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Amnesty International urges Morocco to ensure full respect of freedom of expression, association and assembly

Human Rights Council adopts Universal Periodic Review outcome on Morocco

Amnesty International has consistently raised concerns with the Moroccan authorities about restrictions on freedom of expression, association and assembly. There has been a chilling wave of arrests of scores of protesters, activists and bloggers in the Rif region of northern Morocco¹, and peaceful protests have been forcibly dispersed, including those advocating for self-determination of Western Sahara. The organization welcomes Morocco's commitment to remove obstacles in the registration of civil society organizations,² to review the Penal Code in line with Article 9 of the International Covenant on Civil and Political Rights,³ and to develop measure to ensure full respect of freedom of expression, association and assembly in Western Sahara.⁴ However, it regrets Morocco's rejection of recommendations to end the persecution of journalists and to release those detained solely for exercising their rights to freedom of expression.⁵

While Amnesty International acknowledges Morocco's commitment to guarantee fair trials in accordance with international human rights standards,⁶ the organization urges it to amend the Code of Criminal Procedure, in order to ensure the right to a fair trial, such as access to a lawyer during interrogation for all suspects. Amnesty International has documented unfair trials in both Morocco and Western Sahara that relied on statements which defendants said had been extracted under torture.⁷

The organization acknowledges steps taken by Morocco to address violence against women and girls, including the draft law to strengthen the protection of survivors of violence, in line with Morocco's commitments made in the 2012 and 2008 reviews. However, Draft Law 103.13 on combating violence against women does not comply with international standards in its definition

¹ <https://www.amnesty.org/en/latest/news/2017/06/morocco-rif-protesters-punished-with-wave-of-mass-arrests/>

² A/HRC/36/6, recommendations 144.121 (Sweden), 144.122 (United States of America)

³ A/HRC/36/6, recommendation 144.116. (Netherlands)

⁴ A/HRC/WG.6/27/L.4, recommendation 144.244. (Iceland)

⁵ A/HRC/WG.6/27/L.4, recommendation 144.118. (Sweden), A/HRC/WG.6/27/L.4, recommendation 144.119. (United States of America)

⁶ A/HRC/36/6, recommendation 144.124 (Australia)

⁷ Amnesty International, *Shadow of Impunity: Torture in Morocco and Western Sahara* (Index: MDE 29/001/2015)

of rape, and other barriers remain, such as the ban on abortion and sexual relations outside marriage. Amnesty International welcomes Morocco's acceptance of recommendations to criminalize marital rape, and ensure protection against domestic violence,⁸ however it is regrettable that Morocco has rejected recommendations and to repeal Article 489 and 490 of the Penal Code prohibiting same-sex sexual relations and sexual relations outside marriage.⁹

Despite some reform in policies towards migrants and refugees, Morocco has yet to adopt legislation to protect asylum-seekers and refugees. The organization is pleased to note Morocco's commitment to speed up the review of the legal framework on migration and asylum to align it with the International Covenant on Civil and Political Rights.¹⁰

Amnesty International is concerned that although no executions have been carried out in Morocco since 1993, death sentences continue to be handed down and proposed changes to the Penal Code would expand the scope of the death penalty. It regrets Morocco's rejection of a number of recommendations to establish a formal moratorium on the death penalty, with a view to its abolition.¹¹

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Morocco on 21 September 2017 during its 36th session. Prior to the adoption of the report of the review Amnesty International delivered an oral statement. Amnesty International also contributed to the information basis of the review through its submission on country: <https://www.amnesty.org/en/documents/ior40/5941/2017/en/>

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⁸ A/HRC/36/6,, recommendations 144.198 (Germany), 144.195 (Belgium), 144.197 (Canada)

⁹ A/HRC/36/6, recommendation 144.171 (Belgium), 144.77 (Netherlands), 144.80 (Iceland)

¹⁰ A/HRC/36/6, recommendation 144.239 (Honduras), 144.240 (Uganda)

¹¹ A/HRC/36/6, recommendations 144.5 (Australia), 144.92 (France), 144.100 (Paraguay), 144.101 (Austria)