

Imprisoned for the Cause: The Stories of Four Saharawi Student Activists



Executive Summary

Western Sahara has been listed by the United Nations as a non-self-governing territory since 1963 and has been under Moroccan occupation since 1975. UN bodies, including the Committee Against Torture, the Special Rapporteur on Torture, and the Working Group on Arbitrary Detention have documented repeated torture, ill-treatment, and arbitrary detention of Saharawi activists advocating for self-determination.

In response to a growing Saharawi student movement, student activists Elkantawi Elbeur, Aziz El Ouahidi, Abdelmoula El Hafidi, and Mohammed Dadda were arrested in 2016 and remained imprisoned until their release in 2026. In Opinion No. 67/2019, the Working Group on Arbitrary Detention found the arrest and detention of the students arbitrary. Despite the Working Group's call for immediate release, the four students served their full sentences.

The report details the students' accounts of the circumstances of their arrests, their treatment in police custody, the conditions of their imprisonment, and the harassment they have faced following their release.

All four students were subjected to violence and harsh conditions during police custody. Elkantawi was held for four days in a cold room, handcuffed to a wall, and beaten by police. Aziz was held for 48 hours without sleep and beaten daily, sometimes for up to six hours. Abdelmoula was interrogated only at night for the first eight days, during which he was beaten, injured, and threatened with rape. Over the course of three days, Mohammed was beaten daily and deprived of food and sleep.

The students describe severely overcrowded and unsanitary prison conditions. Elkantawi was held in a cell holding 17 prisoners in a space the size of one bedroom. Aziz was placed in a cell already holding 24 prisoners. Abdelmoula was held in a cell designed for 12 but holding 40, with only three toilets and no drinking water. Mohammed described cells of 10 to 15 square metres holding up to 24 people, with infestations contributing to skin diseases and respiratory infections.

Three of the four students faced prolonged solitary confinement. Abdelmoula was held in solitary confinement for more than 22 hours a day, sometimes without justification. Mohammed spent 25 days in a cell measuring one by two metres. Elkantawi spent 12 months in solitary confinement during his final year of imprisonment, describing the psychological toll as heavier than the previous nine years combined.

All four students experienced severely restricted contact with their families during their imprisonment. They were all transferred to prisons located far from their families' homes, and visits were limited to approximately ten minutes, while Moroccan prisoners were granted more time. Telephone calls were also restricted and monitored, and they were required to speak in Moroccan Arabic dialect (Darija) rather than the Saharawi dialect (Hassaniya) during telephone calls.

The students reported that Saharawi cultural identity was suppressed. All four students reported being prohibited from wearing the *daraa*, the traditional Saharawi garment. Mohammed described an incident in 2020 when prison guards attacked him for wearing the *daraa*. The students reported that prison authorities and prisoners provoked Saharawi prisoners with Moroccan nationalist symbols and statements.

All four students undertook hunger strikes to demand their rights. Elkantawi participated in a collective 39-day strike and a 20-day strike to share a cell with another Saharawi. Aziz participated in a 39-day collective strike and a 46-day individual strike for the right to study. Abdelmoula went on hunger strikes including one lasting 40 days. Mohammed spent approximately seven months on hunger strikes over the course of ten years.

Following their release, all four have faced surveillance, harassment, and denial of employment. Family members of the students have also been targeted.

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1 Introduction

In the spring of 2026, the Saharawi student activists Elkantawi Elbeur, Aziz El Ouahidi, Abdelmoula El Hafidi and Mohammed Dadda were released after serving ten-year sentences of arbitrary imprisonment. Shortly after their release, the four students shared their stories with representatives from the Norwegian Support Committee for Western Sahara and the Norwegian legal aid clinic Jussbuss, who travelled to Agadir to conduct interviews. Their testimonies cover the circumstances of their arrests, their treatment in police custody, the conditions of their imprisonment, and the harassment they have faced following their release. The accounts have been retold in this report with the aim of documenting the students' experiences and preserving their stories.

1.1 Legal status of Western Sahara

Western Sahara remains one of the longest-standing decolonisation issues on the agenda of the United Nations. In 1963, Western Sahara was listed as a non-self-governing territory entitled to the right to external self-determination in accordance with Resolution 1514 (XV) and 1541 (XV), confirmed by the International Court of Justice (ICJ) in its 1975 Advisory Opinion on Western Sahara.¹ Since 1975, the greater parts of Western Sahara have been placed under occupation by its neighbouring country, Morocco.

1.2 Situation of Saharawi human rights activists

The UN Committee Against Torture, the Special Rapporteur on Torture and the Working Group on Arbitrary Detention have all expressed serious concern about consistent reports of torture, ill-treatment, excessive use of force and arbitrary detention of Saharawi activists and demonstrators, particularly in connection with their advocacy for the right to self-determination for the people of Western Sahara.²

In 2012, former Special Rapporteur on Torture, Juan E. Méndez, visited El Aaiún, Western Sahara. There he met representatives of Saharawi civil society and Saharawi victims of torture. In his report, the Special Rapporteur noted that “torture and ill-treatment were used to extract confessions and that protestors were subjected to excessive use of force by Moroccan law-enforcement officials”.³ Regarding the Prison in El Aaiún, Western Sahara, he observed “extreme overcrowding, which had a negative impact on the level of hygiene, quality of nutrition, access to health care and general health of the inmates”.⁴ The Special Rapporteur also received “credible testimonies relating to torture and ill-treatment in the Prison of Laâyoune, including rape, severe beating and isolation up to several weeks, particularly of inmates accused of participating in pro-independence activities”.⁵

During its official visit to Morocco in December 2013, the Working Group on Arbitrary Detention confirmed similar concerns during its visit to El Aaiún, Western Sahara. In its report, the Working Group noted that it had received numerous complaints of arbitrary detention and allegations that torture and ill-treatment had been used to extract confessions, including in cases involving Saharawi activists calling for self-determination.⁶

Opinions rendered by the United Nations Working Group on Arbitrary Detention serve as a confirmation of the systematic practice of arbitrary arrest and detention of Saharawi activists and human rights

¹ ICJ Advisory Opinion, *Western Sahara* (1975) especially para 162

² CAT/C/MAR/CO/4, *Committee Against Torture, Consideration of reports submitted by States parties under Article 19 of the Convention, concluding observations of the Committee Against Torture* (2011), A/HRC/22/53/Add.2, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Juan E Méndez, Mission to Morocco* (2013) and A/HRC/27/48/Add5, *Report of the Working Group on Arbitrary Detention. Mission to Morocco* (2013).

³ A/HRC/22/53/Add.2 para 62

⁴ A/HRC/22/53/Add.2 para 66

⁵ A/HRC/22/53/Add.2 para 66

⁶ A/HRC/27/48/Add.5 paras 63 and 64

defenders.⁷ The Working Group has found that activists in Western Sahara are being persecuted and prosecuted as a response to their support to the right of self-determination.

The UN Committee Against Torture has recently issued several decisions concerning Saharawi activists arrested in connection with the Gdeim Izik protest camp. The Gdeim Izik camp was established in 2010 by Saharawis living in Western Sahara to protest against discrimination and poor social and economic conditions, and at its height grew to include more than 20,000 protesters.⁸ Following the dismantling of the camp by Moroccan authorities on 8 November 2010, numerous Saharawi activists were arrested. In each of the cases examined, the Committee concluded that the physical ill-treatment and injuries that the complainants endured upon arrest, during interrogation, transfer and detention constituted torture within the meaning of Article 1 of the Convention against Torture.⁹ The Committee further noted the systemic nature of the cases, observing that its jurisprudence reveals that the cases “are characterized by a consistent pattern of allegations of arbitrary arrests, solitary confinement, acts of torture or ill-treatment during questioning and the subsequent use of confessions obtained under duress in judicial proceedings”.¹⁰

The situation of Saharawi human rights defenders and activists has also been highlighted through statements from UN Special Rapporteurs.¹¹ Recently, eight UN Special Rapporteurs condemned Morocco’s ongoing campaign of repression, racial discrimination, and violence against Saharawi human rights defenders, journalists, and advocates of self-determination.¹²

⁷ [Decision No. 4/1996](#), [Opinion No. 11/2017](#) concerning Salah Eddine Bassir, [Opinion No. 31/2018](#) concerning Mohamed Al-Bambary, [Opinion No. 60/2018](#) concerning Mbarek Daoudi, [Opinion No. 58/2018](#) concerning Ahmed Aliouat, [Opinion No. 23/2019](#) concerning Laaroussi Ndour, in [Opinion No. 67/2019](#) concerning the Student Group (14 victims), in [Opinion No. 52/2020](#) concerning Ali Saadouni, in [Opinion No. 68/2020](#) concerning Walid El Batal, in [Opinion No. 46/2021](#) concerning Yahya Mohamed Elhafed Iaazza, in [Opinion No. 50/2022](#) concerning Sultana and Luara Khaya, in [Opinion No. 23/2023](#) concerning the Gdeim Izik prisoners, [Opinion No. 67/2023](#) concerning Khatri Dadda and [Opinion No. 63/2024](#) concerning Al-Hussein Al-Bashir Ibrahim

⁸ United Nations, “Human Rights Office of the High Commissioner, Morocco: Gdeim Izik cases reveal torture, coerced confessions, and failure to investigate, UN committee finds”, 20 May 2026: <https://www.ohchr.org/en/press-releases/2026/05/morocco-gdeim-izik-cases-reveal-torture-coerced-confessions-and-failure>. Accessed 30 August 2026.

