



Alarming situation regarding the Gdeim Izik prisoners, Western Sahara/Morocco

THE USAGE OF PROLONGED SOLITARY CONFINEMENT AND
THE PRISONERS' USE OF HUNGER STRIKES.

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Current situation of the prisoners:

A summary

The prisoners, all advocating for the right to self-determination in Western Sahara, was on 19 July 2017 sentenced to 20 years to life by a Moroccan court.¹ The prisoners were on the 16th of September 2017 transferred without prior notice and without being informed of the reasons for their transfer to six different prisons in Morocco. The prisoners have been held in prolonged solitary confinement since their transfer in September, and have undergone multiple hunger strikes. Two of the prisoners on hunger strike (Brahim Ismaili and Hassan Eddah) started 24 November 2017 to vomit blood, and their situation is critical.

The families of the Sahrawi political prisoners of the Gdeim Izik group declare that the actions taken against the group are a form of retaliation against them due to their open support for the right to self-determination for the Saharawi People. The families declare that the unexpected and forced replacement of the prisoners, the usage of solitary confinements and constant harassment are aimed at punishing the detainees; as a mean of suppressing the Saharawi population and intimidate them from calling for their right of self-determination. The families declare that these practices and the inhumane treatment the detainees are suffering under is clear evidence that the prisoners are being subjected to a form of revenge for their struggle for self-determination.

The families of the prisoners of the Gdeim Izik Group appeal to the international community to intervene, and secure justice for their sons, brothers, fathers and husbands.

This report is based on information received from, and later verified by, the families of the Gdeim Izik Group. The information is gathered through family visits and telephone calls with the prisoners.

The Convention against Torture, Article 1

“1. For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”

“The Special Rapporteur received numerous complaints indicating a pattern of excessive use of force in repressing demonstrations and in arresting protestors or persons suspected of participating in demonstrations calling for self-determination of the Sahrawi population. During the transport to or upon arrival at the police station arrestees are beaten, insulted and forced to reveal names of other protestors. The Special Rapporteur expresses concern about the alleged abandonment of the victims in rural areas after the assaults. Reports indicate that these practices are aimed at punishing and intimidating protestors in order to prevent further support for the call for independence.”

The Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, after visiting Western Sahara in 2013.

¹Western Sahara is enlisted as a non-self-governing territory, and the territory is subject to self-determination in conformity with the principles contained in General Assembly resolutions 1514 (XV) and 1541 (XV). For information concerning the court case conducted against the Gdeim Izik Group in 2016/2017, please visit Western Sahara Resource Watch at: <http://wsrw.org/a131x2804>. Observer report from the trial conducted in 2016/2017 can be forwarded upon request (tone.s.moe@gmail.com).

Forced relocation and the usage of Prolonged Solitary Confinement

The Gdeim Izik Group was on the 16th of September 2017 relocated and separated into 6 different prisons throughout Morocco. This relocation took place during the early hours (around 3am), and neither the families, the prisoners nor the lawyers was informed in advance. Eênaama Asfari was the only prisoner that remained in El Arjat prison. More than 24 hours after the transfer, Sidahmed Lemjeyid, El Bachir Khadda, Mohamed Lamin Haddi, Abdallahi Toubali, Mohamed Tahlil, Hassan Dah, Cheik Banga, Brahim Ismaili, Mohamed Bani, Mohamed Lefkir and Khouna Babeit were held at locations unknown to families and lawyers.

Currently, the prisoners are held in El Arjat Prison (Eênama Asfari), Bouzarkane Prison (Mohammed Thalil), Ait Melloul Prison (Mohamed Embarek Lefkir, Mohamed Bani, Sidahmed Lemjeyid, Mohammed Thalil), Okacha prison (Abdeljalil Laroussi), Kenitra prison (Cheik Banga, Sidi Abdallahi Abbahah, Houssein Ezzaoui, Abdallahi Lakfawni, Ahmed Sbaai, Mohamed Bourial, El Bachir Boutinguiza) and Tifelt 1 and 2 prison (El Bachir Khadda, Hassan Eddah, Brahim Ismaili, Khouna Babeit, Abdallahi Toubali, Mohamed Lamin Haddi).

