El Guergarat in the southwest of Western Sahara. According to independent observers, this attack constitutes a clear violation of the ceasefire brokered by the United Nations in 1991. As a consequence of this attack, the Polisario Front deemed the actions of Moroccan troops a breach of the ceasefire and declared a state of war. The Secretary-General of the Polisario Front, Brahim Ghali, issued a decree to end the ceasefire commitment signed in 1991, paving the way for a return to hostilities between the two parties in Western Sahara.

Since the outbreak of the second war in November 2020, the focus of armed actions in Western Sahara over the past three years has seen an unprecedented use of military drones by the Moroccan army throughout the region. The majority of drone attacks have been deliberately targeting civilians, infrastructure, and other civilian facilities unrelated to military operations.



Moroccan attack on Sahrawi civilians in Guergarat illegal Breach, November 13,2020.



INCREASED CIVILIAN CASUALTIES DUE TO THE NEW SITUATION

The announcement by the United States of America on December 10, 2020, regarding the agreement between Israel and Morocco for mutual recognition and establishment of diplomatic relations, served to benefit both Israel and Morocco in bolstering their respective occupations in Palestine and Western Sahara. This included the recognition of their territorial claims by the United States, something the Kingdom of Morocco had been desperately seeking.

As a result of this normalization, Israel has become one of the most significant suppliers of military equipment and technology to Morocco, including sophisticated Israeli drones². Morocco acquired various types of drones from Israel, including surveillance and reconnaissance drones, as well as multi-purpose and even "suicide" drones. Additionally, Turkish³ drones and American unmanned aerial vehicles (UAVs)⁴ have also been observed in use. This sophisticated and cutting-edge technology only exacerbates and intensifies the conflict with the Polisario Front.

Even more dangerous is the cloning and repetition of the Middle East dynamics in North Africa and right at the doorstep of Europe. Notably, Algeria has alerted the Maghreb area to the "serious destabilizing risks" posed by Zionist interventionism⁵.

Morocco's acquisition of this technology was only possible with the traditional financial support of some Arab kingdoms covering the expenses of such purchases. In 2020, Morocco received a batch of planes from the United Arab Emirates⁵ Wing Lolong 1, forming the core of the first armed squadron of 6 drones of the Royal Air Forces. These drones were used during the Guerguerat crisis with the Polisario Front⁶.

On September 17, 2021, Morocco received its first batch of Turkish drones "Bayraktar TB2." In November 2021, at least 19 civilians were killed by drone bombings. The victims were of Sahrawi, Algerian, and Mauritanian nationalities.

² Heron 1, Hermes 900, Hermes 450, Harfang, Skystriker, SpyX, WanderB, ThunderB

³ Bayraktar TB2

⁴ Predator

⁵ <https://www.defensa.com/afrika-asia-pacifico/marruecos-tambien-ha-dotado-uavs-armados-chinos-6-wing-loong-1>

⁶ <https://www.defensa.com/afrika-asia-pacifico/marruecos-quiere-comprar-uavs-armados-chinos-wing-loong-2>



ANALYSIS

The British newspaper The Guardian revealed on July 1, 2016, that the administration of President Obama of the United States killed around 116 civilians in Afghanistan, Somalia, Yemen, and Pakistan during his two terms in office ⁷.

Over the last three years (2021, 2022, and 2023), SMACO has recorded 73 drone attacks on civilians. Consequently, Morocco has caused the equivalent of 70% of the total deaths from drone strikes by the U.S. over 8 years in four countries, all within just three years.



DRONE SPECIFICATIONS AND TARGET SELECTION

What is commonly known as a drone is an unmanned aerial vehicle (UAV), which is an unmanned aircraft that operates remotely. The phenomenon of drones is not a completely new element in the context of armed conflicts⁸.

There is a history of using drones for surveillance purposes in wars, which has its origins in the Vietnam War. The concept was further developed during the NATO campaign in Kosovo in 1999, where the idea of combining a missile with a drone emerged, leading to the creation of the 'Predator' armed with Hellfire missiles. Subsequently, after the attacks of September 11, 2001, armed drones were first deployed over Afghanistan in 2001 and Iraq in 2003 during the war on terrorism.

Drones are equipped with advanced technologies for target detection, including satellite systems, sensors, infrared rays, and cameras. This enables these aircraft to identify and provide detailed information about any type of target, regardless of its nature, at any time of day or night, and within a 360-degree range.

