



tunis (regional)

The regional delegation based in Tunis, which has been operating since 1987, regularly visits people deprived of their freedom in Mauritania and Tunisia to monitor their treatment and conditions of detention. Acting as a neutral intermediary, it is also involved in efforts to resolve issues of humanitarian concern arising from the aftermath of the Western Sahara conflict. It works to promote implementation of IHL by the authorities, including its integration into national legislation and into training programmes for the armed forces. National Societies and the media in the region are essential partners in this process.

COVERING

Libyan Arab Jamahiriya, Mauritania, Morocco/Western Sahara, Tunisia

EXPENDITURE (IN KCHF)

| | |
|-------------------------------------|-------|
| Protection | 2,521 |
| Assistance | 605 |
| Prevention | 1,436 |
| Cooperation with National Societies | 461 |
| General | - |

► **5,024**

of which: Overheads 307

IMPLEMENTATION RATE

| | |
|---------------------------|-----|
| Expenditure/yearly budget | 86% |
|---------------------------|-----|

PERSONNEL

| | |
|----|---|
| 14 | expatriates |
| 32 | national staff (daily workers not included) |

KEY POINTS

In 2009, the ICRC:

- shared with the detaining authorities its findings and recommendations following visits to over 27,000 people deprived of their freedom in Mauritania and Tunisia
- enabled families in the region to restore and maintain contact with their relatives detained/interned abroad via RCMs, telephone calls and videoconferencing
- acting as a neutral intermediary, pursued dialogue with the Moroccan authorities and the Polisario Front aimed at clarifying the fate of persons still unaccounted for from the Western Sahara conflict
- provided limb-fitting and physical rehabilitation services at its centre, serving as a priority mine victims residing in Sahrawi refugee camps in south-western Algeria
- provided IHL training in the region for diplomats, armed forces personnel, civilian magistrates, academics and influential members of civil society
- strengthened cooperation with the region's National Societies, in particular with the Libyan Red Crescent in the field of tracing and with the Mauritanian Red Crescent to boost its strategic planning and institutional reform process

CONTEXT

Security forces throughout the region remained on high alert as clashes with armed Islamist groups in Algeria and the Sahel region were reported. Moroccan officials announced the continued dismantlement of extremist Islamist cells in the country, while Mauritania reported its first ever suicide bombing, two kidnappings of foreigners and the targeted killing of another. Security operations resulted in an undisclosed number of arrests throughout the region.

General Mohamed Ould Abdelaziz, leader of the August 2008 military coup in Mauritania, won presidential elections in July with 52% of the vote and took up his post in August. Foreign observers stated the poll was largely honest, but the main opposition candidates alleged fraud. Donor aid programmes suspended after the military coup resumed progressively thereafter. The newly elected president's vigorous anti-corruption campaign raised internal political tensions.

Tunisian President Zine El Abidine Ben Ali was re-elected to a fifth term in office in October.

The final status of Western Sahara remained a point of contention between Morocco and the Polisario Front. On 30 April, the UN Security Council extended the mandate of the UN Mission for the Referendum in Western Sahara by one year. The fate of both civilians and combatants unaccounted for from that conflict remained a source of deep anguish for the families concerned. Mines and explosive remnants of war (ERW) scattered throughout the region during the Western Sahara and previous conflicts continued to pose a threat to the population.

The Maghreb remained a transit route for sub-Saharan nationals and others seeking irregular entry to Europe. Tighter controls on irregular immigration into Europe increased the number of would-be migrants seeking to settle in countries in North Africa, as well as the number of migrants forcibly returned from Europe.

Lower levels of foreign investment linked to the global economic downturn adversely affected large-scale construction and infrastructure projects in various countries.

MAIN FIGURES AND INDICATORS

| | Total | | Total | Women | Children |
|---|--------|--------------------------------|-------|-------|----------|
| PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)¹ | | WOUNDED AND SICK | | | |
| Detainees visited | 28,271 | <i>Physical rehabilitation</i> | | | |
| Detainees visited and monitored individually | 616 | Patients receiving services | 257 | 69 | 41 |
| Number of visits carried out | 84 | Prostheses delivered | 23 | | |
| Number of places of detention visited | 49 | Orthoses delivered | 50 | 27 | 5 |
| RESTORING FAMILY LINKS | | | | | |
| <i>Red Cross messages (RCMs) and reunifications</i> | | | | | |
| RCMs collected | 422 | | | | |
| RCMs distributed | 416 | | | | |
| <i>Tracing requests, including cases of missing persons²</i> | | | | | |
| People for whom a tracing request was newly registered | 105 | | | | |
| <i>of whom women</i> | 28 | | | | |
| <i>of whom minors at the time of disappearance</i> | 32 | | | | |
| Tracing cases closed positively (persons located) | 12 | | | | |
| Tracing cases still being handled at 31 December 2009 (people) | 103 | | | | |
| <i>of whom women</i> | 30 | | | | |
| <i>of whom minors at the time of disappearance</i> | 27 | | | | |
| DOCUMENTS ISSUED | | | | | |
| People to whom travel documents were issued | 14 | | | | |
| People to whom a detention attestation was issued | 1,476 | | | | |

