

Dili, RDTL
21 June 2025

Open Letter to United Nations Secretary-General António Guterres

On the Urgent Situation of Saharawi Political Prisoners and the

Non-Compliance of the Kingdom of Morocco with UN Decisions

Your Excellency,

We, the undersigned organizations, write to you with deep concern regarding the ongoing arbitrary detention, mistreatment, and denial of fundamental rights of Saharawi political prisoners held by the Kingdom of Morocco. These violations are occurring in direct contradiction to multiple formal decisions and opinions issued by United Nations human rights mechanisms, particularly the Committee Against Torture (CAT) and the Working Group on Arbitrary Detention (WGAD).

Several cases involving Saharawi prisoners have been thoroughly reviewed by these bodies. The CAT has issued binding decisions in **CAT/C/72/D/871/2018**, **CAT/C/72/D/923/2019**, **CAT/C/74/D/891/2018**, and **CAT/C/75/D/999/2020** (concerning, respectively, [Sidi Abdallah Abbahah], [Mohamed Bourial], [Abdeljalil Laaroussi], and [Mohamed Bani]). These decisions affirm the existence of torture and inhuman treatment, and call for effective remedies including immediate medical care, cessation of ongoing abuse, and relocation closer to families.

Likewise, the Working Group on Arbitrary Detention (WGAD) has issued clear and consistent opinions—most notably **A/HRC/27/48/Add.5** and **A/HRC/WGAD/2023/23**—concluding that the detention of **all members of the Gdeim Izik group** is arbitrary under international law. These opinions call for their immediate release and reaffirm the systemic nature of the violations. While not formally binding, WGAD's findings carry substantial legal and moral authority within the UN human rights system and deserve full respect and implementation.

Despite Morocco's formal obligations under the Convention Against Torture and its Optional Protocol, and its responsibilities as a UN Member State, **none of these findings have been implemented**. Even more concerning is the fact that the affected prisoners have **never received copies of the CAT decisions or WGAD opinions regarding their own cases**, as Moroccan authorities have refused to provide them—**despite repeated efforts by their legal representative and their families**.

This denial of access to legal documents and representation constitutes a flagrant violation of due process and a deliberate obstruction of justice. It isolates these prisoners from the very mechanisms meant to protect them and further reinforces a system of secrecy and impunity.

The continued non-compliance by the Kingdom of Morocco erodes the credibility of international human rights instruments and sets a dangerous precedent for the dismissal of UN oversight mechanisms. Without accountability or meaningful response, the authority of the UN system itself is at risk of being undermined.

Your Excellency,

We respectfully urge your leadership at this critical moment. We call on you to:

1. **Publicly reaffirm** the binding nature of CAT decisions and the importance of WGAD opinions within the UN human rights architecture.
2. **Call for the immediate release** of all Saharawi political prisoners held in violation of international law.
3. **Urge the Kingdom of Morocco** to comply with its legal obligations, including the delivery of UN decisions and opinions to the affected individuals, and full access to their legal counsel.
4. **Ensure that these violations** are reflected in your public statements, reports, and briefings—especially those concerning human rights compliance and protection of human rights defenders and political detainees.

The Saharawi political prisoners have been silenced, isolated, and ignored for too long. It is time for the United Nations to assert its authority and reaffirm the rule of international law. Your voice can send a powerful message of accountability and hope.

We thank you for your attention and stand ready to assist in any way necessary.

With highest respect,

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