⁷ Obama claims US drone strikes have killed up to 116 civilians <https://www.theguardian.com/us-news/2016/jul/01/obama-drones-strikes-civilian-deaths>

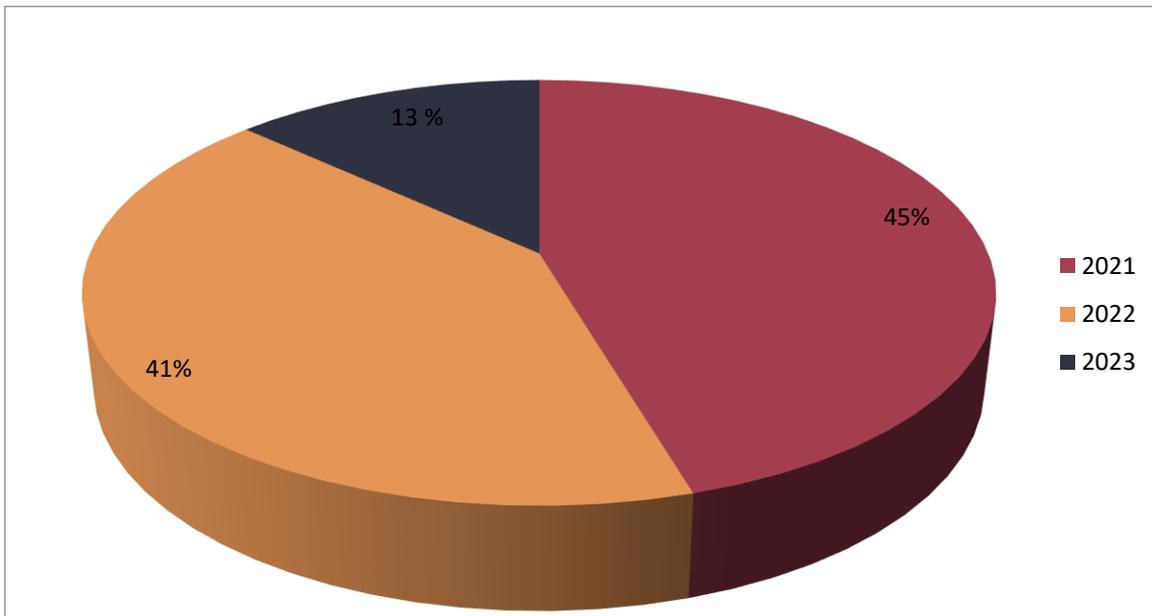
⁸ THE TRENDY WEAPON: IMPACT OF DRONE USE ON INTERNATIONAL RELATIONS AND CONTEMPORARY INTERNATIONAL LAW: https://www.icip.cat/wp-content/uploads/2020/11/ICIP_RESEARCH-4_WEB_compressed.pdf

GEOGRAPHICAL AND TEMPORAL PATTERNS OF ATTACKS

The Western Sahara is divided by a military wall, which is the longest and most heavily mined in the world. Additionally, it separates members of the same people, making it unique. The eastern part of the wall is under the control of the Sahrawi government, while Morocco occupies the western part.

After the alliance between Morocco and Israel, and Israel providing drones to the Moroccan army, there has been a new escalation that impacts all peace efforts and undermines the possibilities of any agreement. SMACO analysed the nature of these operations to determine the effects of these weapons on the civilian population east of the wall.

During the study period of 2021, 2022, and 2023, the proportion of attacks was 45% in 2021, 41.73% in 2022, and 13.27% in 2023.



Percentage of attacks by year

November has been the month with the most significant attacks for the past three years in a row. This month sees the most attacks, with around 38, accounting for 52.7% of total attacks, while May and June had the fewest attacks. The winter months are more violent in terms of attacks, indicating a clear difference from the summer months.

After examining and evaluating the specifics of these strikes in terms of timing and place, it is evident that the Moroccan army has extended the range of its military drones' operations for objectives that extend well beyond military targets.

According to the most recent data update, 45.20% of the attacks took place in the northern regions, compared to 54.79% in the south. As proven by the facts, the Moroccan army did not consider any constraints on the theatre of operations or time, which is a flagrant violation of fundamental human rights and the United Nations Charter, to cite examples:

1. All of these strikes occurred in open, arid desert regions with no foliage, making it simple to confirm the colors and forms of the cars as well as the victims' belongings and ability to discriminate between military and civilian targets.
2. Contrary to the charges made by the United States regarding its drone strikes. In this scenario, there is no victim accused of terrorism or sought by a legal order, no international order to prosecute them, and none of them were carrying any kind of weapon.
3. The attacks occurred in areas located tens of kilometres away from the Moroccan wall. This means that the victims did not pose any threat to Moroccan forces, as the closest civilian target to the bombed wall is a gold exploration site in the Gleibat El-Fula area. The site is situated amidst desert lands, approximately 18 km away from the Moroccan wall. The farthest points that were attacked are located in two border areas: Ain Bentili to the north (86 km) and Ahfir to the south (100 km). This shows that the victims did not pose any threat to Moroccan forces.