1. Mauritania and Tunisia

2. Not including people missing as a consequence of the Western Sahara armed conflict

ICRC ACTION AND RESULTS

Visits to people deprived of their freedom in Mauritania and Tunisia to monitor their treatment and living conditions, and the subsequent confidential dialogue with the detaining authorities with a view to addressing identified needs, remained a cornerstone of the ICRC's action in the region. Addressing humanitarian issues stemming from the 1975–91 Western Sahara conflict was another.

In Tunisia, the Ministry of Justice and the ICRC cooperated in particular on a joint analysis of the causes of prison overcrowding and potential remedial action in the framework of long-term development of the penitentiary and penal systems. The authorities, supported by the ICRC, pressed ahead with reforms aimed at reducing prison admissions by progressively developing alternatives to imprisonment. In Mauritania, detainees' access to clean water and open spaces was enhanced as a result of ICRC financing of prison infrastructure projects, while the provision of medical supplies bolstered the capacity of the prison directorate's medical division to meet detainees' health needs.

Acting as a neutral intermediary between Morocco and the Polisario Front, the ICRC pursued efforts to clarify the fate of both civilians and combatants unaccounted for in connection with the 1975–91 Western Sahara conflict in order to relieve the anguish of the families concerned.

Families in the region were able, through the RCM network, phone calls and videoconferencing, to restore or maintain contact with relatives detained/interned in Afghanistan, Iraq and the US internment facility at the Guantanamo Bay Naval Station in Cuba. Migrants in the region also benefited from these services.

Production continued at an ICRC prosthetic/orthotic workshop and physical rehabilitation centre close to the Sahrawi refugee

camps in south-western Algeria to fit mine victims and other disabled refugees with mobility appliances. Since it opened in 2007, the centre had decreased the cost of providing limb-fitting services as patients no longer had to travel to Algiers or even abroad, and also reduced the time needed to repair patients' mobility aids. It also trained locally hired personnel in order to ensure a sustainable limb-fitting service over the long term.

Networking and joint activities with the region's armed forces and key sectors of civil society, such as the media, universities, NGOs, professional organizations and religious institutions, continued to develop as a means of promoting IHL and increasing understanding of and support for the ICRC's mandate and activities. The active promotion of IHL in countries covered by the regional delegation also involved a sustained dialogue with civilian authorities and national implementation bodies.

In close coordination with the International Federation, the ICRC lent its support to Red Crescent Societies in the region, with a focus on developing their activities in accordance with the Fundamental Principles, in particular in the fields of IHL promotion and tracing.

CIVILIANS

Family contacts severed by conflict are re-established

Families in North Africa continued to rely on ICRC tracing and RCM services to restore contact with close relatives detained/interned abroad or present in countries where armed conflict or other situations of violence had made communications difficult. Migrants or their families also requested these services – directly or through National Societies – notably in the Libyan Arab Jamahiriya.

Families had regular and direct contact by telephone or videoconferencing with their relatives held at Guantanamo Bay and at

Bagram Air Base in Afghanistan, while family contacts with persons held in Iraq were mainly via RCMs.

Efforts are pursued to resolve missing persons cases from the Western Sahara conflict

Acting as a neutral intermediary, the ICRC maintained a dialogue with the Moroccan authorities and with the Polisario Front to help clarify the fate of combatants and civilians still missing from the Western Sahara conflict. After being urged by the ICRC to each establish an officially mandated structure to collect, process and exchange relevant information with a view to resolving these cases and, with ICRC support, informing the families of the outcome, Morocco appointed the Consultative Council on Human Rights (in 2008) and the Polisario Front the "Saharawi Red Crescent" (in 2009) for that purpose. In order to facilitate this task, to increase the level of information exchanged and to provide information and support to the families, the authorities concerned benefited from ICRC technical expertise in handling the issue of missing persons.