“All prisoners are held in isolated cells that do not meet the minimum hygiene requirements. Some are full of worms and rats and the proximity of prisoners of common crime leads to polluting emissions (cannabis and tobacco). All their belongings that they brought from the previous prison were confiscated, like blankets, clothes, books and medicines.”

Statement from the families on the 20th of September 2017

None of the prisoners were allowed to take their personal belongings with them. They were reportedly deprived of hygiene products, adequate clothing, blankets, books, adequate medical care and food. The prisoners have been victims of ill treatment, harassment, discrimination amounting to racism and other forms of pressure including medical neglect.

The families of the prisoners issued a statement on the 20th of September, declaring that during the first weeks after transportation, the prisoners were kept in isolation cells and allegedly subjected to constant harassments by the prison guards, and several of the prisoners commenced open hunger strikes. Reportedly, several of the prisoners slept on the concrete floor, wearing the clothes they were forcibly transferred in during the night of the 16th of September.

“Segregation, isolation, separation, cellular, lockdown, Supermax, the hole, Secure Housing Unit... whatever the name, solitary confinement should be banned by States as a punishment or extortion technique”

Special Rapporteur on Torture, Juan E. Mendez (2011)

The families of the prisoners declared in a following statement issued on the 26th of September that the prison guards insult the Saharawi prisoners systematically. The families further informed that the Tifelt prison warden made death threats towards the prisoners on hunger strike, and that he refused to enter into any negotiations with them. The families of Hassan Eddah have made

Alarming situation regarding the Gdeim Izik prisoners

several complaints to the The General Delegation of the Prison Administration and Reintegration.

The UN Special Rapporteurs on Torture, Manfred Nowak and Juan Méndez have both stated that “prolonged solitary confinement is cruel, inhuman or degrading treatment, and may amount to torture”.

“Considering the severe mental pain or suffering solitary confinement may cause, it can amount to torture or cruel, inhuman or degrading treatment or punishment when used as a punishment, during pre-trial detention, indefinitely or for a prolonged period, for persons with mental disabilities or juveniles,”

Special Rapporteur on Torture, Juan E. Mendez (2011)

Nowak and Méndez have been especially critical to long-term or prolonged solitary confinement, which they define as lasting fifteen days or more. Méndez found that solitary confinement when used for the purpose of punishment cannot be justified, and reiterated that “any imposition of solitary confinement beyond 15 days constitutes torture or cruel, inhuman or degrading treatment or punishment, depending on the circumstances.” As defined by the Special Rapporteur on Torture, Juan E. Mendez, solitary confinement is understood as any regime where an inmate is held in isolation from others, except guards, for at least 22 hours a day, and used in order to limit social contact².

Today, the prisoners are held isolated in solitary confinements for 23 hours a day, and their health situation is reportedly worsening rapidly. Currently, the prisoners are allowed to contact their families once or twice a week with a phone call limited to a few minutes. The prisoners are granted one visit per week from close family members. Some of the prisoners can exit the cells once a day. The length of the isolation varies from prison to prison. The prisoners are otherwise kept isolated in their cells, and have been kept in prolonged solitary confinement since the 16th of September (as of today, 72 days in total).

Brahim Ismaili, held in Tifelt Prison 2 is currently held in a mental facility. The transfer of Mr. Ismaili to a mental facility, in a cell in lack of proper hygienic standards and infested with insects, is believed to be a response to the declared hunger strike on the 1st of November by Hassan Eddah and Brahim Ismaili. The prisoners in Kenitra are reportedly subjected to inhumane and degrading treatment by Moroccan prison guards, and are detained together with violent prisoners and have declared that they fear for their lives. The prisoners held in Ait Melloul Prison have reported that the guards have been trying through threats to force them to sign blank paper sheets. So far, the Saharawi activists have refused. The situation for the prisoners currently isolated alone in a prison is alarming. This concerns Abdeljalil Laaroussi, Eênama Asfari and Mohammed Thalil, who are held isolated from the rest of the group, and are systematically being harassed.

² Interim report of the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment, Juan E. Méndez, in accordance with General Assembly resolution 65/205 (A/667268) 5 August 2011. See also the Istanbul Statement on the use and Effects of Solitary Confinement (A/63/175).