It is clear that these civilians do not pose a threat to the Moroccan army and are not near military conflict zones. This is supported by the fact that around 65% of the attacks in recent years have taken place directly on or near international borders.



CLASSIFICATION OF VICTIMS BY AGE GROUPS, INJURIES AND NATIONALITY

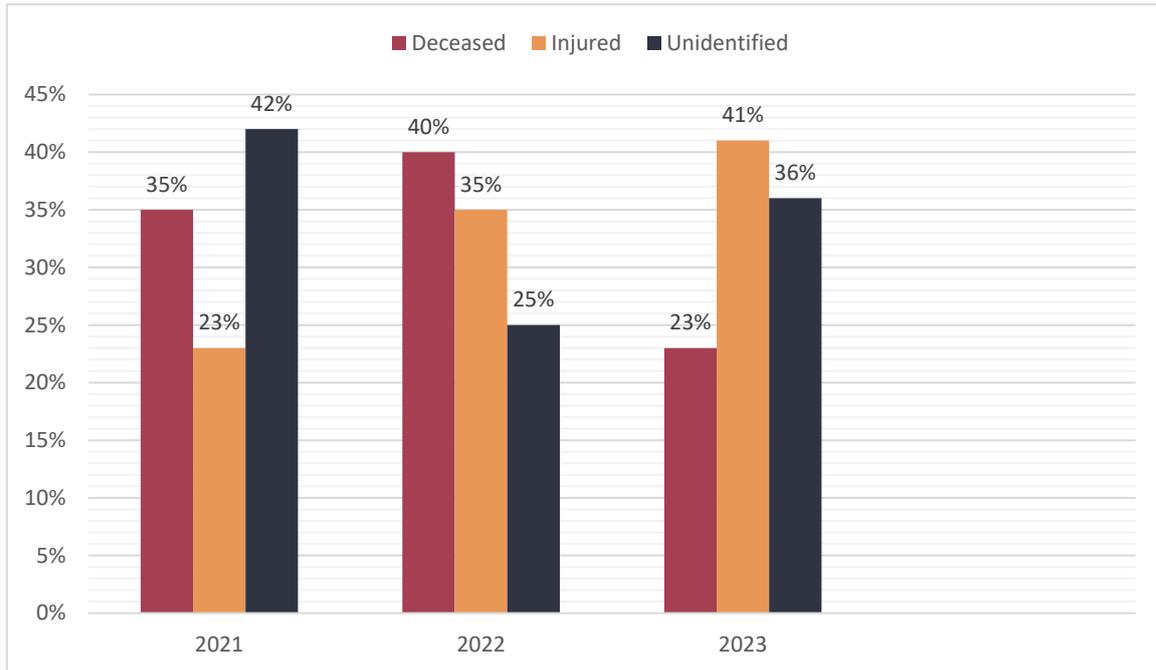
The age distribution of the victims by gender reveals that 94.47% are male, while 5.59% are female. In terms of age, 96.1% are adults, while 2.4% are children among the total casualties. The majority of victims are under 40 years old.

This study's analysis of 161 victims yielded the following information: 49% of the victims died, 23.60% had varied injuries, 13.4% were unhurt, and the other victims' outcomes could not be confirmed.

The proportion of people impacted by the last three years of conflict varies depending on their country of origin, the locations targeted, and the time of year. The majority of victims in the north are Sahrawi nationals. Attacks in the south primarily target Mauritanian citizens. Other countries have reportedly reported victims, including three Algerian traders who were assassinated on November 1, 2021.



