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Public Statement

Morocco/Western Sahara: Allow Reporting on Human Rights

Amnesty International calls for the immediate release of human rights defender Brahim Sabaa Al-Layl sentenced to a six month prison term by the Court of First Instance in Rabat on 10 July for publicly expressing his views on the events that took place in the Moroccan coastal town of Sidi Ifni on 7 June when a blockade of the port of Sidi Ifni and related protests in surrounding areas were broken up by security forces.

Brahim Sabaa Al-Layl, president of the Tiznit Branch of the Moroccan Centre for Human Rights (Centre marocains des droits humains, CMDH) was arrested at his home in Rabat at 1:30 am on 27 June. On 29 June, he was brought in front of the Crown Prosecutor and charged under Article 264 of the Penal Code, which criminalizes the act of denouncing to public authorities a crime that the individual knows did not occur or of producing false evidence in relation to an imaginary crime. During the trial, his defence questioned his charges as Brahim Sabaa AL-Layl's arrest took place a few hours after he publicized allegations of human rights violations in Sidi Ifni during a press conference organised by the CMDH on 26 June. The defence is planning to appeal the ruling.

Prior to his arrest, Ibrahim Sabaa Al-Layl was summoned for four hours of questioning by the Judicial Police in Rabat after Al-Jazeera broadcast his allegations of serious human rights violations by law enforcement officials and possible deaths of protestors.

Ibrahim Sabaa Al-Layl also faced trial along with Hassan Rachidi, head of Al-Jazeera's bureau in Rabat, under article 42 of the Press and Publications Law for disseminating false information and allegations. On 11 July, the Court of First instance in Rabat found the two men guilty and imposed hefty fines of 50,000 dirhame each. Amnesty International condemns punitive measures against the peaceful exercise of freedom of expression.

Amnesty International is concerned that Ibrahim Sabaa Al-Layl was condemned on account of his activities as a human rights defender and his legitimate exercise of the right to freedom of expression in breach of Article 9 of the Moroccan Constitution and Article 19 of the International Covenant on Civil and Political Rights, to which Morocco is a state party.

Brahim Sabba AL-Layl's condemnation undermines the right of human rights defenders to collect and disseminate information and views on human rights issues without fear of reprisals in the forms of harassment, intimidation and prosecution, as stipulated in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the UN General Assembly on 9 December 1998.

Background

Amnesty International received serious allegations of the excessive use of force, arbitrary arrests and detentions, threats of violence and other human rights violations by law

enforcement officials against individuals during and in the aftermath of the blockade of the Port of Sidi Ifni and related protests. The blockade of the Port of Sidi Ifni and demonstrations held in the town of Sidi Ifni in support of the blockade were intended as a protest about economic conditions, inadequate employment opportunities and the perceived marginalization of the Sidi Ifni region by the government in Rabat.

While a parliamentary commission was established on 18 June to conduct investigations into the events that took place in Sidi Ifni on 7 June, it cannot substitute for nor remove the need to carry out a judicial investigation in accordance with the UN principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, reiterated during the 8th Session of the Human Rights Council. Consequently, in a letter addressed to the Moroccan authorities on 2 July, Amnesty International called for the establishment of an immediate independent and impartial judicial investigation into allegations that law enforcement officials committed serious violations of human rights when breaking up the blockade and in carrying out raids on homes in Sidi Ifni in the early hours of 7 June.

Hassan AL-Rachidi's media accreditation was withdrawn on 14 June by the Moroccan Ministry of Communications as a result of Al-Jazeera's reports on possible deaths on 7 June in Sidi Ifni. In May, Moroccan authorities suspended Al-Jazeera's daily news bulletin covering Morocco and other countries in the Maghreb region.