

PUBLIC

AI Index: MDE 29/004/2008

08 February 2008

Further Information on UA 16/08 (MDE 29/003/2008, 18 January 2008) - Fear of unfair imprisonment/ Prisoners of conscience/ Health concern

MOROCCO/ WESTERN SAHARA	Mohamed Bougrine (m)] aged 72, prisoner of conscience	
	Abdelkbir Rabaoui (m)]	
	Abass Abbassi (m)]	
	Mohamed Fadel (m)]	
	Abdelaziz Timor (m)]	All members of the Moroccan
	Brahim Ahansal (m)]	Association for Human Rights
	Smaïn Amrar (m)]	(Association Marocaine des
	Abderrahmane Aaji (m)]	Droits Humains, AMDH)
	Mohamed Yousfi (m)]	
	Nabil Cherqui (m)]	

On 6 February, the Moroccan Court of Cassation handed down its judgment in the case of the 10 men named above, who are all members of the Moroccan Association for Human Rights (*Association Marocaine des Droits Humains*, AMDH). They were convicted in August 2007 of “undermining the monarchy” by a court of appeal.

The Court of Cassation upheld the one-year prison sentence handed down against Abdelkbir Rabaoui, Brahim Ahansal and Mohamed Yousfi by a Court of Appeal on 9 August 2007. They are therefore at immediate risk of being imprisoned solely for having exercised their right to peaceful expression and assembly. If arrested Amnesty International would adopt them as prisoners of conscience and would call for their immediate and unconditional release.

However, the Court of Cassation dismissed on procedural grounds the three-year-prison sentence against prisoner of conscience Mohamed Bougrine, and the one-year-prison sentence against the six other members of the AMDH. This means that their case should soon be re-examined by an appeal court.

Amnesty International is concerned at reports that Mohamed Bougrine’s health is deteriorating. According to his family, Mohamed Bougrine, who is 72 years-old, has breathing difficulties exacerbated by the fact that he has previously lost half of one lung. In 2001, he suffered from an internal bleed which continues to cause him health problems. His medical problems reportedly originate from the time of his previous detentions. Mohamed Bougrine also suffers from rheumatism, which is reportedly exacerbated by cold and dampness in the prison.

On 28 January 2008, the Medical Association for the Rehabilitation of Victims of Torture, a Moroccan NGO which provides medical support to victims of past human rights violations, announced that the Ministry of Justice had refused it permission to visit Mohamed Bougrine. Although there is a medical doctor in the Beni Mellal prison where Mohamed Bougrine is held, as stipulated in Moroccan law, his family is concerned that he is not receiving the care and treatment appropriate to his condition.

BACKGROUND INFORMATION

The 10 men named above were arrested on 5 and 6 June 2007 and charged with “undermining the monarchy”, after participating in a peaceful sit-in in the city of Beni Mellal, held in solidarity with seven other members of the AMDH arrested after demonstrations on 1 May 2007.

The seven other members of the AMDH continue to serve prison sentences ranging from two to four years, after being convicted of “undermining the monarchy”. Amnesty International adopted them as prisoners of conscience.

During the 1 May demonstrations and the 5 June sit-in, participants chanted slogans critical of the monarchy, such as “no more taboos, more freedom” and “jet ski and parties, where is the money of the people?”, in reference to a sport practiced by the King. The monarchy remains a taboo subject in Morocco. In recent years, several people, including journalists and political activists, have been prosecuted and in some cases sentenced to prison terms, after peacefully expressing critical views on the monarchy.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, French or your own language or your own language:

- urging the Moroccan authorities not to imprison Abdelkbir Rabaoui, Brahim Ahansal and Mohamed Yousfi for having peacefully exercised their legitimate rights to freedom of expression and assembly, enshrined in the International Covenant on Civil and Political Rights, to which Morocco is a state party;
- expressing concern at reports that the health of prisoner of conscience Mohamed Boughrine is deteriorating;
- urging the Moroccan authorities to ensure that Mohamed Boughrine receives adequate medical care and treatment, in accordance with the UN Body of Principles for the Protection of all Persons Under Any Form of Detention or Imprisonment;
- urging the Moroccan authorities to immediately and unconditionally release Mohamed Boughrine and the seven other members of the AMDH imprisoned solely for having peacefully exercised their rights to freedom of expression and assembly;
- calling on the Moroccan authorities to repeal or amend legislation which criminalizes the legitimate exercise of fundamental freedoms, and to bring such legislation into line with international standards.

APPEALS TO:

Mr Abdelwahed Radi
Minister of Justice
Ministry of Justice
Place Mamounia
Rabat, Morocco

Fax: +212 37 73 07 72/ +212 37 72 37 10
Salutation: Monsieur le Ministre/ Your Excellency

Mr Taieb Fassi Fihri
Minister of Foreign Affairs and Cooperation
Ministry of Foreign Affairs and Cooperation
Avenue Franklin Roosevelt
Rabat, Morocco

Email: mail@maec.gov.ma
Fax: +212 37 76 46 79/ +212 37 76 55 08
Salutation: Monsieur le Ministre/ Your Excellency

COPIES TO:

Mr Ahmed Herzenni
President
Human Rights Advisory Council (Conseil consultatif des droits de l'Homme)
Place Achouhada- BP 1341
10 001 Rabat, Morocco

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and to diplomatic representatives of MOROCCO/ WESTERN SAHARA accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 March 2008.