IMPACT ON VICTIMS BY YEAR

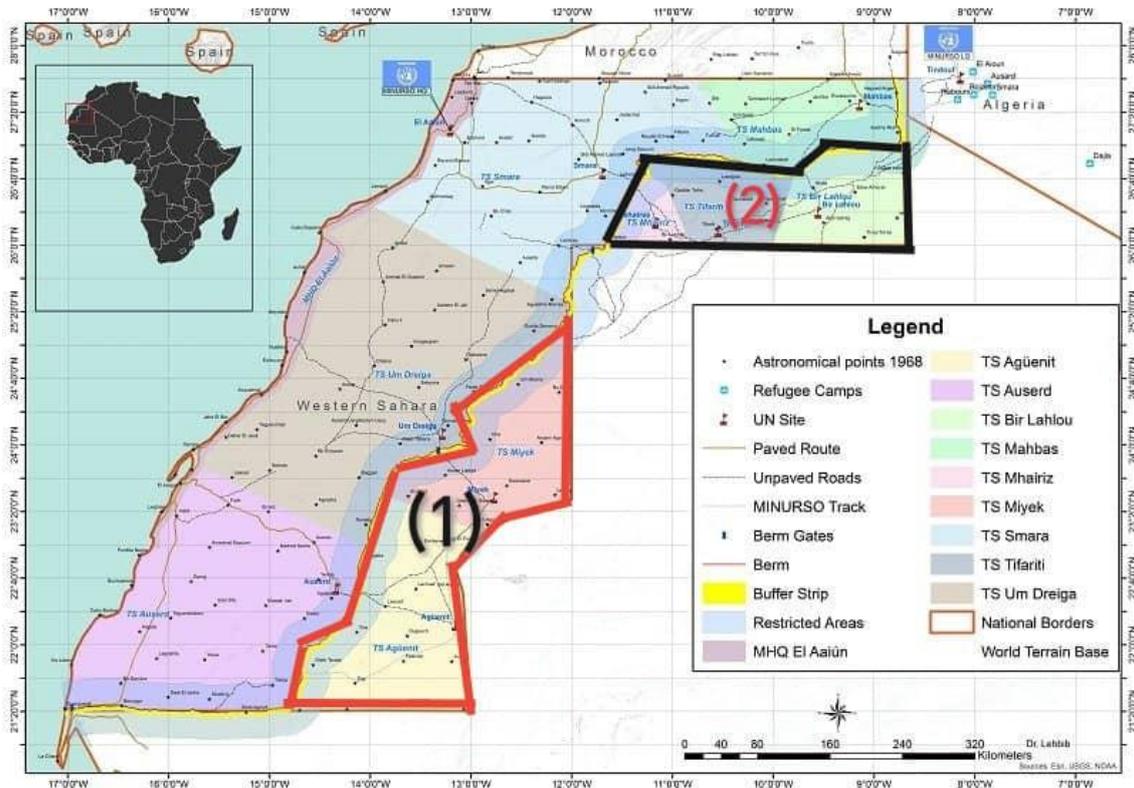


In total, Sahrawi victims represent 49%, while 40% are Mauritanian citizens, and 2.4% are Algerians. The remaining victims, 7.9%, have not yet been identified due to the state of decomposition of the bodies, others due to being charred, or due to not finding documents that could facilitate their identification among the personal belongings associated with the victims' bodies. It is estimated that these victims could be from other African countries, particularly Sudan, who are often involved in gold mining activities.

According to various sources, Mauritanian citizens were especially targeted in the following locations or regions: Gleibat El-Fula, Miyek, Agzumal, Tagzoumalt, Azgula, Agueinit, Agarair Lebar, Agleib El-Bura, Azlait MakainBass, Ahfir, Atwezerfat, Zazaiyat, and Loroyat. Most of the Sahrawi victims were attacked in the following regions: Bir Lehlu, Miyek, Azgula, Mehairis, Tifariti, Ain Bentili, and so on.

Due to these attacks, many victims die immediately because of the precision of the targets and the munitions used. Those who survive the attacks spend long hours without anyone reaching their location. Some survivors have had to walk dozens of kilometres on foot and often die due to the severity of their injuries, as well as the delay in assistance and evacuation. The fortunate survivors of the attacks in the southern region are taken to the medical facility in the nearby Mauritania city of Zouerat, where they can get emergency care.

MAP OF WESTERN SAHARA SHOWING THE MOST TARGETED GEOGRAPHICAL AREAS



On the other hand, Algerian citizens heading to Mauritania are also not safe. Indeed, three truck drivers were cowardly murdered when their two trucks were completely burned, on November 1, 2021, while traveling from Ourgla (Algeria) to the Mauritanian capital Nouakchott, 14 kilometers from the Sahrawi city of Bir Lehlu.

Morocco reportedly killed three Algerian citizens on November 1, 2021, and allegedly carried out another drone attack on the same day a year later, resulting in the deaths of five Mauritians in the areas of Agzumal and Tagzoumalt. It's worth noting that November is the month when both countries celebrate their independence.



HIGH-RISK ACTIVITIES

In practice, it is assumed that the Moroccan army drones consider any civilian person or vehicle crossing or within Sahrawi territory as a target.

