

URGENT ACTION

HUNGER STRIKE DUE TO MORE ILL-TREATMENT

Ali Aarrass, a dual Belgian-Moroccan national detained in Salé II prison near Rabat, Morocco, is on a “dry” hunger strike (refusing water in addition to food) to protest ill-treatment at the hands of the prison authorities. He is reportedly in a critical condition, still conscious but unable to stand and struggling to speak.

Ali Aarrass began his hunger strike on 10 July, after prison personnel entered his cell in his absence, took away his personal correspondence, including letters from his family and postcards from supporters, and left his cell in disorder. He was then denied basic prisoner rights including the right to make phone calls, access his mail, shower and use the courtyard in what amounts to ill-treatment. Ali Aarrass intensified his hunger strike on 25 July by refusing water. He has not been permitted to contact his family and lawyer since then.

His family and lawyers told Amnesty International they believe these measures came in retaliation for a public campaign of solidarity with him that is calling for his release and the investigation of reports that he was tortured when detained from 14 to 24 December 2010 by Morocco’s intelligence outfit, the General Directorate for Surveillance of the Territory (DST), at their offices in Témara. Ali Aarrass’s lawyers saw their latest request to lodge a complaint for torture rejected by the Moroccan authorities despite the fact that a medical examination conducted during a visit by the UN Special Rapporteur on torture earlier this year provided further evidence of torture. They are calling upon the Belgian authorities to offer Ali Aarrass consular assistance.

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

- Calling on the Moroccan authorities to ensure that Ali Aarrass is given immediate access to adequate medical care from medical professionals who will act in accordance with medical ethics and not coerce him to end his hunger strike, and that he is treated humanely at all times and not punished in any way for his hunger strike;
- Urging the Moroccan authorities to respect Ali Aarrass’s prisoner rights and give him access to the outside world including his family and his lawyers, as well as access to correspondence;
- Calling on the Moroccan authorities to investigate reports that Ali Aarrass has been tortured or otherwise ill-treated, including on 10 July 2013 in Salé II prison and during his detention in the DST offices in Témara.

PLEASE SEND APPEALS BEFORE 09 SEPTEMBER 2013 TO:

Minister of Justice and Liberties
Mustafa Ramid
Ministry of Justice and Liberties
Place El Mamounia – BP 1015
Rabat, Morocco
Fax: +212 537 73 47 25
Salutation: Your Excellency

Director of General Administration for Prison
Administration and Reinsertion
Hafid Benhachem
Avenue Ibn Sina, Agdal – PB 123
Rabat, Morocco
Fax: +212 5 37 71 26 19
Salutation: Dear Sir

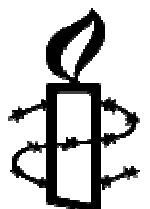
And copies to:

National Council for Human Rights
President Driss El Yazami
CNDH, Place Achouhada- BP 1341, 10 001,
Rabat, Morocco
Email: elyazami@cndh.org.ma
Fax: +212 537 73 29 27

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Ali Aarrass has been in detention in Morocco since being forcibly returned from Spain on 14 December 2010. Spanish authorities extradited him to Morocco despite requests not to do so by the UN Human Rights Committee and by Amnesty International as he risked incommunicado detention, torture and other ill-treatment, and unfair trial in Morocco (see UA 106/09 <http://www.amnesty.org/en/library/info/EUR41/005/2010/en>).

These early fears have unfortunately been confirmed by reports of subsequent human rights violations which the Moroccan authorities have not investigated to date.

After his extradition to Morocco, Ali Aarrass reported being held incommunicado and tortured for 12 days in a secret detention centre run by the General Directorate for the Surveillance of the Territory (Direction générale de la surveillance du territoire, DST) in Témara, near the capital, Rabat.

Moroccan authorities have repeatedly failed to investigate claims that Ali Aarrass was held incommunicado and tortured, in spite of Moroccan anti-torture legislation as well as Morocco's international obligations under the Convention Against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR). Ali Aarrass told an investigative judge that his "confession" had been obtained under torture in a hearing on 8 February 2011, and his lawyers have lodged several complaints with the Moroccan authorities, but the latter have failed to open an investigation so far.

The only step taken in relation to claims of torture was a forensic medical examination ordered by the Rabat Crown Prosecutor and carried out on 8 December 2011. However, independent experts commissioned by Ali Aarrass's defence deemed that the medical examination report, which concluded that Ali Aarrass bore no signs of torture, fell well short of international standards in forensic medical examinations of torture outlined in the Istanbul Protocol.

On 19 November 2011, the Salé annex of the Rabat Court of First Instance convicted Ali Aarrass of illegal use of weapons and participation in a group intending to commit acts of terrorism under Article 218 of Morocco's Penal Code. The prosecution reportedly relied on this "confession" as the only evidence in his trial.

UN Special Rapporteur on torture Juan Mendez and an independent forensic doctor visited Ali Aarrass in detention on 20 September 2012, and confirmed traces of torture which are compatible with Ali Aarrass's claims of being beaten on the soles of the feet (a practice known as *falāqa*), electric shocks to the testicles, and prolonged suspension from the wrists, as well as cigarette burns.

Before extraditing him, Spanish authorities had suspended the court proceedings against Ali Aarrass after veteran anti-terrorism judge Baltazar Garzon reportedly found no evidence against him after a three-year investigation.

Name: Ali Aarrass
Gender m/f: Male

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