⁹ CAT/C/84/D/1135/2022, Committee Against Torture, [Hassan Dah v. Morocco](#) (2026) para 8.4, CAT/C/84/D/1156/2022, Committee Against Torture, [Ahmed Sbaï v. Morocco](#) (2026) para 7.4 and CAT/C/84/D/1166/2023, Committee Against Torture, [Sidi Ahmed Lemjiyed v. Morocco](#) (2026) para 7.4

¹⁰ CAT/C/84/D/1166/2023, Committee Against Torture, [Sidi Ahmed Lemjiyed v. Morocco](#) (2026) para 7.14

¹¹ [AL MAR 1/2025](#), [AL MAR 2/2024](#), [AL MAR 2/2023](#), [AL MAR 3/2022](#), [AL MAR 4/2021](#), [AL MAR 5/2020](#), [AL MAR 3/2020](#), [AL MAR 2/2020](#), [AL MAR 5/2019](#), [AL MAR 2/2019](#), and [AL MAR 1/2019](#).

¹² [AL MAR 3/2025](#)

2 Saharawi Students

2.1 The Saharawi student movement

Since no public universities exist in the occupied territory of Western Sahara, Saharawis wishing to study must travel to the bigger cities within the Kingdom of Morocco. At the universities in Morocco, Saharawis face discrimination and harassment in the classrooms, both from fellow students, professors and from the administration.

Saharawi student organisations often organise protests and demonstrations, both at the campus of the university and in the occupied territory, where they aim to raise awareness of the harassment towards Saharawi students and Saharawi political prisoners, and to advocate in favour of the right to self-determination for the Saharawi people.

2.2 Reprisals against Saharawi students

At the University of Marrakech, the Saharawi student organisation grew stronger in 2014 and 2015. As it expanded, Saharawi students built close relations with Moroccan student unions and shared information about Western Sahara, the suffering of the Saharawi people, and Saharawi political prisoners. The same development took place in Agadir, where Saharawi students, who had previously been split into informal unions based on their city of origin¹³, began to unite in one organisation.

The growth of the Saharawi student movement was met with a series of reprisals. In 2016, several leaders of the Saharawi student organisations in Agadir and Marrakech were arrested. The student activists arrested would later become known as the “Student Group”.

Section 4 of this report tells the stories of Elkantawi Elbeur, Aziz El Ouahidi, Abdelmoula El Hafidi and Mohammed Dadda, four members of the 15-person “Student Group” who received the longest sentences following their arrest and prosecution. While the remaining 11 students were sentenced to three years’ imprisonment and released in 2019 after serving their sentences, these four students were each sentenced to ten years’ imprisonment. In Opinion No. 67/2019, the UN Working Group on Arbitrary Detention found the arrest and detention of members of the group to be arbitrary under Categories I, II, III and V.¹⁴

Under Category I, it found that the students had been arrested without the procedural safeguards required by law, had not been duly informed of the reasons for their arrest, and had been held incommunicado for several days before being brought before a judicial authority. Under Category II, the Working Group concluded that their detention was linked to the exercise of their right to freedom of opinion and expression, noting in particular that they had been questioned about their political activism. Under Category III, it identified serious fair-trial violations, including allegations of torture and ill-treatment during police custody, the use at trial of statements allegedly obtained under coercion, denial of prompt and effective access to legal counsel, and restrictions on the attendance of family members and observers at court hearings. Finally, under Category V, the Working Group found that the students had been targeted on discriminatory grounds because of their political activism in support of the right to self-determination of the people of Western Sahara. On this basis, the Working Group called for their immediate release. Nevertheless, Elbeur, El Ouahidi, El Hafidi and Dadda remained imprisoned and were ultimately released only in 2026, after having served their full ten-year sentences.

With the arrest of the Student Group, the year 2016 marked a crackdown on the Saharawi students. Few Saharawi students dared to speak publicly, knowing that they were facing threats of arrest, torture and imprisonment.

¹³ Moe, T, [Imprisoned Students](#) (2020), page 55

¹⁴ [Opinion No. 67/2019](#), paras 62 - 76

The situation in Agadir escalated further in 2018. On 19 May, the young Saharawi student Abdel Rahim Badri was killed on the premises of the University of Agadir.¹⁵ He was allegedly attacked by several young Moroccan students with machetes and left bleeding. Ambulances were reportedly prevented from reaching him. He later died from his injuries. Until now, the alleged perpetrators have not been held to account.

Another crackdown on the Saharawi student organisation came with the arrest and detention of the young Saharawi activist Al-Hussein Al-Bashir Ibrahim in January 2019. Fearing arrest, torture, imprisonment, or death for his activism, Hussein had fled to Spain on 11 January 2019. Despite having applied for international protection and without having his asylum application treated, Hussein was deported back to Morocco on 17 January 2019. On 21 October 2020, Al-Hussein Al-Bashir Ibrahim was sentenced to 12 years in prison by the Appeal courts. The detention of Al-Hussein Al-Bashir Ibrahim has been found to be arbitrary by the Working Group on Arbitrary Detention.¹⁶

In 2025, a new wave of reprisals was documented. On 26 September 2025 four Saharawi student activists were arrested at the student campus in Agadir. The arrests came as a response to a peaceful demonstration they had held in the student cafeteria at the end of the 2025 spring semester. Two of the four student-activists were detained and held in custody awaiting trial. The detained student-activists were both sentenced to one and a half months of incarceration, as well as a fine of 4000 Moroccan dirhams. The other two student-activists were sentenced to three months of probation. The student-activists that were detained and received the harshest punishment are both members of families that have been prominent in their support of Saharawi independence.

The latest crackdown was marked by the arrests of Saharawi student activists Elkantawi Elbeur, Salek Baber and Abdel Samad Tika. On 12 March 2026, they, together with other Saharawi human rights defenders, and students, attended a reception in the city of Assa to welcome Saharawi political prisoner Hussein Bourkab, who had just been released after serving a two-year sentence based on politically motivated charges. During the reception, Elbeur, Baber and Tika chanted slogans calling for the Saharawi people to exercise their right to self-determination. Following this event, they were arrested on 22 April 2026. At the time of writing, they have appealed a court decision sentencing them to six months' imprisonment and a fine of 5000 Moroccan dirhams.¹⁷

¹⁵ The Norwegian Support Committee for Western Sahara, "Saharawi activists call for investigation of student leader's death", 19 May 2020: <https://vest-sahara.no/en/news/saharawi-activists-call-for-investigation-of-student-leaders-death>. Accessed 4 September 2026

¹⁶ [Opinion No. 63/2024](#)

¹⁷ CODESA, "Issuance of Illegitimate Prison Sentences Against Sahrawi Students and Former Political Prisoners Prosecuted While on Provisional Release", 22 June 2026: <https://codesa-ws.org/issuance-of-illegitimate-prison-sentences-against-sahrawi-students-and-formerpolitical-prisoners-prosecuted-while-on-provisional-release/>. Accessed 29 August 2026

3 Legal framework regarding political prisoners

3.1 International Humanitarian Law

The Fourth Geneva Convention (GC IV) provides protections for the civilian population – regarded as “protected persons” – in occupied territory.

The Fourth Geneva Convention is applicable in “all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance”.¹⁸ The ICJ has, in its Advisory Opinion on Western Sahara, established that Western Sahara is not part of Morocco. Consequently, Morocco is exercising effective control over part of a foreign territory.

As held by the International Court of Justice, the legal title of the territory is not decisive to the determination of whether an occupation exists, as the exercise of effective control over a foreign territory and its population automatically sets in motion the law of occupation.¹⁹ As Morocco invaded a territory over which it did not hold sovereignty, then under the administration of a “High Contracting Party” (Spain), with Western Sahara being listed as a non-self-governing territory in the course of decolonisation, Morocco's presence in Western Sahara, without the consent of the people of Western Sahara, is that of an “occupying power” falling under GC IV Article 2(2).²⁰ In occupied Western Sahara, Saharawis should be regarded as “protected persons” within the meaning of Article 4 GC IV.²¹

3.1.1 *Fundamental guarantees under Articles 27 and 32*

Article 27 constitutes the cornerstone of the protection regime established by the Fourth Geneva Convention.²² Under this provision, protected persons shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats of violence and against insults and public curiosity. They are also entitled to respect for their persons, their honour, their family rights and their customs.