The severity of activities and targets varies slightly based on the analysis of the specific, often deadly, objectives over the years and seasons. According to available data from the processed sample over the past three years, the riskiest activities are travellers in different locations and routes of Western Sahara, accounting for 58.4% of the total victims. Gold miners comprise 36.3% of the total victims, with attacks occurring directly at excavation sites and during round trips to or from such places. The remaining 5.3% corresponds to attacks related to other activities such as animal grazing or civilian infrastructure.⁹

The analysis of data concerning the targeted groups during their journeys reveals that Sahrawis represented 60% of the victims, while Mauritians made up 35.3%, and Algerians 4.7%.

Regarding those affected during activities related to gold prospecting, 76.25% were Mauritians, whereas 23.75% were Sahrawis. Upon analysing the nature and characteristics of these groups, it is evident that the attacks did not follow any "suspicious behavioural pattern." It was not possible to establish any relationship or link between the individuals killed and injured, and the rest of the victims with the Sahrawi army.

These data become even more surprising and concerning when considering that they pertain to sparsely inhabited desert areas. The majority of the targeted individuals are travelers, Bedouins/nomads, gold prospectors, traders, and shepherds.

The pattern seems to be indiscriminate attacks on anything moving in liberated areas. It appears that Moroccan forces aim to disrupt the flow of goods, transportation, and trade between neighbouring countries. Additionally, they seek to intimidate and spread terror among innocent civilians.



EVACUATION OF VICTIMS

As documented by SMACO in the two previous reports¹⁰, The attacks took place in remote areas and in areas where the Sahrawi army was not conducting any military activities. For this reason, most victims remained without medical assistance or evacuation services for several hours, even days in certain cases.

⁹ They attacked tents, houses, and various personal belongings of nomads.

¹⁰ <https://smaco-ws.com/ar/2023/01/23/%d8%ac%d8%b1%d8%a7%d8%a6%d9%85-%d8%aa%d8%b1%d8%aa%d9%83%d8%a8-%d9%81%d9%8a-%d8%b5%d9%85%d8%aa-%d8%a7%d9%84%d8%b7%d8%a7%d8%a6%d8%b1%d8%a7%d8%aa-%d8%a7%d9%84%d9%85%d8%b3%d9%8a%d8%b1%d8%a9-%d8%a7%d9%84/>

EMBAREC SBAII and his friend who was killed in Dlaiat Macain Bass, Miyek region, are a notable case in this regard; his lifeless body remained in the area for more than 28 days without an adequate burial.

Friends and family of the victims fear for their lives when attempting to assist them. This is exemplified by the case of young **DEDIH MAHMOUD HOUEIBITA**, who was directly targeted by a missile while trying to help some of the victims, including individuals killed on November 24, 2022, near the Sahrawi-Mauritanian border.

Given that the affected communities themselves lack effective means, local and international partners must provide rapid and efficient means for the rescue and evacuation of victims. It is also necessary to negotiate with the parties involved in the armed conflict for approval of safe humanitarian corridors to carry out these humanitarian tasks.

The United Nations Mission for the Referendum in Western Sahara (MINURSO)¹ and the International Committee of the Red Cross (ICRC) plays particularly important roles in coordinating efforts with local partners to intervene and respond to urgent humanitarian needs. This requires the adoption of an appropriate and robust, yet flexible, mechanism capable of intervening in various circumstances in areas affected by drone attacks.

USE OF THERMOBARIC WEAPONS AGAINST CIVILIAN TARGETS

The Turkish drone Bayraktar TB2 is equipped, among other systems, with integrated air-to-air missiles like the MAM system capable of reaching targets up to a distance of 8 km¹¹ or 14 km¹². Additionally, replaceable warheads can be used: these include fragmentation, thermobaric, or tandem cumulative warheads¹³. Also, attacks have been recorded in several areas with ammunition FT-10/25¹⁴ carried out by Chinese drones Wing Loong 2.

According to scenes depicting charred bodies resulting from attacks in several areas, especially north of Tagzumalt/Agzumal, it was observed that five gold seekers died immediately while others were seriously injured on November 1, 2021. After examining and observing the images and testimony of the survivors, it can be concluded that unconventional ammunition has been used. All indications suggest that Morocco is using thermobaric munitions given the observed impact on the victims.

Thermobaric bombs, also known as vacuum bombs, are weapons composed of two different explosive charges. The first one disperses a cloud of fuel that mixes with atmospheric oxygen, while the second one detonates that fuel, propagating the blast wave throughout the cloud. This creates a vacuum effect as the combustion consumes the oxygen, resulting in a high-temperature explosion¹⁵ which sucks in the air. The blast wave has a significantly longer duration than that of a conventional explosive¹⁶. In connection with these events, it is worth noting that Ukraine filed a complaint against Russia for firing thermobaric bombs against civilians, before the International Criminal Court¹⁷.