In the region:

- ▶ 356 RCMs collected from and 409 RCMs distributed to civilians; 35 phone calls and 4 videoconferences arranged between families living in Tunisia, Morocco, Mauritania and the Libyan Arab Jamahiriya and their relatives detained/interned abroad; 123 phone calls made to families to inform them of the whereabouts of a relative detained/interned abroad
- ▶ new tracing requests registered for 105 people (28 women; 32 minors at the time of disappearance); 12 people located; 113 people (30 women; 25 minors at the time of disappearance) still being sought (figures not including people missing as a consequence of the Western Sahara armed conflict)
- ▶ 14 people issued with an ICRC travel document
- ▶ 1,475 detention certificates issued to former prisoners of the Western Sahara conflict or their families

PEOPLE DEPRIVED OF THEIR FREEDOM

People deprived of their freedom in Mauritania and Tunisia received regular visits from the ICRC, in accordance with its standard working procedures and the two agreements signed with the respective authorities in 2005. Emphasis was placed on visits to people convicted of acts endangering State security, as well as to particularly vulnerable people such as foreign detainees, minors, migrants and those sentenced to death. The authorities received confidential reports containing the ICRC's findings and recommendations on detainees' treatment and living conditions, including on some individual cases requiring follow-up.

In Morocco, contacts were made with the penitentiary authorities to secure ICRC access to a Moroccan formerly interned in Guantanamo Bay and detained since his repatriation.

A resumption of visits to detainees held by the Polisario Front was agreed in principle but had not yet started by year-end.

Mauritania

- ▶ 1,952 detainees visited, of whom 70 monitored individually (1 minors) and 17 newly registered (1 minor), during 28 visits to 12 places of detention
- ▶ 58 RCMs collected from and 3 RCMs distributed to detainees

Political changes in the country in 2009 did not create an environment conducive to tackling penitentiary reform nor to introducing structural measures to improve the prison medical service.

Infrastructure projects improve access to clean water and open space in Mauritanian prisons

Detainees in Nouakchott central prison, mainly held under the 2005 anti-terrorism law, received regular ICRC visits. People held in the Nouakchott civil prison, which housed almost 70% of the country's total prison population, began to participate in a hygiene education programme run by an NGO, with ICRC support, in coordination with the Ministry of Justice. Ministry of Justice infrastructure projects carried out with ICRC financial and technical support improved access to clean water for detainees in Nouakchott civil prison and to open air in Nouadhibou civil prison, the country's second largest. Detained children and women benefited from assistance and training through a local NGO. The provision of medical supplies boosted the capacity of the prison directorate's medical division, set up in 2008, to meet detainees' health care needs.

Tunisia

- ▶ 23,319 detainees visited, of whom 546 monitored individually (1 woman; 1 minor) and 223 newly registered (1 minor), during 56 visits to 37 places of detention
- ▶ 8 RCMs collected from and 4 RCMs distributed to detainees and 2 phone calls made to families to inform them of the whereabouts of their detained relative
- ▶ 1 detention certificate issued to a former detainee or his family

Relations between the Tunisian Ministry of Justice and the ICRC developed. With ICRC support, the authorities continued to engage in long-term reform of the penal and penitentiary systems. They also followed up recommendations regarding the treatment and living conditions of people in solitary confinement for disciplinary reasons or regarding the role of doctors in prisons, while pursuing a constructive dialogue with the ICRC on many issues, such as the situation of people sentenced to death.

A solution is sought to prison overcrowding

In Tunisia, the Ministry of Justice and the ICRC worked on a joint analysis of the causes of prison overcrowding in order to find viable alternatives in the framework of the long-term development of the penal and penitentiary systems. Senior Tunisian prison administration staff undertook a one-week working visit to Switzerland to compare standards and operating procedures in prisons there. The implementation of identified reforms aimed at reducing prison admissions by developing alternatives to imprisonment was expected to take several years.

WOUNDED AND SICK

Disabled people continued to benefit from services provided by the ICRC limb-fitting and physical rehabilitation centre set up in 2007 close to the Sahrawi refugee camps in south-western Algeria. The centre, located in the Tindouf region, had the capacity to produce 80 to 100 prostheses a year, as well as orthoses, crutches and wheelchairs. It catered as a priority to the needs of the estimated 450 Sahrawis residing in refugee camps who had been maimed by mines or ERW. Local technicians continued their training with the support of the ICRC technician.

The centre significantly lowered the cost of limb-fitting for disabled patients, who no longer had to travel to Algiers or even abroad for such services, and reduced the turnaround time for repairs to mobility aids.

- 257 patients (including 69 women and 41 children) received services at 1 ICRC-supported physical rehabilitation centre
- 14 new patients fitted with prostheses and 37 (including 21 women and 1 child) fitted with orthoses
- 23 prostheses (21 for mine victims), 50 orthoses (including 27 for women and 5 for children; 3 for mine victims), 43 crutches and 6 wheelchairs delivered

Mine-awareness activities were postponed to 2010 owing to the lack of specialized staff to initiate them.

AUTHORITIES

In Mauritania, the authorities and the ICRC signed a headquarters agreement formalizing the ICRC's presence and activities in the country, while dialogue continued with the Moroccan authorities on reaching a similar agreement in Morocco.

Authorities in Morocco and Tunisia worked on IHL instruments to be ratified or integrated into national legislation, with ICRC technical advice, documentation and financial support.