Article 32 complements and reinforces the guarantees set out in Article 27 by expressly prohibiting measures of a character that may cause physical suffering to protected persons. This provision prohibits, among other things, torture and “any other measures of brutality whether applied by civilian or military agents”.

The Geneva Conventions and their Additional Protocols do not give a definition of torture. However, the definition of torture in Article 1 of the Convention against Torture has been used to interpret the meaning of “torture” in international humanitarian law, with the exception of the requirement of involvement of a public official.²³ Torture also constitutes a grave breach under the Convention, as set out in Article 147, underscoring its status as one of the most serious violations of international humanitarian law.

The phrase “any other measures of brutality” in Article 32 serves a similar function to “all acts of violence” in Article 27(1). The purpose is to capture cases that, while not among the expressly prohibited

¹⁸ Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949, Article 2 (2)

¹⁹ ICJ Advisory Opinion, [Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory](#) (2004) especially para 78, ICJ Advisory Opinion, [Armed Activities on the territory of the Congo](#) (2005) especially para 173 and ICJ Advisory opinion, [Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem](#) (2024), especially para 90.

²⁰ Advocate General Wathelet confirmed this notion in his Advisory Opinion to the European Court of Justice, see [Case C-266/16 Western Sahara Campaign UK v Commissioner, \[2018\] CJEU Opinion of Advocate General Wathelet](#)

²¹ Moe, T. S. (2019). The Western Sahara conflict and the indeterminacy of occupation. In J. Soroeta Licerias & N. Alonso Moreda (Eds.), *Anuario de los Cursos de Derechos Humanos de Donostia-San Sebastián* (Vol. XVIII, pp. 315–359). Tirant lo Blanch. <https://dialnet.unirioja.es/servlet/revista?codigo=26670&>

²² [International Committee of the Red Cross \(ICRC\). Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949](#) para 2245

²³ [International Committee of the Red Cross \(ICRC\). Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949](#) para 2487

acts, nevertheless cause suffering to protected persons inconsistent with the general prohibition in Article 32. The Detaining Power must therefore not only avoid the specific forms of ill-treatment listed in the Convention, but must also ensure that no measure of any kind causes physical suffering to protected persons under its control.

3.1.2 Treatment of detainees

Article 76 specifically governs the treatment of protected persons who are detained by the Occupying Power. Under this provision, protected persons must be detained in the occupied country, and, if convicted, must serve their sentences there. Article 76(1) is clear that, in all cases, sentences entailing imprisonment must be served in the occupied territory.²⁴

The treatment afforded to protected persons in detention must, in all places and circumstances, take into account the principles of humanity and respect for human dignity.²⁵ This follows both from Article 76 and from the general provisions of Article 27. Where protected persons are held together with other detainees, Article 76 requires that they be separated from the others whenever possible. The rationale is that protected persons in occupied territory are at a heightened risk of discrimination, segregation and even physical assault. Accordingly, regardless of the type of facility in which detention occurs, the Detaining Power must be conscious of these risks. Where there is a reasonable expectation of mistreatment by other detainees, it must take appropriate measures to prevent such abuse,²⁶ in line with the obligation under Article 27 to protect protected persons against threats or acts of violence, insults and public curiosity.

Article 76 also requires that detained protected persons enjoy conditions of food and hygiene sufficient to keep them in good health, and at least equal to those prevailing in prisons in the occupied country. They must also receive the medical attention required by their state of health. While Article 76 does not mention family visits, persons detained under this provision benefit from the obligation to respect family rights set out in Article 27(1). They therefore have a right to maintain contact with their families, including through visits.²⁷

3.2 Human Rights treaties to which Morocco is a party

3.2.1 International Covenant on Civil and Political Rights

Under Article 7 of the International Covenant on Civil and Political Rights (ICCPR), States parties are under an absolute obligation to ensure that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. As clarified by the Human Rights Committee in General Comment No. 20, the protection of Article 7 extends both to acts causing physical pain and to acts causing mental suffering.²⁸ The Committee has further emphasised that “prolonged solitary confinement of the detained or imprisoned person may amount to acts prohibited by article 7”.²⁹

Article 10(1) of the ICCPR complements Article 7 by imposing a distinct and positive obligation on States parties in respect of all persons deprived of their liberty. According to General Comment No. 21, this provision recognises persons deprived of liberty as “particularly vulnerable because of their status” and therefore requires the State not only to refrain from torture and ill-treatment, but also to

²⁴ [International Committee of the Red Cross \(ICRC\), Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949](#), para 4182

²⁵ [International Committee of the Red Cross \(ICRC\), Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949](#), para 4193

²⁶ [International Committee of the Red Cross \(ICRC\), Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949](#), para 4186

²⁷ [International Humanitarian Law Databases, Commentary of 2025 to the Convention \(IV\) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949](#), para 4203

²⁸ Human Rights Committee, [CCPR General Comment No. 20: Article 7](#) (1992), para 5

²⁹ Human Rights Committee, [CCPR General Comment No. 20: Article 7](#) (1992), para 6

ensure that detainees are not subjected “to any hardship or constraint other than that resulting from the deprivation of liberty”.³⁰ Respect for their dignity must “be guaranteed under the same conditions as for that of free persons”, and persons in detention “enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in a closed environment”.³¹

The Human Rights Committee has underlined that treating all persons deprived of their liberty with humanity and respect for their dignity is “a fundamental and universally applicable rule”, the application of which “cannot be dependent on the material resources available in the State party”.³² This obligation must be fulfilled “without distinction of any kind, such as (...) language, (...) political or other opinion, national or social origin, (...) or other status”.³³

3.2.2 *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*

The Convention against Torture (CAT) sets out a detailed framework for the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. Former Special Rapporteur on Torture, Manfred Nowak, has stated that torture is typically inflicted on persons deprived of liberty, who are rendered particularly powerless and vulnerable to abuse.³⁴

Article 2 sets out the obligations of States to prevent torture. The Committee Against Torture has underlined that the obligation requires concrete action “that will reinforce the prohibition against torture” and that must ultimately be effective in preventing it.³⁵ Furthermore, the Committee has stressed that States must prohibit, prevent and redress torture and ill-treatment “in all contexts of custody or control, for example, in prisons”.³⁶ Article 16 extends the State’s duties beyond acts that meet the strict definition of torture, requiring States to “undertake to prevent (...) other acts of cruel, inhuman or degrading treatment or punishment” committed, instigated, consented to or acquiesced in by public officials.

The Committee Against Torture and leading commentary have clarified that Article 16 includes a positive obligation towards persons deprived of liberty to secure adequate material conditions of detention.³⁷ In practice, this covers issues such as overcrowding, sanitation, access to medical care, and basic living conditions. In *Niyonzima v. Burundi*, the Committee found a violation of Article 16 (read together with Article 11) where a detainee had been held in cramped and extremely insanitary cells. He was also denied medical care, despite requesting it and being in a worrying state of health.³⁸

The Committee has also repeatedly stressed that solitary confinement, especially when prolonged, can have serious effects on mental health. Solitary confinement may therefore amount to torture or ill-treatment.³⁹ States are therefore expected to limit solitary confinement to a last resort, for the shortest possible time, under strict supervision, with judicial review and in line with international standards.⁴⁰ The Committee has even recommended abolishing solitary confinement.⁴¹

The Convention also addresses the responsibility of States for violence between detainees. Because torture and ill-treatment may occur “at the instigation of or with the consent or acquiescence” of public

³⁰ Human Rights Committee, [CCPR General Comment No. 21: Article 10](#) (1992), para 3

³¹ Human Rights Committee, [CCPR General Comment No. 21: Article 10](#) (1992), para 3

³² Human Rights Committee, [CCPR General Comment No. 21: Article 10](#) (1992), para 4

³³ Human Rights Committee, [CCPR General Comment No. 21: Article 10](#) (1992), para 4. See also ICCPR Article 2

³⁴ A/HRC/13/39, [Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#), Manfred Nowak (2010), para 44

³⁵ CAT/C/GC/2, [Committee, General Comment No. 2, Implementation of article 2 by States parties](#), para 2

³⁶ CAT/C/GC/2, [Committee, General Comment No. 2, Implementation of article 2 by States parties](#), para 15

³⁷ Nowak, Birk and Monina, [The United Nations Convention Against Torture and its Optional Protocol: A Commentary, 2nd ed.](#) (2019), page 451

³⁸ CAT/C/53/D/514/2012, Committee Against Torture, [Déogratias Niyonzima v. Burundi](#) (2015), para 8.8

³⁹ Nowak, Birk and Monina, [The United Nations Convention Against Torture and its Optional Protocol: A Commentary, 2nd ed.](#) (2019), page 453

⁴⁰ Nowak, Birk and Monina, [The United Nations Convention Against Torture and its Optional Protocol: A Commentary, 2nd ed.](#) (2019), page 453

⁴¹ Nowak, Birk and Monina, [The United Nations Convention Against Torture and its Optional Protocol: A Commentary, 2nd ed.](#) (2019), page 453

officials, States must act with due diligence to prevent and eliminate inter-prisoner violence.⁴² The Committee has repeatedly expressed concern over such violence and made clear that failure to take appropriate measures to prevent it can itself amount to ill-treatment attributable to the State.⁴³

Finally, Article 13 requires States to guarantee that any person who alleges torture has the right to complain to competent authorities and to have their case promptly and impartially examined, with protection against retaliation or intimidation for complainants and witnesses.