Civilian victims of Moroccan drones' attacks

¹¹ MAM-C <https://www.roketsan.com.tr/en/products/mam-c-smart-micro-munition>.

¹² MAM-L <https://www.roketsan.com.tr/en/products/mam-l-smart-micro-munition>

¹³ https://root-nation.com/es/articles-es/equipamiento-militar-es/es-resena-uav-bayraktar-tb2-que-clase-bestia/#Equipo_de_combate_Bayraktar_TB2

¹⁴ FT PGB https://en.wikipedia.org/wiki/FT_PGB

¹⁵ <https://www.rtve.es/noticias/20220304/bombas-racimo-termobaricas/2301928.shtm>

¹⁶ Ver para mas detalles el video: <https://elpais.com/internacional/2022-03-04/video-bombas-de-racimo-y-termobaricas-asi-son-las-armas-rusas-que-temen-los-ucranios.html>

¹⁷ <https://www.telam.com.ar/notas/202202/584789-ucrania-denuncio-rusia-cij.html>



MATERIAL LOSSES

To date, there has been no comprehensive assessment of the impacts of these attacks on civilian property and other facilities and infrastructures for public use. In addition to these material losses, the Moroccan army attacks the livelihoods of Sahrawi families residing or previously residing in the liberated territories. Numerous camel carcasses have been found scattered in different places as a result of the Moroccan army's bombings. It is worth noting that camels are considered the most important source of livelihood for the Sahrawi population. These massacres have left dozens of families without the most basic resources for their survival¹⁸.

Drone attacks have caused significant material losses to the civilian population residing in the liberated territories, as well as to nomads or travelers passing through. In addition, the attacks have forced many inhabitants of the area to abandon their usual economic activities on which they depended. This study verified the total or partial destruction of over 66 light vehicles, including 58 off-road vehicles, accounting for approximately 78%, 4 tanker trucks supplying potable water to sedentary and nomadic families, and 6 large trucks. These vehicles belong to Sahrawis, Mauritians, and Algerians. It is worth noting the loss of numerous other properties such as goods, work materials, amounts of money, and personal documentation.



SIDE EFFECTS

The Moroccan attacks outlined in this report caused significant and lasting damage to the affected population. The attacks had negative economic impacts on entire families as a result of the murder of the family's primary breadwinners. Some families relied mainly on the income of the slain individual. Significant civilian property damage and destruction were recorded, including various vehicles, houses, and tents. Numerous slaughters of livestock were also recorded, which are often considered the only capital and most important economic source for all affected families.

Hundreds of heads of livestock were slaughtered in different areas of Gdeim Echahm, Um Diguén, and Um Dreiga. Additionally, these attacks also caused significant psychological impacts. According to our sources, at least two Sahrawi victims suffered from severe psychological/mental illnesses. At the same time, these aggressions and attacks triggered a massive exodus of the civilian population to safer areas.

According to the Sahrawi government, between 30,000 and 40,000 people lived continuously or discontinuously in the liberated territories. These population groups, residing in small communities in Tifariti, Mheris, Aguinít, and Miyek, were forced to abandon their tents and homes due to these indiscriminate attacks. Many fled to Algerian territory, while others fled to Mauritanian territory.

¹⁸ <https://www.ecsaharai.com/2020/11/el-ejercito-marroqui-apunta-los-medios.html>



These displacements occurred as a consequence of the violence resulting from Moroccan drone attacks. Like in other areas, these attacks instilled terror, insecurity, and fear in men, women, and children.

The use of drones has a significant impact on civilian populations beyond those directly affected by the physical, social, and economic consequences of the attack. It affects the lives, behaviour, lifestyle, and activities of the entire population. The frequent drone overflights in the areas east of the wall create fear among the population of being attacked at any moment. Even Sahrawi families who have resettled in Mauritanian territory, just kilometres from the Sahrawi border, report observing Moroccan drone flights, according to several eyewitnesses.

The attacks on citizens of neighbouring countries have resulted in dozens of deaths, injuries, and displacements. These incidents have also sparked hatred, resentment, and antipathy towards Morocco among the residents of the region. The attacks against victims from Western Sahara, Mauritania, and Algeria have raised concerns across various political spectrums in these countries. The Algerian Presidency reacted through an official statement in response to the murder of three Algerian citizens who were traveling from Ouargla to Nouakchott. The Presidency referred to the incident as a barbaric bombing and pointed to the Moroccan occupying forces in Western Sahara as being responsible for the attack. The statement mentioned that the perpetrators used sophisticated weaponry and described the attack as a manifestation of brutal aggression, which aligns with a well-known policy of territorial expansion and terror. The Algerian Presidency also stated that these murders will be thoroughly investigated and the perpetrators will be brought to justice.

