

Attention to

**H.E. Mr. Peter Maurer, President of the International Committee of the Red Cross,**

19 Avenue de la paix, 1202 Geneva, Switzerland

We call upon your attention regarding the situation of 19 Saharawi Human Rights defenders condemned to long term imprisonment by the Court of Appeal of Salé, Rabat on 19th July 2017.

These convictions were pronounced at the end of an unfair trial that was based on minutes and confessions signed under torture. This appeal procedure was the result of the decision of the Supreme Court to squash the judgment of the Military trial of February 2013, due to the lack of evidence that could corroborate the police minutes and confessions and that there was no evidence of the guilt of the accused.

The UN Working Group on Arbitrary Detention denounced this situation in its report of 2014. The UN Committee Against Torture condemned the Kingdom of Morocco in its decision on the case of Naama Asfari, in December 2016, confirming his allegations of torture

The Rabat Court of Appeal, started proceedings on December 26, 2016, and did not grant the request of the prisoners to be judged in the occupied territory nor to have an impartial investigation to throw light on the tortures that they suffered during the investigation and that they have been denouncing for years.

Beyond the numerous procedural irregularities and breaches of the internationally recognized principles on the right to a fair trial, we here therefore denounce violations of the Fourth Geneva Convention, which prohibit the use of torture.

H.E., your mandate allows you to require the application of the Fourth Geneva Convention to protect civilians, including also the principle enacted in Article 46 of absolute prohibition of population transfers outside the occupied territory.

Deportations, like those of the Gdeim Izik prisoners, constitute another serious violations of the Fourth Convention.

During the night between Friday 15 September and Saturday 16, the detainees were dispersed to 7 different prisons in the territory of the Kingdom of Morocco, only Mr. Naâma Asfari, remained in the prison of El Arjat, located near Rabat.

The current health situation, and detention conditions are alarming. Several of these Saharawi Human Rights activists engaged in a Hunger strike that lasted over 30 days. Amnesty International launched a campaign for Mr. Abdel Jalil Laaroussi, whose health condition due to the torture he suffered is alarming and remind that each of the prisoner should be transferred in the occupied territory close to his family.

Mr. Abdallahi Abbahah and Mr. Ahmed Sbaai, who has a severe heart disease, are currently held in cells with approximately 1,5m<sup>2</sup>, without windows, any human contact and without blankets.

These are only a few examples of the conditions these activists endure while they have to be considered as "protected persons" in accordance with Article 4 of the Fourth Geneva Convention.

It is for this reason that, we alert to the violation by the Kingdom of Morocco of the Fourth Convention and respectfully request that the ICRC sends a delegation to the places of detention of the 19 prisoners, in accordance with Article 143 of the Convention.

Please accept, Mr. President, the expression of our highest consideration.

Sincerely yours, Members of the European Parliament,

Paloma López Bermejo

Bodil Valero

Ivo Vajgl

Molly Scott Cato

Lola Sánchez Caldentey

Martina Anderson

Lynn Boylan

Matt Carthy

Liadh Ní Riada

Javier Couso Permuy

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