3.2.3 *International Convention on the Elimination of All Forms of Racial Discrimination*

Under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), States parties are obliged to secure equal access to human rights irrespective of race, colour or national or ethnic origin. Article 1 (1) defines “racial discrimination” broadly as any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin that has the purpose or effect of undermining equal recognition or enjoyment of human rights and fundamental freedoms in all areas of public life.

Article 2 (1) sets out the core obligations of States parties. They must condemn racial discrimination and “pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races”. This includes, among other things, a duty to refrain from any act or practice of racial discrimination themselves and to ensure that all public authorities and institutions act in conformity with this obligation. Furthermore, Article 3 of the Convention requires States to “prevent, prohibit and eradicate” racial segregation and apartheid in any territory under their jurisdiction.

3.3 **Nelson Mandela Rules**

The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) was adopted in 2015 by the UN General Assembly (Resolution 70/175).⁴⁴ The rules serve as a blueprint for sound treatment of prisoners and prison management. Many UN member states have incorporated the provisions of the rules into their domestic legal systems.

In its opinions, the Working Group on Arbitrary Detention has highlighted Rules 12-27 and 58 relating to living conditions, health care and contact with the outside world, as being particularly important to uphold.⁴⁵

Rules 12–23 set basic standards for living conditions in prison. They say prisoners should normally sleep alone in their own cell, or in dormitories where people are carefully selected and supervised. Prison buildings must be safe and healthy, with enough space, fresh air, light, heating, and ventilation, and they must be kept clean. Prisoners should have decent toilets and regular access to baths or showers, clean clothing that is not degrading, and a separate bed with clean bedding. They must receive enough nutritious food at normal mealtimes, and have drinking water whenever they need it. Prisoners who do not work outside must have at least one hour of exercise in the open air each day, if the weather allows, with extra physical and recreational activities for younger and fit prisoners. These rules aim to protect the basic dignity, health, and daily living conditions of all prisoners.

The health-care rules (24–27) establish that the State is responsible for providing prisoners with the same standard of medical care available in the wider community and without discrimination. Every prison must have a health-care team, independent from prison authorities, with staff qualified to deal with both physical and mental health, including infectious diseases and drug dependence, and with

⁴² CAT, Article 16

⁴³ Nowak, Birk and Monina, [The United Nations Convention Against Torture and its Optional Protocol: A Commentary, 2nd ed.](#) (2019), page 454

⁴⁴ [A/RES/70/175](#)

⁴⁵ [Opinion No. 23/2023](#) para 132

access to a dentist. Medical files must be accurate, confidential, shared only between health-care services when prisoners are transferred, and accessible to prisoners themselves. Prisons must ensure quick access to medical help in emergencies, and prisoners who need specialist treatment or surgery must be sent to proper hospitals or well-equipped prison medical facilities. Only health professionals may make clinical decisions, and these decisions cannot be overruled by non-medical staff.

Rule 58 adds that prisoners must be able to stay in contact with the outside world. They should be allowed, under supervision, to write letters, use available electronic and digital communication, and receive visits from family and friends.

The Nelson Mandela Rules further require, in Rule 104, that prisons provide education for all prisoners who can benefit from it. As far as practicable, this education should be integrated into the national education system so that prisoners can continue their studies without difficulty after release.

4 The imprisoned students

4.1 Elkantawi Elbeur

4.1.1 Introduction

Elkantawi Elbeur is a 34-year-old Saharawi student activist from Assa, born in 1992. In the spring of 2026, he was released after being arbitrarily detained for ten years.

Elkantawi became engaged in political activism and the fight for self-determination of the people of Western Sahara following the 2005 Intifada. He said that he saw Saharawis getting captured, imprisoned, and tortured, which put a mental scar on him. Therefore, he became involved in activism already in high school, where he tried to teach other high schoolers about the issue of Western Sahara and the right to self-determination.

After high school, Elkantawi went to university in Marrakech, where he later emerged as a leading figure in the Saharawi Student Union. The student union tried to reach out to Moroccan students, telling them about the suffering of the people of Western Sahara, as most Moroccan students were unaware of the situation due to one-sided coverage on the matter in the media and school systems. They also worked to build alliances with sympathetic Moroccan student organisations at the university, such as the Marxist Union, who believed in the Saharawi right to self-determination and supported the call for an independence vote. Together with these allied unions, they organised joint activities on campus.

In addition to reaching out to Moroccan students, a central goal of the Saharawi Student Union was to recruit and unite Saharawi students. The Union emphasised the importance of solidarity, explaining that together they would be stronger and better able to stand up for their rights. This was crucial, because when Saharawi students were alone and isolated, they were vulnerable both to a university administration that refused to assist them with practical matters and to harassment and threats from the Moroccan police.

4.1.2 Arrest and treatment in police custody

Elkantawi recounted that he was arrested on 24 January 2016, when non-uniformed police officers surrounded a house where he was staying with seven other Saharawi students. When he opened the door, an officer pointed a pistol at him and warned him that he would be shot if he moved. Once inside, the police beat all the students with batons. Elkantawi said that he was struck on the head and nearly lost consciousness. The officers ransacked the house, confiscated posters and telephones, and led the students out in handcuffs in what Elkantawi described as a deliberate public humiliation.

The students were taken to a police facility normally used for pre-court detention of up to 48 hours. They were held there for four days. They were made to sit on the floor with no cushions or pillows, in temperatures below zero. One hand was left free, while the other was handcuffed to a wall or fixture to prevent them from moving or resisting when officers approached them. Elkantawi stated that the lights were never turned off during the four days, and that whenever a student began to fall asleep, the officers would beat them or make noise to keep them awake. They were also denied food for the entire period. He described how the police took turns in shifts, so that interrogations could continue around the clock without pause. The students were called in for questioning at irregular and unpredictable intervals with no rest and no established routine.

During the interrogations, the officers attempted to force the students to confess to acts they had not committed. Elkantawi has described how the officers would point at them, accuse them, and beat them. The students were slapped and struck with fists. The officers, Elkantawi said, also threatened them with rape if they did not cooperate. He has further explained that when he was brought into the interrogation room, he was made to witness a friend being tortured. His friend was handcuffed and unable to protect himself, slapped and beaten whenever he denied the accusations.

Elkantawi emphasised that the interrogation did not focus on the offences for which they were eventually charged. Instead, it focused on the Western Sahara cause, their role in the student union, their connections to Saharawi associations, and whether they had contact with the Polisario Front. In his account, the interrogation was political in nature, aimed at extracting information about their activism rather than investigating any alleged crime.

After four days, the students were brought before the public prosecutor. Elkantawi has described how they appeared before him exhausted, starved, and sleep-deprived after four days of abuse. When they told the prosecutor that they had been tortured, he dismissed their accounts without concern. Each student was given approximately two minutes to speak before being sent out. Following the appearance before the public prosecutor, the students were referred to the investigating judge. It was only at this point that they learned what they were accused of. When they sat in front of the investigating judge, he informed them that they had been detained because they had killed a Moroccan student – an allegation they had not heard during the four days of interrogation.

Following the initial four days, the investigating judge ordered that Elkantawi be held in prison while the investigation continued. Over the next seven months, Elkantawi was repeatedly shuttled back and forth between the prison and the court for further questioning. He was held at L'Oudaya prison during this period, but whenever he and the other students were to be brought before the court, they were first transferred to Boulmharez prison. It was at Boulmharez, Elkantawi said, that he and the other students were beaten with sticks during the transfers.

4.1.3 Conditions of detention

Elkantawi was subsequently transferred by force between several prisons, including L'Oudaya (Marrakech), Boulmharez, Bouizakarne, Smara, and Asfi. He spent most of his sentence (around six years) in Bouizakarne prison in Guelmim. In Bouizakarne, the cell was the same size as one bedroom yet held 17 prisoners. Prisoners slept on the floor with thin blankets, and the cell was infested with bed bugs and cockroaches. Smoking from fellow prisoners, gambling, and noise continued throughout the night, making sleep and reading nearly impossible.