The attacks were also condemned by the spokesperson of the Mauritanian government, Nani Ould Achrouga, who expressed his government's concern over the death of Mauritanian citizens in a bombing carried out by a Moroccan drone in the territory of Western Sahara.



VIOLATION OF THE PRINCIPLES OF DISTINCTION, PROPORTIONALITY, AND PRECAUTION

The principle of distinction is one of the fundamental pillars of international humanitarian law. It requires that parties in a conflict must, at all times, distinguish between civilians and combatants and ensure that attacks may only be directed against combatants and shall not be directed against civilians. The parties to the conflict must also differentiate between civilian objects and military objectives.

While drones are not prohibited by international humanitarian law due to their indiscriminate nature, their use in the context of any armed conflict must always adhere to the principles of distinction, proportionality, military necessity, and humanitarian need.

Drones have great potential to fly over various and very remote areas, as they can move quickly over deserts or rugged or uneven terrain while transmitting high-quality images, via satellites, in real time thanks to built-in devices such as cameras and infrared sensors. Thanks to this equipment, it is possible to distinguish with a high degree of precision between military targets and civilian populations.

The proportionality of any attack depends on the military significance of the target, as stipulated in Article 51.5 (b) of Additional Protocol I to the Geneva Conventions, and attacks directed against civilian targets are considered indiscriminate and therefore prohibited. SMACO has verified information about two cases, one civilian and one military, in which these principles were not respected:

The first example involves young Deidih Mahmoud Hueibita, who was bombed by a drone-launched missile on November 24, 2022, in the border region of Ahfir, between Mauritania and Western Sahara, while attempting to assist victims of a surprise drone strike by Moroccan forces in the same territory.

The second case, the only military case included in this study due to the violation of the principles of war, is that of young Jatra Buchraya, who was killed on November 25, 2022, at 13:20 in the region of Atmaimichat Agzumal. According to the testimony of his fellow fighter and sole survivor Ahmed Salem Brahim Mohamed, who was driving the car, he said:

"We were the target of a direct attack. During this aggression east of Atmaimichat Agzumal, the first missile hit us, and due to the severity of the impact, I was thrown out of the car, and the car kept moving for dozens of meters until it stopped... My friend and comrade got out and walked over to where I was to help me. He tried in vain to grab my hand and get me out of there. Suddenly, another straight missile was fired, and all I saw was a cloud of smoke, as various fragments of his body struck me all over."

Another Mauritanian civilian vehicle was hit by a third missile, killing all three occupants who were gold miners and attempting to rescue us, as per the witness.

