

EXTERNAL (for general distribution)

AI Index: 29/04/95

Distr: UA/SC

6 July 1995

UA 160/95 Fear of Torture / Unfair Trial

MOROCCO and WESTERN SAHARA

Ahmed EL KOURI, Nebt Ramdane BOUCHRAYA, Arbi Brahim BABA, Cheykhathou BOUH, M'Rabih Rabou NEYSAN, Abdel'hay LEKHAL, Mahfoud Brahim DAHOU et Salama Ahmed LEMBARKI
- all male, all aged between 18 and 20

Amnesty International fears that prisoners of conscience Ahmed El Kouri, Nebt Ramdane Bouchraya, Arbi Brahim Baba, Cheykhathou Bouh, M'Rabih Rabou Neysan, Abdel'hay Lekhal, Mahfoud Brahim Dahou and Salama Ahmed Lembarki, who were alleged to have been ill-treated and tortured while awaiting trial, are at risk of further torture and ill-treatment.

The young men were arrested on 11 May 1995 following a peaceful demonstration in Laayoune in support of the Polisario Front. Scores of others are reported to have been arrested in connection with the same demonstrations. The eight civilian youths named above were tried on 21 June 1995 by the Military Court in Rabat and sentenced to between 15 and 20 years' imprisonment on charges of threatening the external security and the territorial integrity of the country.

The trial, which was conducted *in camera*, violated international standards for fair trial: the accused stated that while held in incommunicado detention they were beaten and tortured, including with electric shocks, and forced to sign "confessions" that they had participated in a demonstration in support of the Polisario Front, carried Polisario flags and leaflets, and chanted slogans. The court repeatedly disregarded their allegations of torture, and there are fears that they remain at risk of torture and ill-treatment.

These prisoners do not have the right to appeal, but their case will be reviewed by the Supreme Court through "cassation", a mechanism which rules on procedures, but does not re-examine the facts of a case.

Amnesty International considers them prisoners of conscience, imprisoned solely for the expression of their conscientiously-held beliefs, without their having used or advocated violence. The organization is therefore calling for their immediate and unconditional release.

BACKGROUND INFORMATION

Amnesty International has for many years documented and condemned serious human rights violations by the Moroccan authorities in Western Sahara. Hundreds of Sahrawis have "disappeared" after being arrested by the Moroccan security forces.

In June 1991, more than 300 Sahrawis who had "disappeared" for up to 16 years were released from secret detention centres where scores of others had died.

The Moroccan authorities had for years denied any knowledge of these "disappeared". Hundreds of other Sahrawis who are reported to have "disappeared" after being arrested by the Moroccan security forces remain unaccounted for.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in French, Arabic, Spanish or in your own language:

- asking the authorities to ensure that the prisoners named above are protected from further ill-treatment or torture;
- urging the authorities to carry out a prompt and independent investigation into their allegations of torture and ill-treatment, and if the allegations are substantiated, to bring those responsible to justice;
- deploring the imprisonment of Ahmed El Kouri, Nebt Ramdane Bouchraya, Arbi Brahim Baba, Cheykhatou Bouh, M'Rabih Rabou Neysan, Abdel'hay Lekhal, Mahfoud Brahim Dahou and Salama Ahmed Lembarki for exercising their right to freedom of expression and of association, stating that these rights are guaranteed by the International Covenant on Civil and Political Rights, to which Morocco is a state party;
- stating that Amnesty International considers them prisoners of conscience and calling for their immediate and unconditional release;
- deploring the fact that these civilian youths were tried by a military court and that their trial violated international human rights standards to which Morocco is a state party.

APPEALS TO:

Justice Minister

M. Abderrahmane Amalou
 Ministre de la Justice
 Ministère de la Justice
 Palais de la Manounia
 Rabat, MOROCCO

Telegrams: Ministre Amalou, Rabat, Morocco

**Faxes: please send faxes c/o the Ministry of the Interior on:
 +212 7 763011, requesting that they be forwarded to the Justice
 Minister**

Salutation: Monsieur le Ministre / Dear Minister

Minister for Human Rights

M. Mohamed Ziyane
 Ministre délégué auprès du Premier Ministre
 chargé des Droits de l'Homme
 47 Avenue Ibn Sina
 Agdal
 Rabat, MOROCCO
 Morocco

Telegrams: Ministre Ziyane, Rabat, Morocco

Faxes: + 212 7 67 20 18 or + 212 7 67 19 67

Telexes: 361 61

Salutation: Monsieur le Ministre / Dear Minister

COPIES OF YOUR APPEALS TO:

Governmental Human Rights Body

M. Mohamed Mikou

Secrétaire général
Conseil consultatif des droits de l'homme
24 Place des Chouhada
BP 1341
Rabat, MOROCCO

and to diplomatic representatives of Morocco accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 August 1995.