As was the case with other Saharawi prisoners, Elkantawi was consistently housed with Moroccan inmates. He explained that a Saharawi prisoner who wishes to share a cell with another Saharawi needs to go on hunger strike before the authorities will agree to relocate him.

Elkantawi talked about a situation from when he was held in Marrakech, when an earthquake struck. Prison guards abandoned the facility, leaving the prisoners locked in their cells. They returned only after an hour, and the pattern repeated with each aftershock. When prisoners refused to return inside due to the risk of building collapse, police were brought in to beat them back into their cells.

4.1.4 Solitary confinement

During his final year of imprisonment, Elkantawi was transferred to Asfi prison and placed in solitary confinement for 12 months. The isolation was imposed by force and served as a punishment for his activism inside the prison. The official justification was an allegation of incitement to violence, which Elkantawi has described as a fabricated charge. He had been placed in a room full of smokers despite suffering from asthma and had protested the conditions affecting his health.

For the first four months, he was held in a windowless cell with no light, where the only openings were small holes in the door – too narrow to pass a pencil through. He was allowed out of his cell for only one hour per day, spending the remaining 23 hours alone. Food was delivered cold, often leftovers from the previous day, and he was not given warm food for the entire year. He suffered from the cold, experienced breathing difficulties due to his asthma, and had pain in his kidneys, in part because he was not provided with adequate bedding.

Elkantawi has described the psychological toll of that single year as heavier than the previous nine combined. Unlike earlier periods of imprisonment, when he had other people to talk to, he was now completely isolated. He recounted that other prisoners held in solitary confinement attempted suicide as a result of the conditions.

4.1.5 Access to health care

Even basic access to health care, Elkantawi said, was severely restricted. If anyone was sick, the authorities would not take them to a doctor to obtain medicine.

4.1.6 Contact with family and the outside world

Elkantawi's family lived in Assa. When he was held in Bouizakarne, his mother was able to visit him approximately three or four times before the COVID-19 pandemic. Visits were, however, limited to only ten minutes once a week. If he wanted longer visits, he would have to do a hunger strike. Also, telephone calls with family were restricted. They were limited to ten minutes per week and had to be conducted in Moroccan Arabic dialect (Darija) rather than Hassaniya, so that prison staff could monitor the conversation.

During the COVID-19 pandemic, all family visits were suspended. After four months, visits resumed but were conducted behind a glass barrier. Elkantawi did not want to subject his mother to this arrangement and consequently did not see her for approximately three years. When he was subsequently transferred to Asfi, the distance made visits even more difficult. His mother was 78 years old and unable to travel that far.

After the three years, his mother began visiting again, coming approximately once a year. When she arrived, she would wait two hours outside the prison before being allowed in. Family members who came to visit were subjected to humiliating treatment. They were taken to a separate room, ordered to undress, and searched. Elkantawi described this as deeply degrading for Saharawi families. He could see from his mother's face that she was not comfortable in the situation. He eventually began making excuses to discourage her from visiting in order to spare her from the ordeal.

4.1.7 Rights as a student

Elkantawi applied to continue his university studies while in prison. His applications were delayed for three years, which negatively impacted his opportunity for education.

4.1.8 Hunger strikes

As mentioned above, Elkantawi has stated that he needed to go on hunger strikes to fulfil his rights in prison. He participated in several prolonged hunger strikes during his imprisonment. On one occasion, a collective hunger strike was triggered after his friend Brahim began a two-day hunger strike. The other Saharawi detainees joined, and the strike lasted for 39 days. It ended only after two prisoners fell into a coma and were hospitalised, after which they were returned to prison. On another occasion, Elkantawi conducted a 20-day hunger strike in Bouizakarne prison simply to be allowed to share a cell with another Saharawi inmate.

4.1.9 Provocation and suppression of the Saharawi identity

Saharawi cultural identity was also suppressed inside the prisons. Elkantawi said that Saharawi prisoners were prohibited from wearing traditional clothing, such as the *daraa* (a robe) and the *litham*, a veil or head covering worn by Saharawi men.

This restriction was particularly enforced during family visits. In addition to suppressing Saharawi identity, prison authorities actively provoked Saharawi prisoners with expressions of Moroccan nationalism. He recalled that prison staff regularly confronted them with Moroccan flags and with statements asserting that Western Sahara is Moroccan, particularly, he said, during periods when the UN Security Council held its sessions and during Moroccan national holidays.

4.1.10 Post-release harassment and impact of imprisonment

Before his release, his family planned the hosting of a reception in Assa to celebrate his return. Family members employed by the government were warned that they would be dismissed if they participated. They were told that if they were seen embracing or greeting him, or appeared in a photograph with him, they would lose their jobs.

Police surveillance of the family home also began before his release. Elkantawi said that the authorities sent Saharawis who collaborate with the government to monitor the house and issue threats. Anyone seen coming to support him risked being removed from their employment or otherwise targeted.

Following his release, Elkantawi has been effectively blacklisted from public sector employment. Anyone who has served more than six years for political offences is “marked”, he explained, regardless of diplomas or certifications. In his account, the only remaining options are to start an independent project with his own money or to leave the country and begin a new life abroad. The stigma also extends to his family: When his brothers or cousins have applied for jobs, they have been denied, because the entire family is marked.

4.2 Aziz El Ouahidi

4.2.1 Introduction

Aziz El Ouahidi is a Saharawi student activist from Mahamid Al-Ghozlan, born in 1993. In the spring of 2026, he was released after being arbitrarily detained for ten years.

Aziz became engaged in political activism and the fight for self-determination as a result of growing up in a system of systematic discrimination against Saharawis, in which they were treated as second-class citizens. He said that he witnessed the struggles his family went through and the unfairness that Morocco inflicted on his people. Accounts of the 1975-1991 war, political detentions, and the 2005 Intifada all shaped his political awareness, as did the 2010 Gdeim Izik protests.

Aziz engaged in activism already in high school in Mahamid Al-Ghozlan, where he joined a Saharawi union. There, he said, he became more academic and learned about his history and the cause he was fighting for, going from a person who simply knew about the situation to a person who actively defended the cause. After high school, Aziz went to Ibn Zohr University in Agadir, where he joined the Saharawi Student Union. In 2015, Aziz became a member of a board within the union and emerged as a leading figure.

The Student Union served several functions. It helped and protected Saharawi students, particularly new arrivals who faced systematic exclusion at the university. The Saharawi union became a gateway, guiding new students on what to do and helping them settle in. The union also assisted Saharawi students in dealings with the university administration.

In addition to supporting Saharawi students, the union worked to raise awareness about the Western Sahara situation. Some Saharawi students did not know about Western Sahara or about Polisario, so the union worked to educate them. They also held political discussions with Moroccan students, trying

to draw their attention to what Morocco does in Western Sahara and to the suffering of the Saharawi people.

Aziz also travelled back to his hometown of Mahamid Al-Ghozlan to teach younger students about the Western Sahara cause and prepare them for life as Saharawi students before they arrived in Agadir. They taught them what to do and what not to do, so that they could come and represent the cause effectively at the university.

Prior to his arrest, Aziz and other Saharawi students were subjected to repeated police harassment. He said that they faced bullying from the police, including slurs and surveillance in the streets, and that they could not go outside without being harassed. The police also issued death threats.

4.2.2 Arrest and treatment in police custody

Aziz explained that before his arrest, the police raided his family home on two separate occasions while he was not present, with one of the raids taking place at 4 AM. During both raids, officers beat his family members, including his mother and sisters. On one of the occasions, his brother was beaten so severely that he was close to death. According to Aziz, the raids were carried out to intimidate his family and pressure him into surrendering himself.

Aziz was arrested on 5 February 2016 while walking on the street. He stated that police ambushed and captured him. Rather than taking him to a jail in the city where he was arrested, the police transferred him to Marrakech.

Upon arrival at the jail in Marrakech, Aziz was immediately subjected to repeated beatings. He was held there for 48 hours without being allowed to sleep. Aziz has stated that he was beaten every day, sometimes for up to six hours at a time. He described being handcuffed with his hands behind his back, forced onto his knees, and beaten. Aziz described his situation as unlike that of the other detainees held at the same facility, who were simply sitting and waiting. He was the only one who was beaten and interrogated simultaneously. Aziz explained that the officers beat him with their fists on his hands and legs, so that scars would not be visible on his body. To the face, he was only slapped. He has stated that no crime was mentioned during the two days. Instead, he was beaten for his political activism.

After the two days, Aziz said, he was forced to sign a police document. He stated that he had not read the document before being forced to sign it. The paper, Aziz said, contained a statement of what he had allegedly said.