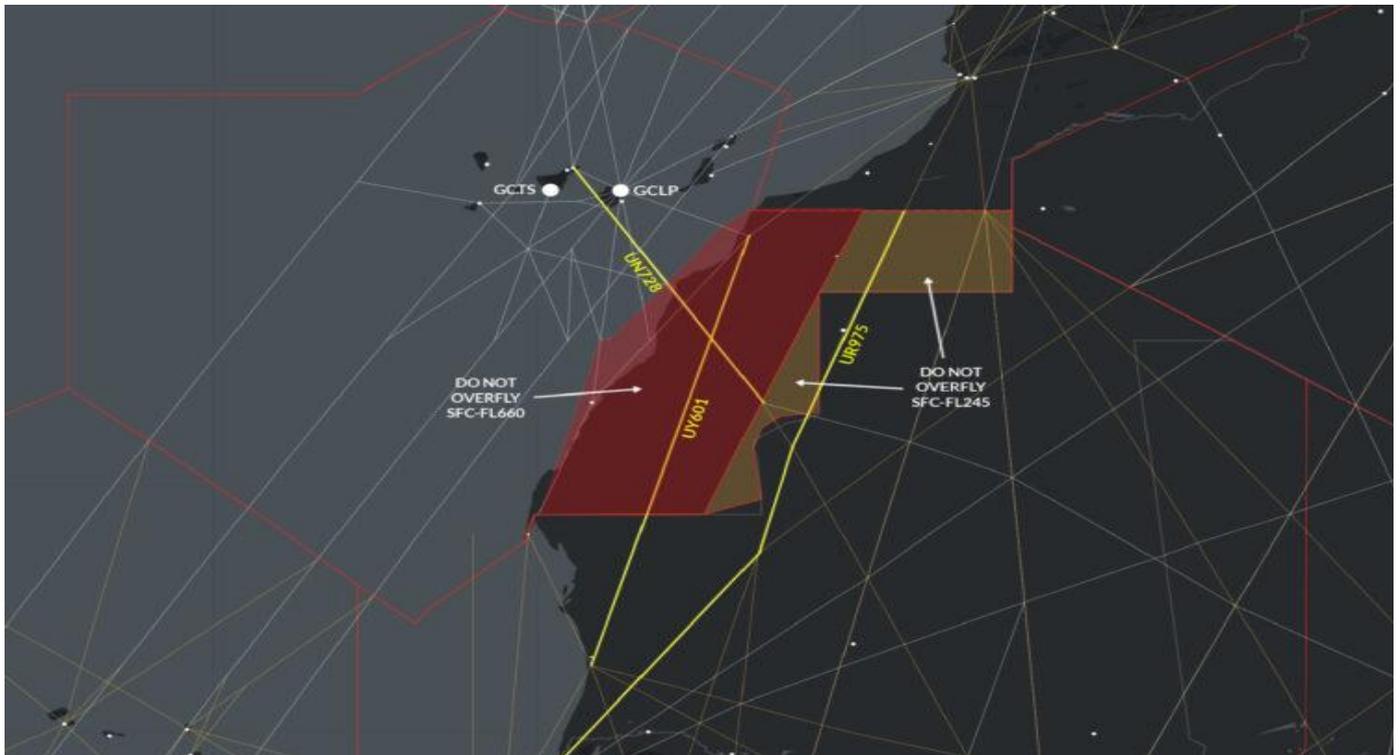
ROLE OF THE INTERNATIONAL COMMUNITY

International humanitarian law establishes legal norms that bind all parties in an armed conflict, whether state armed forces or non-state armed groups. These norms aim to reduce human suffering in armed conflicts and provide special protection to civilians and those not directly participating in hostilities.

The first aspect to determine is the nature and scope of drone attacks, namely, whether such attacks have surpassed the threshold required to be classified as an "armed attack," as demanded by the United Nations Charter regarding the concepts of legitimate defense. In this case, no link or connection could be established between the civilian victims and the Sahrawi army.

If the protection of victims of international armed conflicts is covered by the First Additional Protocol to the Geneva Conventions of 1949, how can the absence and lack of intervention by major humanitarian institutions such as the International Red Cross be justified? The lack of attention is so significant that even non-governmental organizations such as Human Rights Watch and Amnesty International have been unable to monitor and track these serious crimes. This absence will only reinforce Moroccan obstinacy to continue committing these violations with total impunity.

What is shocking and disturbing is that Morocco officially and unofficially acknowledged these attacks against civilians. However, it never expressed condolences to the families of the victims or initiated any compensation process. Instead, it rejects any responsibility or apology to both the families and the countries of the victims, whether they are Sahrawis or of other nationalities.



(Map of the Website ops group: <https://ops.group/blog/new-airspace-warning-western-sahara/>)



CONCLUSIONS AND RECOMMENDATIONS

- A. Stakeholders must demand that Morocco immediately cease killing civilians, whether with drones or artillery and comply with the norms of international human rights law and international humanitarian law in future military operations
- B. Establish an effective national mechanism to monitor and track Moroccan drone attacks, create a database documenting these attacks, and work to provide healthcare, psychological, and economic support to the victims and their families.
- C. Relevant international organizations, including the International Committee of the Red Cross (ICRC), should conduct rapid, independent, impartial, comprehensive, and transparent investigations into all credible allegations of civilian casualties in aerial attacks and other military operations in Sahrawi territory, as well as take measures to facilitate the evacuation of victims and provide them with necessary assistance.;
- D. Demand that the United Nations Mission for the Referendum in Western Sahara conduct thorough, rapid, and immediate investigations and proactively seek to speak with eyewitnesses, survivors, and victims' families, despite restrictions and difficulties;
- E. Incite Morocco to acknowledge these crimes and fully respect the norms of international humanitarian law when planning and executing military actions and attacks, including reconsidering target selection criteria, as stipulated by some organizations.
- F. Hold the Spanish government accountable for allowing Moroccan drones to fly in airspace controlled by the Spanish state, resulting in the killing of unarmed civilians in territory controlled by the Polisario Front

For more details, please consult the Website and Facebook of
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Chahid El Hafed Buyemaa, the 7th of January, 2024