Hunger strikes

All the prisoners have undergone hunger strikes since the forced relocations, demanding to be relocated to a prison together, located in Western Sahara in accordance with humanitarian law, to be treated as political prisoners, and to have the right to study. They also protest the inhumane treatment and systematic harassments, and intimidations from the Prison Administration.

Four of the prisoners are currently on open hunger strike. Hassan Eddah and Brahim Ismaili have been on a hunger strike since 1st of November. El Bachir Khadda have been on a hunger strike since the 6th of November. Mohammed Lamin Haddi commenced on a hunger strike on the 20th of November. Hassan Eddah and Brahim Ismaili started vomiting blood on the 24th of November, and are not able to move, have low blood pressure and have had drastic weight loss. The situation for both Hassan Eddah and Brahim Ismaili is critical, and life-threatening. It should be noted that the mentioned prisoners conducted hunger-strikes in September/October, and their health is as such worsening rapidly.

International lawyers issued a statement to the French Prime minister on the 15th of November 2017 in relation to his visit to Morocco³, alerting him of the situation of the prisoners. The General Delegation of the Prison Administration and Reintegration (GDPAR) responded on the 16th of November⁴, claiming that “the lack of positive interaction between some of those detainees and their obstinacy in making hunger strike warnings despite the institution’s willingness to facilitate their detention conditions and preserve their health, the administration had to apply the regulation appropriate against them”. As such, the prison administration is currently responding to the hunger strikes by punishing the prisoners by implementing “regulations” against them.

“Prisoners everywhere have a right to engage in hunger strikes to protest their living conditions, and they should not be punished as a result,”

The UN Special Rapporteur on human rights in the Palestinian territories.

Who is the Gdeim Izik group?

- 25 Saharawi men. Human rights activists/defenders and journalists openly advocating for the right to self-determination for the people of Western Sahara, a non-self-governing territory under partial occupation by Morocco.
- Arrested prior to, during and after the dismantlement of the Gdeim Izik protest camp in 2010.
- The Gdeim Izik-group was charged with the forming of a criminal organization and the murder of 11 members of the civil forces.
- Condemned by the Military Court of Rabat in 2013. The verdict was found null and void by the Constitutional Court in 2016. The case was referred to the Appeal Co-urt of Salé, and the proceedings commenced on the 26th of December 2016.
- On the 19th of July 2017, 19 of 23 (originally 25) were condemned for murder and 6 were condemned for the forming of a criminal organization. The main evidence against them was confessions signed under torture.
- 19 of the original 25 are currently imprisoned in Morocco, and were on the 19th of July 2017 sentenced to life in prison, 30, 25 and 20 years.

³ Statement issued by the international lawyers, : <http://porunsaharalibre.org/en/2017/11/gdeim-izik-abogados-5-paises-envian-carta-primer-ministro-frances/>

⁴ Statement by The General Delegation of the Prison Administration and Reintegration (GDPAR) of the Kingdom of Morocco please visit Por Un Sahara Libre at <http://porunsaharalibre.org/en/2017/11/marruecos-niega-denuncia-abogados-la-situacion-los-presos-politicos-saharauis/>

The 19 detainees



Cheik Banga.
Sentenced to 30 years.
Held in Kenitra Prison. 1233 km from El Aauin, Western Sahara. Was relocated from Tifelt 1 to Kenitra in October. Held in solitary confinement since his transfer on the 16th of September.



El Bachir Khadda.
Sentenced to 20 years.
Held in Tifelt 2 Prison. 1227 km from El Aauin, Western Sahara. Been on a hunger strike since 6th of November. Held in solitary confinement.



Brahim Ismaili.
Sentenced to life.
Held in Tifelt 2 Prison. 1227 km from El Aauin, Western Sahara. Been on a hunger strike since 1st of November. Vomits blood. Currently held in a mental facility.



Hassan Eddah
Sentenced to 25 years.
Held in Tifelt 2 Prison. 1227 km from El Aauin, Western Sahara. Been on a hunger strike since 1st of November. Vomits blood. Held in solitary confinement.