On 8 February 2016, Aziz was brought before the public prosecutor. He recalled being given approximately two minutes to speak and that the prosecutor only asked him about his name. He was not informed of the allegations against him. Approximately two hours later, he was brought before the investigating judge. Aziz went on to explain that he asked the judge to order a medical examination to document the torture he had been subjected to in custody. The judge refused immediately, saying it would waste time and that the priority was to send him to court as quickly as possible.

4.2.3 Conditions of detention

Upon arrival at the prison on 8 February 2016, Aziz was placed in a cell that already held 24 prisoners, making him the 25th. The cell was designed for 12 prisoners. All the prisons he was held in, Aziz said, were similarly overpopulated. He said that the only difference between them was that some had insects and others did not.

Aziz described how, each time he arrived at a new prison, he had to sleep on the floor without blankets for a long period, waiting for a place to become available. He said that whenever he was about to get a place of his own, he would be transferred to another cell, and the cycle would start over again.

As with other Saharawi prisoners, Aziz was housed with Moroccan inmates. He has also described how prison guards would carry out random searches of his cell. Aziz has described how the guards would enter the cell, ignore the other prisoners, and search only him and his belongings.

4.2.4 Inter-prisoner violence

Aziz has described a serious incident that took place in Bouizakarne prison. According to him, two prisoners attacked him and beat him. One of them struck him on the head with an iron tool, leaving an open wound. He said that the guards did not intervene during the attack and allowed it to happen.

4.2.5 Access to health care

Aziz described access to health care in prison as extremely limited. He said that there was no doctor available in the prison and that the only medical resource available to prisoners was a nurse and an infirmary. Aziz pointed out that prisoners could suffer from diseases or illnesses without anyone being able to help them.

He has stated that while there was technically a doctor, he was extremely difficult to access. If a prisoner wanted an appointment, Aziz said, they would have to wait for months, sometimes years. He described the doctor as “just a name” inside the prison.

4.2.6 Contact with family and the outside world

Aziz's family lived in Mahamid Al-Ghozlan. When he was held in Marrakech, his family had to travel far to visit him. Despite the distance, visits were limited to only ten minutes. Aziz added that Moroccan prisoners, by contrast, were allowed visits of 15 to 20 minutes every week.

Telephone calls with family were also restricted. They were limited to five minutes per week and had to be conducted in Moroccan Arabic dialect rather than Hassaniya, so that prison staff could monitor the conversation. According to Aziz, if he used words that the staff could not understand, they would cut the phone. Moroccan prisoners also had more time on the phone than Saharawi prisoners.

After the court announced his sentence, Aziz was transferred to Bouizakarne prison, where he spent six years. He was subsequently transferred between several prisons, including Salé, Rabat, Mohammedia, and Zagora. These transfers, Aziz said, were not voluntary. He said the main reason for moving him from one city to another was to prevent his family from seeing him.

4.2.7 Rights as a student

Aziz completed his bachelor's degree during his first year in prison. He subsequently applied to continue his studies in a master's degree program in public law, but the prison administration refused to allow him to do so. Aziz went on multiple hunger strikes in protest against the denial of his right to study. Following these protests, he was eventually permitted to take the master's exam. He was accepted and obtained his master's degree in public law in 2025.

4.2.8 Hunger strikes

As mentioned above, Aziz went on multiple hunger strikes during his imprisonment to have his demands met by the prison administration. In April 2016, he participated in a collective hunger strike that lasted for 39 days. The strike was aimed at pressuring the prison administration to respond to the Saharawi prisoners' demands, including the right to see their families, access to health care, and the right to continue their studies.

After the first hunger strike, Aziz conducted a hunger strike on his own. He stated that he did so to force the prison administration to respect his demands, particularly the right to study, which had been denied. The hunger strike lasted for 46 days.

4.2.9 Provocation and suppression of the Saharawi identity

Saharawi cultural identity was also suppressed inside the prisons. Aziz described the repression as systematic and continuous. Saharawi prisoners were strictly prohibited from bringing in any flag or anything that symbolised their identity or their right to self-determination. They were also subjected to regular searches, at least once a week, during which anything considered suspicious or related to their identity or political position could be confiscated.

Saharawi prisoners, Aziz said, were prohibited from wearing the *daraa*, the traditional Saharawi garment. After the collective hunger strike that lasted 39 days, they managed to secure the right to wear the *daraa*. However, after two years of imprisonment, this right was revoked and the *daraa* was completely prohibited. Aziz has stated that the objective was to strip them of their identity step by step, even inside their prison cells.

In addition to suppressing Saharawi identity, prison authorities actively provoked Saharawi prisoners with expressions of Moroccan nationalism. Aziz has stated that prison guards would engage in direct political provocations and that on some occasions, Moroccan prisoners were encouraged to provoke them.

They would repeat slogans claiming that "Western Sahara is Moroccan" and display Moroccan flags in front of them. According to Aziz, these provocations became particularly intense during Moroccan national holidays and during periods when the UN Security Council was expected to adopt or discuss decisions concerning the Western Sahara issue. He has explained that the objective was to break their morale and provoke them into confrontations inside the prison, which could then be used to justify further repression against them.

4.2.10 Post-release harassment and impact of imprisonment

Aziz was released on 6 February 2026 at midnight. According to him, officers dressed in civilian clothes were waiting for him outside the prison. He has stated that they kidnapped him in front of the prison and took him from Tan-Tan to Tiznit. Aziz has explained that the reason for this was that a reception was being prepared for him, and the authorities sought to prevent it from taking place. Following his release, Aziz was subjected to police surveillance. He has stated that for 15 days after his release, he was being followed everywhere.

Aziz has explained that imprisonment has affected him directly and severely. He has described finding himself in what felt like a "bigger prison" of unemployment. He has stated that he applied for jobs with a number of shop owners and in carpentry and mechanical workshops, but that the answer was always the same. Employers were afraid. According to Aziz, they fear hiring him because the authorities subject them to harassment, pressure and threats. He has explained that an employer who hires him can be labelled as someone who is "cooperating with a separatist" and may then be summoned, questioned or subjected to further pressure.

Aziz has also stated that the pressure has extended to members of his family. He has described this as a form of collective punishment, through harassment and pressure against family members. According to Aziz, his imprisonment did not end when he walked out of prison. It continued in the streets and in the labour market.

4.3 Abdelmoula El Hafidi

4.3.1 Introduction

Abdelmoula El Hafidi is a 41-year-old Saharawi human rights activist from Boujdour, approximately 200 kilometres south of El Aaiún in Western Sahara. In the spring of 2026, he was released after being arbitrarily detained for ten years.

He became engaged in political activism and the fight for self-determination of the people of Western Sahara as a result of the ongoing colonisation of the territory.

Abdelmoula studied at university in Marrakech and has been active in the Media Committee Boujdour Press and Saharawi human rights organisations. He has stated that he was arrested because of his political opinions regarding Western Sahara. His first imprisonment due to activism was in 2006, when he spent three months in prison. The second came in 2016, when he was detained for ten years.

4.3.2 Arrest and treatment in police custody

Abdelmoula recounted that he was arrested on 16 April 2016 by non-uniformed police officers in a shop in Boujdour, Western Sahara. He was taken to the local police station and then transferred to Agadir, where he was held for 48 hours without food, water, or any contact with the outside world.

On 18 April 2016, Abdelmoula was transferred to Marrakech. He has explained that there he was shown photographs of other human rights activists and of seminars, and was questioned about his links to the people depicted, his political activism, and his human rights work, including alleged ties to the Polisario Front. Abdelmoula has emphasised that the questioning was political in nature, aimed at extracting information about his activism rather than investigating any alleged crime.

From 18 to 20 April 2016, Abdelmoula remained in police custody with the authorisation of the prosecutor. On 20 April, he was brought before an investigating judge and informed of the reason for his arrest. He was then placed in pretrial detention at L'Oudaya prison in Marrakech. Abdelmoula has stated that from the moment he entered the prison, he was tortured while handcuffed in front of prison staff.

During the first eight days of detention, Abdelmoula recalled, he was interrogated only at night in a closed room. He has stated that he was beaten, injured, and threatened with rape in order to force him to sign confessions and police documents that he had not been allowed to read.

4.3.3 Conditions of detention

Abdelmoula was held in several prisons during his imprisonment. He has explained that the conditions varied depending on the location of the prison. For example, the conditions and treatment in the prison in Smara were better than other prisons. He has stated that the conditions in prisons located in Moroccan cities, such as Ait Melloul, were significantly worse.

