

URGENT ACTION

VICTIM OF TORTURE FACING TRIAL

Ahmed Mahmoud Haddi, who was detained in conditions amounting to an enforced disappearance by the Moroccan security forces in October, is now facing trial on criminal charges and has been remanded to prison. He is believed to have been tortured in custody, and is at risk of receiving an unfair trial.

Ahmed Mahmoud Haddi was abducted by men in civilian clothes on the street in the capital, Rabat, on 28 October 2009 and taken to an unknown location. The men are believed to have been agents of the internal intelligence agency, the Directorate for the Surveillance of the Territory (Direction de la surveillance du territoire, DST), who took him to an unofficial place of detention, believed to have been in the city of Témara, near Rabat, and held him there until 15 November. This unofficial detention centre is one of the main places where torture is reported, particularly of people suspected of terrorism-related activities. Here Ahmed Mahmoud Haddi was apparently questioned about his political beliefs and alleged links to the Polisario Front, which calls for independence for Western Sahara. He was apparently made to sign a police transcript of his interrogation under duress.

On 15 November, Ahmed Mahmoud Haddi was taken to the General Crown Prosecutor and then an investigative judge in the Court of Appeal of Casablanca. He had no legal representation, though by law both the prosecutor and the investigative judge were obliged to inform the accused of his right to appoint a lawyer. The investigation is ongoing but he is apparently accused of a number of offences, including drug-trafficking. The investigative judge ordered him to be remanded in custody in the Oukasha prison in Casablanca.

The authorities did not inform his family of his whereabouts and they only found out about his detention in Oukasha from unofficial sources, on 17 December. He is held in solitary confinement and there are concerns for his physical and mental health. He is believed to have carried out a hunger strike for over a month, which he now ended. He has not been examined by a doctor since his arrest on 28 October.

PLEASE WRITE IMMEDIATELY in Arabic, French or your own language:

- √ Expressing concern that Ahmed Mahmoud Haddi was subjected to an enforced disappearance from 28 October to 15 November, during which time he is believed to have been tortured or otherwise ill-treated, and urging the Moroccan authorities to ensure that he is protected from further torture or other ill-treatment, is granted any medical care he may require, and has regular access to his family and legal representation;
- √ Urging the Moroccan authorities to investigate immediately allegations that Ahmed Mahmoud Haddi was tortured or otherwise ill-treated by members of the security forces, and to bring those responsible to justice in compliance to Morocco's obligations under international law;
- √ Urging them to ensure he receives a fair trial and that statements made under duress are not used as a basis to convict him.

PLEASE SEND APPEALS BEFORE 26 FEBRUARY 2010 TO:

Minister of Justice

His Excellency Mohamed Naciri
Ministry of Justice
Place Mamounia, Rabat, Morocco
Fax: +212 537 72 37 10
+212 537 73 07 72
+212 537 73 47 25
Salutation: Your Excellency

Minister of Interior

His Excellency Taib Cherkaoui
Ministry of Interior
Quartier Administratif, Rabat, Morocco
Fax: +212 537762056
Salutation: Your Excellency

And copies to:

President of the Advisory Board of Human Rights
Ahmed Herzenni, Place Ach-chouhada,
B.P. 1341, 10000 Rabat, Morocco
Fax: +212 537 726856
Email: ccdhdh@ccdhdh.org.ma

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 314/09. Further information: www.amnesty.org/en/library/info/MDE29/013/2009.

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ADDITIONAL INFORMATION

Ahmed Mahmoud Haddi, a supporter of independence for Western Sahara, was released from prison in June 2009 when he completed a three-year prison sentence for assaulting and disobeying a police officer, offences supposedly committed while he was being arrested on 17 June 2006 at a police checkpoint at the entrance to Laayoune, along with his brother and two prominent Sahrawi human rights defenders.

On 2 November 2009 the Moroccan official news agency announced that a criminal gang of drug traffickers and car thieves had been broken up. One of the gang, according to the agency, was a member of the Polisario Front. By this they are believed to have meant Ahmed Mahmoud Haddi. The Polisario Front, which calls for independence for Western Sahara, runs a self-declared government-in-exile in Sahrawi refugee camps in Tindouf in south-western Algeria.

In Morocco and Western Sahara, "confessions" extracted under torture or other ill-treatment, such as the document Ahmed Mahmoud Haddi was made to sign, have been used as evidence in court, in breach of the Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Morocco is a state party.

The Moroccan authorities appear to be adopting an increasingly repressive approach to Sahrawi people's exercise of their rights to freedom of expression, association and assembly. Since seven Sahrawi activists visited the Tindouf camps in late September and early October 2009, Amnesty International has noted an increase of reports of harassment of Sahrawi human rights defenders and activists including travel bans, verbal intimidation and threats, an increase in existing surveillance, the prevention of activists meeting with foreign observers, and the confiscation of passports and identification documents. Amnesty International considers the inclusion of a human rights monitoring component in the United Nations Mission for the Referendum in Western Sahara (MINURSO), up for renewal in April 2010, to be a pivotal step to addressing human rights violations in Western Sahara

Further information on UA: 314/09 Index: MDE 29/004/2010 Issue Date: 15 January 2010

