

# URGENT ACTION

## JAIL TERM OF PRESS FREEDOM ADVOCATE UPHELD Moroccan journalist Hicham Mansouri's 10-month prison term for complicity in adultery was confirmed on appeal. He is a prisoner of conscience.

The Appeals Chamber of the Rabat Court of First Instance upheld a 10-month prison term against **Hicham Mansouri** for complicity in adultery on 27 May 2015. It upheld an identical sentence against a married female friend arrested with him. The court also upheld an order for the pair to pay 20,000 Moroccan dirhams each (approximately US\$2,000) in compensation to the woman's husband.

Hicham Mansouri and his co-defendant have been detained for over two months since plainclothes police officers broke into the journalist's home in Rabat and arrested them on 17 March 2015. They were first convicted by the Rabat Court of First Instance on 30 March after a trial which did not meet international standards. Hicham Mansouri's lawyer told Amnesty International that the court had rejected the defence's arguments without explanation and had refused defence witnesses ready to testify to his good behaviour.

Amnesty International fears that Hicham Mansouri is being punished for promoting investigative journalism and working alongside outspoken journalists and intellectuals in the Moroccan Association for Investigative Journalism, an NGO which helps journalists investigate and expose corruption and other serious crimes by politicians, government officials and corporations. Amnesty International also opposes all "adultery" laws which criminalize consensual sexual relations between adults. Such laws violate the right to privacy and other human rights.

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

- Calling on the Moroccan authorities to release Hicham Mansouri and his co-defendant immediately and unconditionally;
- Urging them to ensure that those exercising and defending the right to freedom of expression are protected from assault, harassment and prosecution in reprisal for their work;
- Reminding them that Article 17 of the International Covenant on Civil and Political Rights, to which Morocco is a state party, protects the right to privacy.

### PLEASE SEND APPEALS BEFORE 9 JULY 2015 TO:

#### Minister of Justice and Liberties

El Mustapha Ramid  
Ministry of Justice and Liberties  
Place El Mamounia  
Rabat, Morocco  
Fax: + 212 537 26 31 03  
**Salutation: Your Excellency**

#### Minister of Communication

M. Mustapha Khalfi  
Ministry of Communication  
Avenue Allal Al Fassi  
Cit  El Irfane  
Rabat, Morocco  
Fax: +212 537 68 01 81  
**Salutation: Your Excellency**

#### National Council for Human Rights

President  
Driss El Yazami  
CNDH, Place Achouhada  
Rabat, Morocco  
Fax: + 212 5 37 54 00 01  
Email: elyazami@cndh.org.ma  
Rabat, Morocco  
Fax: + 212 537 26 31 03  
**Salutation: Your Excellency**

### Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 90/15. Further information:

<https://www.amnesty.org/en/documents/mde29/1489/2015/en/>

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### ADDITIONAL INFORMATION

Hicham Mansouri, 34, is Director of Programmes at the NGO Moroccan Association for Investigative Journalism (Association marocaine pour le journalisme d'investigation, AMJI), which provides support, training and funding to investigative journalists in Morocco. AMJI have been operating since 2008 when they first applied for registration as an association, although the authorities only delivered their registration in 2011.

Before his recent arrest, Hicham Mansouri had reported being assaulted and injured on the night of 24 September 2014 in Rabat. He had filed a complaint with the police, but the investigation is not known to have progressed. A colleague from AMJI told Amnesty International that Hicham Mansouri reported being harassed and receiving threats, some by phone, in relation to his work and advocacy of investigative journalism.

Hicham Mansouri and his co-defendant were arrested on 17 March after 10 plainclothes police officers broke into his home. He has stated that police officers forced him and his visitor to strip naked and pose for compromising photographs, before transferring them to a police station. He said the interrogating officers refused to let him speak to his lawyer, in breach of Moroccan law, and asked many questions about his relationship with several independent journalists as well as the activities of the NGO Moroccan Association for Investigative Journalism where he works, his lawyer told Amnesty International at the time.

Hicham Mansouri's lawyer said that during his trial the defence's arguments that were rejected in court included the fact that under Morocco's Penal Code, the prosecution had no right to order the arrest for adultery in the absence of a prior complaint from the wronged spouse; that the evidentiary standard required to prove adultery was not met, as the pair had not been found *in flagrante delicto* and no medical examination was ordered to establish that sexual intercourse had taken place.

Name: Hicham Mansouri

Gender m/f: m

Further information on UA: 90/15 Index: MDE 29/1754/2015 Issue Date: 28 May 2015