At Ait Melloul prison, Abdelmoula described being held in a cell that was designed for a maximum of 12 prisoners, but held 40. There were only three toilets for the 40 prisoners, and no drinking water was provided. The cells had no windows, and detainees had access to natural light only during outings of 30 minutes to one hour per day. Furthermore, the temperature inside the cells varied according to weather conditions. Abdelmoula has described the hygiene conditions as very poor. He has stated that detainees smoked inside the cell itself, and that overcrowding and smoke made the conditions extremely difficult. Due to these conditions, the Committee Against Torture has found that the

conditions of detention of Abdelmoula at Ait Melloul, constituted a violation of article 16, 13 and 12 of the Convention against Torture.⁴⁶

As with other Saharawi prisoners, Abdelmoula was systematically housed with Moroccan inmates. He noted that he had to go on a hunger strike to secure the right to be placed in a cell with Saharawi prisoners.

4.3.4 Use of force

Abdelmoula said that the authorities have used force and punitive measures against Saharawi prisoners. He described an incident from 2017, when he was imprisoned in Marrakech, in which members of the Student Group were handcuffed, with one handcuff used for two persons, and then transferred. This, Abdelmoula said, was a response to a march in solidarity with the imprisoned students, organised by other Saharawis.

4.3.5 Solitary confinement

Abdelmoula was subjected to numerous placements in solitary confinement throughout his imprisonment. He has stated that he was held in solitary for more than 22 hours a day, sometimes without justification or for frivolous reasons. According to his account, this included being placed in solitary confinement for having hidden a telephone in his cell or for protesting against his poor conditions of detention and claiming his rights.

He has described a specific period of solitary confinement in November 2017. He stated that during this period he had no access to food and was locked up for four days in a small, very cold room, without a blanket and without electricity.

4.3.6 Access to health care

Access to health care in prison, Abdelmoula said, was severely restricted. He has stated that Saharawi prisoners were always the last to receive medical attention, after Moroccan prisoners.

Abdelmoula recalled that during his hunger strikes, health professionals in the prison did not check on him to monitor his condition. He has stated that even though he passed out during a hunger strike, no medical personnel came to assist him.

4.3.7 Contact with family and the outside world

Abdelmoula's family lived in Boujdour. During his imprisonment, he was subjected to numerous transfers between prisons. Abdelmoula has explained that while some of the transfers were due to his studies, most were imposed by force. According to Abdelmoula, the transfers were carried out to place Saharawi prisoners as far away from their families as possible. He has stated that this was not only his experience but that of all Saharawi prisoners.

Contact with his family was severely restricted. Abdelmoula has explained that depending on the prison in which he was held, he had great difficulty exercising his right to converse with his relatives and to receive visits. Visits were limited to only ten minutes, and the prison administration determined who was authorised to visit him. When his family came to visit, the prison blocked personal items that his family attempted to give him, such as clothes.

Telephone calls with family were restricted. Abdelmoula has stated that he was allowed ten minutes on Monday, ten minutes on Wednesday, and ten minutes on Friday. However, according to

⁴⁶ CAT/C/84/D/1134/2022, Committee Against Torture, [Abdelmoula El Hafidi v. Morocco](#) (2026), para 8.4 – 8.7

Abdelmoula, Moroccan prisoners were given more time on the phone than Saharawi prisoners. The calls were monitored, and this was particularly the case for Saharawi prisoners. Abdelmoula said he was required to speak in the Moroccan Arabic dialect (Darija) rather than Hassaniya. If he attempted to speak Hassaniya, the prison staff would stop the call. Abdelmoula has stated that his family did not understand the Moroccan dialect, which meant that the majority of the time he was unable to communicate with them on the phone.

Abdelmoula has further explained that during visits, guards made a lot of noise while he was on the phone or stood around him and his family during the short visits, preventing him from communicating quietly with his relatives. He has also stated that when Saharawis outside the prison organised marches or protests, telephone time was shortened or stopped altogether as a form of punishment.

4.3.8 Hunger strikes

According to Abdelmoula, the conditions in which he was detained and the many deprivations he suffered led him on many occasions to resort to hunger strikes to denounce these acts and in the hope that his conditions of detention would improve. One of the hunger strikes lasted for 40 days. Among the deprivations he cited was the deprivation of his right to study. Abdelmoula has stated that as a consequence of the hunger strikes, his health is now a matter of particular concern, as he suffers from digestive pain and pain in his left eye.

4.3.9 Provocation and suppression of the Saharawi identity

Saharawi cultural identity was also suppressed inside the prisons. Abdelmoula recounted that Saharawi prisoners were not allowed to wear the *daraa*, the traditional Saharawi garment. In addition to suppressing Saharawi identity, prison authorities actively provoked Saharawi prisoners. Abdelmoula has stated that prison guards would repeatedly ask him to seek a royal pardon from the king, which he described as a deliberate provocation.

Abdelmoula has explained that Moroccan prisoners also provoked Saharawi prisoners, regularly asserting that Western Sahara is Moroccan. He has stated that while some Moroccan prisoners supported the Saharawi cause, the majority were hostile toward them. The provocations from Moroccan prisoners, Abdelmoula said, led to fights.

4.3.10 Post-release harassment and impact of imprisonment

Abdelmoula was released in the spring of 2026. Following his release, he was placed under continuous, intensive surveillance. Abdelmoula has reported that his residence was monitored by police and Auxiliary Forces vehicles as well as by an estimated 20 to 30 informants operating in rotation. Surveillance extended beyond his residence. If he left the house, he was followed by informants on motorcycles or in cars. The police also prevented Abdelmoula from receiving visits. Only his sisters were allowed to enter his residence, while other family members were denied entry on the basis of unspecified "instructions" or "security reasons," without any legal justification. Some family members were threatened with beatings if they insisted on entering. Abdelmoula has further reported that Moroccan security services threatened his parents that if any political or human rights activity were organised inside the family home, the home would be raided and the family's modest monthly stipend of approximately 2,400 dirhams would be suspended.

On 21 April 2026, forces from the Moroccan Gendarmerie and Auxiliary Forces proceeded toward his family's tents located in a remote area south of Boujdour, claiming that an unauthorised gathering would take place. They destroyed the tents and cut their ropes with bladed weapons. Some of his family members were assaulted. On 4 May 2026, only 19 days after his release, Abdelmoula was rearrested inside the family tent. No justification was given for the arrest. When Abdelmoula insisted on meeting a representative of the Public Prosecutor's Office to inquire about the reason for the arrest, he was taken to a remote area, where he was abandoned.

Abdelmoula has explained that despite the harsh conditions in prison, he managed to complete three bachelor's degrees and a master's degree. However, he has stated that it is impossible for him to find employment in Morocco because of his activism. According to Abdelmoula, the Moroccan authorities do not accept him or people like him for employment. He has stated that none of his three sisters are employed either, and that this is a direct consequence of his and his family's activism.

4.4 Mohammed Dadda

4.4.1 Introduction

Mohammed Dadda is a 33-year-old Saharawi student activist from Smara. In the spring of 2026, he was released after being arbitrarily detained for ten years.

Mohammed became engaged in political activism and the fight for self-determination of the people of Western Sahara as a result of growing up under Moroccan occupation, where Saharawis were subjected to systematic discrimination and denied basic freedoms.

Mohammed said that these experiences led him to realise that there is no existence for the Saharawi people without creating their own country. He held this belief already before going to university. After completing his high school degree in Smara in 2014, Mohammed went to study at university in Marrakech, where he joined the Saharawi Student Union and became an activist.

At the university, Mohammed sought to engage with Moroccan students, showing them his Saharawi identity and trying to “reach their hearts”. He said that the way Saharawi students worked inside the university demonstrated their true cause and showed that they were intellectual persons. The union also worked to reach out to other Saharawi students, sharing the experience they had gained and helping them, so that together they could work toward the main cause of self-determination and an independent country.

Prior to his arrest, Mohammed and other Saharawi students were subjected to systematic harassment by the Moroccan police. The harassment occurred both inside and outside the university. The police even followed Saharawi students back to their home cities, and many of them were sentenced to prison. Mohammed has said that it is very hard to be a Saharawi student.

4.4.2 Arrest and treatment in police custody

Mohammed described his arrest as a planned operation. Mohammed has said that the Moroccan authorities built a file on him based on fabricated allegations and fake warrants, and that everything was planned step by step before he was captured. He described the process as resembling a game of chess, where every move is calculated in advance.

Mohammed was arrested at approximately 5 PM as he was entering El Aaiún city in a car. He said that police surrounded him and took him to a police station near the border of El Aaiún. Upon arrival, they confiscated his papers, his keys, and all his personal belongings. He was not given any explanation for what was happening.

After approximately five minutes, Mohammed was placed in a car and taken to the central police station in El Aaiún, where he was held in a basement area. After about ten minutes, he was put on a public bus in handcuffs, surrounded by police officers, together with ordinary passengers. Mohammed has stated that he did not know where he was being taken and has described the experience as a kidnapping. During the journey, he said that he was subjected to continuous harassment and bullying by the police officers. He stated that they showed him their weapons to intimidate him and verbally abused him throughout the trip. He was not given any food or water for the entire journey from El Aaiún to Agadir, a distance of approximately 700 kilometres lasting 10 to 12 hours.