Mohammed Lamin Haddi.
Sentenced to 25 years.
Held in Tifelt 2 Prison, 1227 km from El Aauin, Western Sahara. Been on a hunger strike since 20th of November. Held in solitary confinement.



Mohammed Khouna Babait.
Sentenced to 25 years.
Held in Tifelt 1 Prison, 1227 km from El Aauin, Western Sahara. Held in solitary confinement since his transfer on the 16th of September.



Abdallahi Toubali
Sentenced to 20 years.
Held in Tifelt 1 Prison. Held in solitary confinement since his transfer on the 16th of September.



Houcein Ezzaoui.
Sentenced to 25 years. Held in Kenitra Prison, 1233 km. from El Aauin, Western Sahara. Undergone seven hunger strikes since his transfer. Imprisoned with violent criminals. Held in solitary confinement.

Alarming situation regarding the Gdeim Izik prisoners



Abdallahi Lkfawni.
Sentenced to life.
Held in Kenitra,
Prison 1233 km.
from El Aauin,
Western Sahara.
Have undergone
seven hunger strikes
since his transfer.
Imprisoned with
violent criminals.
Held in solitary
confinement.



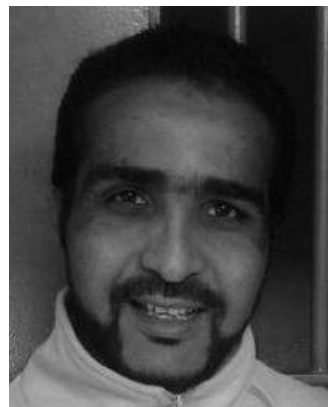
**Sidi Abdallahi
Abbahah.**
Sentenced to life.
Held in Kenitra
Prison, 1233 km.
from El Aauin,
Western Sahara.
Have undergone
seven hunger strikes
since his transfer.
Imprisoned with
violent criminals.
Held in solitary
confinement.



**Mohammed
Bourial.**
Sentenced to 30
years.
Held in Kenitra
Prison, 1233 km.
from El Aauin,
Western Sahara.
Have undergone
seven hunger strikes
since his transfer.
Imprisoned with
violent criminals.
Held in solitary
confinement.



Ahmed Sbaai.
Sentenced to life.
Held in Kenitra
Prison, 1233 km.
from El Aauin,
Western Sahara.
Have undergone
seven hunger strikes
since his transfer.
Imprisoned with
violent criminals.
Held in solitary
confinement.



**El Bachir
Boutanguiza.**
Sentenced to life.
Held in Kenitra
Prison, 1233 km.
from El Aauin,
Western Sahara.
Have undergone
seven hunger strikes
since his transfer.
Imprisoned with
violent criminals.
Held in solitary
confinement.



**Mohammed
Embarek Lefkir.**
Sentenced to 25
years.
Held in Ait Melloul
Prison, 624 km
from El Aauin,
Western Sahara.
Underwent a 21-day
hunger strike in
October/November.
Held in solitary
confinement.



**Sidahmed
Lemjeyid.**
Sentenced to life.
Held in Ait Melloul
Prison, 624 km
from El Aauin,
Western Sahara.
Underwent a 21-day
hunger strike in
October/November.
Held in solitary
confinement.



Mohammed Thalil.
Sentenced to 20
years. Held in
Bouzarkane Prison,
481 km. from El
Aauin, Western
Sahara. Will enter a
warning hunger
strike on 27 and 28
November after
intimidation from
the prison director.
Held in solitary
confinement.

Alarming situation regarding the Gdeim Izik prisoners



Mohammed Bani.
Sentenced to life.
Held in Ait Melloul
Prison, 624 km
from El Aauin,
Western Sahara.
Underwent a 21 day
hunger strike in
October/November.
Held in solitary
confinement.



Abdeljalil Laroussi.
Sentenced to life.
Held in Okacha
Prison, 1091 km
from El Aauin,
Western Sahara.
Have entered 48
hour warning strike
after his transfer.
Held in solitary
confinement.



Eênama Asfari.
Sentenced to 30
years.
Held in El Arjat
Prison, 1197 km
from El Aauin,
Western Sahara.
Held in solitary
confinement since
16th of September.

For questions or comments, please contact Tone Moe at tone.s.moe@gmail.com.