In Morocco, national IHL committee members for the first time attended a seminar on IHL and their role. This accelerated their work. They organized various seminars and workshops on the Additional Protocols, the Rome Statute and legislation on protection of the emblem. Nineteen diplomats attended a seminar on IHL and the ICRC organized by the Ministry of Foreign Affairs.

In Tunisia, the national IHL committee pursued the training of magistrates identified as future instructors, 20 of whom also attended a three-day ICRC seminar on issues ranging from IHL to penal procedures. Three of the participants subsequently attended a regional IHL course, organized with the League of Arab States in Beirut, Lebanon (see *Egypt*).

ARMED FORCES AND OTHER BEARERS OF WEAPONS

Armed forces in the region continued to strengthen their IHL education and training capacities, with the technical and financial support of the ICRC. The work achieved also enhanced their knowledge of the ICRC's mandate and work in armed conflicts.

The Libyan armed forces integrated IHL provisions into their training manuals and completed the training of future trainers. The Tunisian armed forces published an IHL training manual and the Staff College received two full sets of IHL documentation. In both countries, the armed forces had become autonomous in the teaching of IHL.

Training of officers and instructors in IHL continued in Mauritania and Morocco.

In 2009, no officer from the region participated in the annual Senior Workshop on International Rules governing Military Operations.

Libyan Arab Jamahiriya

- 15 armed forces instructors attended a four-day course on IHL
- 23 military magistrates and prosecutors attended a three-day workshop on IHL/international human rights law and the international penal system
- 30 members of the African Union's Standby Force (Northern Brigade) executive committee familiarized with IHL and the ICRC's mandate and operations
- 19 legal advisers attended a three-day IHL workshop in preparation for their participation in peacekeeping operations

Mauritania

- 32 army, national guard, *gendarmerie* and security officers attended a three-day workshop on international standards governing the use of force and firearms in peace and wartime
- 15 officers attended a first presentation on the same subject held at the Command and Staff College

Morocco

- 25 officers attended a refresher course on IHL and the ICRC at the Collège Royal d'Enseignement Militaire Supérieur
- 30 military legal experts attended a four-day workshop on IHL and the international penal system
- 40 officers attended a seminar on IHL prior to their deployment on an international peacekeeping mission

CIVIL SOCIETY

Networking continued with influential members of civil society, including the media, to enlist their support in the promotion and implementation of IHL and for ICRC activities.

The media gave wide coverage to various events held in the region to mark the “Our world. Your move.” communication campaign, for example its launch with a photo exhibition by the Tunisian Red Crescent.

These events also promoted IHL and the ICRC’s mandate and activities among various audiences, including diplomats, magistrates, parliamentarians and academics. This was the case during the celebration of the 60th anniversary of the 1949 Geneva Conventions in Tunis organized by the Association des Etudes Internationales together with the National Society and the national IHL committee.

In Morocco, the national IHL committee held a one-day round-table with 30 university deans and lecturers to review and promote IHL teaching and research in the country (see *Authorities*). Al-Qarawiyyin University organized for the first time a three-day regional seminar on the provisions of Islamic law and IHL, attended by lecturers and researchers from all five North African countries. Fifty Libyan lecturers from Benghazi University participated in a first round-table on Islamic law and IHL.

The Moroccan Ministry of Education held two events for inspectors and teachers focusing on the Exploring Humanitarian Law programme and producing the relevant teaching materials. In December, the ministry announced the creation of a scientific council tasked with overseeing the educational reform process integrating the ICRC programme.

During 2009, the Tunisian authorities took over full ownership of the Exploring Humanitarian Law programme.

RED CROSS AND RED CRESCENT MOVEMENT

Cooperation between the region’s National Societies and the ICRC continued in close coordination with the International Federation, in particular with the Libyan Red Crescent in the field of tracing and with the Mauritanian Red Crescent to boost its strategic planning and institutional reform processes.

Together with the International Federation, the ICRC encouraged National Societies to develop a regional approach to the humanitarian challenges posed by the growing trend of irregular migration affecting countries in North Africa. A greater understanding of the needs of migrants in the Sahel was gained through several initiatives, including a meeting organized by the ICRC in Mali attended by all five National Societies in North Africa.

Around 150 volunteers from all National Societies in the region attended a disaster management session hosted by the Libyan Red Crescent and organized by the International Federation. The ICRC provided input on restoring family links and ensured that the Safer Access approach was integrated into the training session.

Twenty volunteers from the five southern branches of the Moroccan Red Crescent located in the Western Sahara under Moroccan administration were trained in the dangers of weapon contamination. The participants would develop communication activities to sensitize the public to mines and ERW.

At the request of the Arab Red Crescent and Red Cross Organization (ARCO), the ICRC organized an IHL session hosted by the Tunisian Red Crescent for all ARCO member National Societies.