The next day, Mohammed was transferred from the El Aaiún police to the Agadir police. He was held at the Agadir police center for 24 hours, after which he was handed over to the Marrakech police. Mohammed has stated that when the Marrakech police took custody of him, they immediately began harassing and insulting him, calling him a criminal and subjecting him to profanity and verbal abuse. He was taken directly to the inspector without being allowed any rest.

Mohammed recalled that during the time he spent with the inspectors in Marrakech, he was subjected to torture. He stated that secret service officers took turns torturing him, beating him with their hands, and directing slurs at him. He was ordered not to look at them and was forced to look away. He was not given any rest and was not allowed to sleep. This continued for three days. He has stated that he was not given any food during this period.

4.4.3 Conditions of detention

Most of Mohammed's ten-year imprisonment was spent in the local prison of Agadir, Morocco. He has explained that most of the rooms in the prisons where he was detained were severely overcrowded, with the number of prisoners far exceeding their intended capacity. According to his account, the cells generally had an area of no more than 10 to 15 square metres. Some contained eight beds while accommodating between 22 and 24 people, and rooms with four beds held between 11 and 12 people.

He has described that the cells were lacking minimum standards of hygiene, and adequate ventilation. Furthermore, he described a serious infestation of insects, bedbugs and cockroaches in the cells. In his view, this contributed to the spread of skin diseases and chronic itching, such as scabies, as well as serious skin lesions, contamination of food and the spread of respiratory diseases.

Mohammed has further explained that each time he was transferred from one prison to another in order to sit for his examinations, whether for his bachelor's degree or master's degree, he was forced to sleep on the floor, due to the lack of beds. He has also stated that on many occasions his personal belongings, such as books and papers, were confiscated.

4.4.4 Use of force and solitary confinement

Throughout his ten years of imprisonment, Mohammed was repeatedly placed in solitary confinement. According to Mohammed, solitary confinement was the only response he received whenever he attempted to demand his rights through hunger strikes. He was not given a reason for getting put in solitary confinement.

In Ait Melloul, Mohammed spent approximately 25 days in solitary confinement. According to Mohammed, the cell used for the solitary confinement measured no more than one metre in width and two metres in length. The ventilation window measured 40 cm by 40 cm and was barred. The door was armoured and contained ten holes intended for the guard to look through for monitoring purposes. According to Mohammed, this cell was well known among the prisoners, who called it the "Noir" cell, meaning the black cell. He has explained that he was in complete isolation, not only from the outside world but also completely separated from human life.

Mohammed has also explained that he was subjected to physical assaults on many occasions. He has also stated that he was deprived of the right to file complaints and protests with external authorities, and that Saharawi prisoners were prevented from communicating with human rights organisations.

4.4.5 Access to health care

Access to health care in prison, Mohammed said, was severely restricted. Mohammed has explained that among the rights he sought to demand through hunger strikes was the right to receive medical care when he needed it. He has stated that there was a lack of medical monitoring and of means of

prevention and treatment, as well as a complete lack of medication. According to Mohammed, he was even deprived of the possibility of bringing medication from outside the prison, and medication sent by his family was refused.

Mohammed has stated that he was rarely seen by a nurse or doctor during his hunger strikes. He has explained that unless he spent more than 20 days on a hunger strike, he was not seen by any medical personnel. If the hunger strike lasted less than that, the prison authorities simply placed him in solitary confinement. Once, when he went on hunger strike and reached a point where he was close to death, he said that higher-ranking prison officials ignored his deteriorating health. He has recounted that he was told that if he died, it would be a good thing – that “minus one is a good thing”.

4.4.6 Contact with family and the outside world

Mohammed's family lived in Smara. During his ten years of imprisonment, he was held in several prisons a considerable distance from his hometown, including Ait Melloul, where he spent five years, L'Oudaya and Boulmharez in Marrakech, Al-Arjat prison in Salé, Ain Sebaa prison in Casablanca, and Berrechid prison. Mohammed has explained that some of these transfers were his own choice, such as his placement in Ait Melloul to be near Ibn Zohr University, while others were imposed by the prison ministry. He has stated that on many occasions, Saharawi prisoners were deliberately transferred without warning to the furthest possible location from their families' place of residence. Among the rights he sought to demand through hunger strikes was the right to be held near his family, as he had been placed in cities far from his hometown.

Contact with his family was severely restricted. Mohammed has stated that telephone calls were limited to twice a week for ten minutes. Visits were infrequent and irregular, sometimes occurring once a month, sometimes every two months, and were limited to only ten minutes. Moroccan prisoners, Mohammed said, were granted more contact with the outside world than Saharawi prisoners, and he has described Saharawi prisoners as being subjected to discriminatory treatment compared to their Moroccan counterparts.

Mohammed has explained that whenever he went on hunger strike, his family would be harassed in order to pressure him to stop. He has stated that if a family member needed to obtain papers or certificates from the authorities, they would be denied. Family members were subjected to random car stops and searches, and when they attempted to visit him, they were harassed both inside and outside of the prison.

4.4.7 Rights as a student

Mohammed completed his master's degree in his final year before being released. However, he noted that the prison administration placed numerous barriers in the way of his studies. According to Mohammed, the prison authorities repeatedly delayed bringing his university papers and dossier in time for him to sign up for the master's degree program.

In addition, Mohammed has explained that he was denied access to the books he needed for his master's program. He has described his period of study in prison as a struggle, stating that the prison administration always denied him access to the materials he needed. The right to complete his studies was among the rights Mohammed sought to demand through hunger strikes.

4.4.8 Hunger strikes

As mentioned above, Mohammed went on hunger strikes during his imprisonment to have his demands met by the prison administration. According to Mohammed, he spent a total of approximately seven months on hunger strikes over the course of his ten years of imprisonment. The strikes were aimed at pressuring the prison administration to respond to his demands, including the right to be held

near his family, the right to complete his studies, the right to receive medical care when needed and in general the right to a better life in prison.

According to Mohammed, he was subjected to provocation from the prison when they learned that he was on hunger strike.

4.4.9 Provocation and suppression of the Saharawi identity

Mohammed has explained that the first thing he faced upon entering L'Oudaya prison in Marrakech after leaving the court was humiliation. He has stated that he was stripped of his clothes and left completely naked, and that he was subjected to physical and verbal harassment. According to Mohammed, the prison authorities treated him as though he were less than human.

He has explained that the prison authorities played an important role in attempts to erase Saharawi cultural identity. This included preventing Saharawi prisoners from obtaining anything related to Saharawi society in terms of culture and identity. According to Mohammed, Saharawi prisoners were prohibited from wearing the *daraa*, the traditional Saharawi garment. He has described an incident that took place in Smara prison in 2020, when a group of prison guards attacked him inside his cell because he was wearing the *daraa* while preparing to receive a family visit. He has stated that they intervened by force, stripped him of the garment, and insulted and verbally abused him.

In addition to suppressing Saharawi identity, prison authorities actively provoked Saharawi prisoners with expressions of Moroccan nationalism. He has explained that there was continuous provocation through saying that Western Sahara is Moroccan, as well as boasting about international recognitions, such as the American recognition of Moroccan sovereignty. Furthermore, prison guards and administration continuously described Saharawi prisoners as separatists and traitors.

4.4.10 Post-release harassment and impact of imprisonment

Mohammed was released in March 2026. He has stated that from the moment he set foot outside the prison walls at dawn in Smara, he was subjected to surveillance. According to Mohammed, the entire area surrounding the prison was surrounded by various units of the Moroccan state security forces and vehicles of various types. He has explained that he was followed by approximately 20 vehicles belonging to the Moroccan security forces until he reached his family's home in Smara.

He has stated that the authorities tightened security around and surrounded all the entrances and exits of the neighbourhood where he lives. He has explained that his family's home was placed under strict surveillance and that everyone who attempted to visit him was monitored. According to Mohammed, this surveillance and siege continued for several days after his release, carried out by security personnel in both civilian and military clothing.

According to Mohammed, imprisonment has left him with numerous illnesses and health complications. He has stated that these were the result of the poor conditions of detention, poor food quality, and the spread of disease inside the prison. He also linked his health problems to the numerous hunger strikes he undertook in protest against those conditions.

Mohammed has explained that none of his family members or siblings are able to obtain employment, despite holding university degrees, because of his activism. He has stated that he finds himself being the reason for their exclusion and marginalisation, as they supported him throughout the period he spent in prison. According to Mohammed, the Moroccan authorities pursue a policy of cutting off their livelihoods and excluding them, with the aim of putting psychological and emotional pressure on him.