

URGENT ACTION

SAHRAWI PRISONERS STOP HUNGER STRIKE

Thirteen Sahrawi prisoners have suspended their hunger strike after 36 days, as their health worsened. They are serving long prison sentences after a grossly unfair military trial in 2013.

Sidahmed Lemjayed, Ahmed Sbai, Mohamed Bachir Boutanguiza, Naâma Asfari, Hassan Dah, Cheikh Banga, Mohamed Bani, Sidi Abdallah Abhah, Mohamed Bourial, Mohamed Embarek Lefkir, Bachir Khadda, Abdallah Toubali and Brahim Ismaili ended their hunger strike on 5 April, as their health worsened. They had been on hunger strike in Salé 1 Prison, near the capital Rabat, (over 1,100 km from their families in Laayoune, Western Sahara) since 1 March. They were protesting against their imprisonment as well as that of eight others after an unfair trial.

They continue to call for their release or fair retrial, as well as that of the eight others imprisoned in the same case. They also continue to protest against the Court of Cassation's delay in responding to their appeal filed three years ago after their conviction.

Please write immediately in Arabic, French or your own language:

- Calling on the Moroccan authorities to release, or give a fair retrial to the 21 prisoners (Ahmed Sbai, Mohamed Bachir Boutanguiza, Sidi Abdallah Abhah, Mohamed Bani, Brahim Ismaili, Sidahmed Lemjayed, Abdallah Lekhfawni, Abdeljalil Laâroussi, Naâma Asfari, Hassan Dah, Cheikh Banga, Mohamed Bourial, Mohamed Tahlil, Mohamed Lamine Haddi, Abdallah Toubali, Hocine Zaoui, Daich Daf, Mohamed Embarek Lefkir, Mohamed Khouna Babeit, Larbi Elbakai, and Bachir Khadda), respecting the presumption for release pending trial as defined under international human rights law;
- Urging them to ensure that the prisoners receive any medical attention they may require;
- Calling on them to order independent and impartial investigations into their allegations of torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 19 MAY 2016 TO:

Minister of Justice and Liberties

Mustafa Ramid
Ministry of Justice and Liberties
Place El Mamounia – BP 1015
Rabat
Morocco
Fax: +212 5 37 73 47 25

Salutation: Your Excellency

Director of General Administration for
Prison Administration and Reinsertion

Mohamed Saleh Tamek
Angle avenue Arar et rue El-Jouz
Hay El Riyad, Rabat
Morocco
Fax: + 212 5 37 71 26 19

Salutation: Dear Sir

And copies to:

President of the National Council for
Human Rights
Driss El Yazami
CNDH, Place Achouhada
Rabat, Morocco
Fax: + 212 5 37 54 00 01
Email: elyazami@cndh.org.ma

Also send copies to diplomatic representatives accredited to your country. HER EXCELLENCY HH PRINCESS LALLA JOUMALA ALAOUI Embassy of the Kingdom of Morocco, 49 Queens Gate Gardens SW7 5NE, 0207 581 5001-4, ambalondres@maec.gov.ma

Please check with your section office if sending appeals after the above date. This is the first update of UA 71/16. Further information: www.amnesty.org/en/documents/mde29/3721/2016/en/

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ADDITIONAL INFORMATION

The Military Court of Rabat convicted 25 Sahrawi activists and protesters (including one man tried in his absence) of membership of a criminal organization, violence against Moroccan public officers and desecration of a corpse, on 17 February 2013, largely relying on “confessions” allegedly obtained under torture, and without investigating these allegations. The men were tried in relation to the forced dispersal of a protest camp in Western Sahara and the violence that ensued, in which 11 members of the Moroccan security forces and two Sahrawis were killed. The military court sentenced them to between two years and life in prison, and 21 of them remain imprisoned.

The UN Special Rapporteur on Torture and the Working Group on Arbitrary Detention (WGAD) criticized the lack of investigations into the prisoners’ torture allegations. The WGAD also stated that the authorities should review the verdicts as no civilian should be tried before a military court.

The Moroccan authorities revised their military justice law in 2014, ending the trial of civilians before military courts. While it was an important positive step, the amendment did not address the judicial status of those civilians, including these 21 prisoners, who had been imprisoned by military courts before the law came into effect.

On 7 April 2016, Moroccan authorities deported jurists from Spain, Belgium and France and a Spanish judge, who had arrived the previous day in Rabat to seek meetings with the Moroccan authorities in support of the prisoners.

See also this public statement, *Morocco: Free or retry 21 Sahrawis jailed five years ago*, 4 December 2015, (<https://www.amnesty.org/en/documents/mde29/2800/2015/en/>).

Name: Ahmed Sbaïï, Mohamed Bachir Boutanguiza, Sidi Abdallah Abhah, Mohamed Bani, Brahim Ismaïili, Sidahmed Lemjayed, Abdallah Lekhfawni, Abdeljalil Laâroussi, Naâma Asfari, Hassan Dah, Cheikh Banga, Mohamed Bourial, Mohamed Tahlil, Mohamed Lamine Haddi, Abdallah Toubali, Hocine Zaoui, Daich Daf, Mohamed Embarek Lefkir, Mohamed Khouna Babeit, Larbi Elbakai, and Bachir Khadda
Gender m/f: m

Further information on UA: 71/16 Index: MDE 29/3795/2016 Issue Date: 7 April 2016