

# URGENT ACTION

## HUMAN RIGHTS LAWYER SENTENCED IN ABSENTIA

On 21 November 2022, security agents arrested and imprisoned prominent human rights lawyer Mohamed Ziane, around one hour after the Rabat court of appeal confirmed his sentencing of three years in prison in absentia. The 11 charges against him are unrelated and include bogus charges of insulting public officials and institutions, defamation and marital infidelity. The only recognisable charge against him, that of sexual assault, should be dealt with through proceedings that meet international fair trial standards.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Head of Government Aziz Akhannouch**  
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Your Excellency,

*I am writing to express concern over the detention of lawyer **Mohamed Ziane** following an unfair trial on a host of unrelated charges, many of which violate his right to freedom of expression.*

*On 21 November 2022, 20 security agents barged into Mohamed Ziane's lawyer's office. They arrested him and took him straight to prison without trial. One hour earlier, the Rabat court of appeal sentenced him to three years in prison – with immediate effect - and a fine of 5000MAD (around 492 USD). The sentencing took place without the presence nor knowledge of Mohamed Ziane or his lawyers, for 11 unrelated charges dating back to 2021.*

*The arrest came two days after a video was posted on YouTube in which Mohamed Ziane appears insulting the director of the Moroccan national security forces in reaction to a video that defamed Mohamed Ziane for sexual misconduct against a former police officer who Mohamed Ziane had represented in a sexual harassment case against her then boss. The former police officer publicly denies such allegations of sexual misconduct by Mohamed Ziane.*

*At least six of the 11 charges against Mohamed Ziane violate his freedom of expression, including those under Penal Code Articles 263 (insulting the judiciary and public officials) and 265 (insulting organized bodies). The charge of sexual harassment is the only charge considered a legitimate offence under international law and should be investigated in a fair, independent, impartial and transparent process.*

*Since his arrest and imprisonment on 21 November 2022, Mohamed Ziane has been held in a cell alone in Arjate 1 prison in Salé, a city next to the capital Rabat. He is forbidden from communicating with any other prisoners and is only permitted visits from his lawyer. He is allowed out into the prison courtyard alone and prison guards also deny him writing and reading materials.*

***I urge you to immediately drop all bogus charges held against Mohamed Ziane, to investigate the allegation of sexual assault in an independent, impartial and transparent process, and to ensure he is immediately provided an opportunity for his ongoing detention to be reviewed by a court, with a presumption that he will be released pending the end of his trial.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

Mohamed Ziane (79) is the ex-minister for Human Rights in Morocco. In 1996 he resigned his role in the Moroccan government, saying he no longer agreed with their policies. Since leaving government, he has defended several activists, journalists and victims of human rights violations.

In 2021, the ministry of the interior made 11 accusations against Mohamed Ziane. In February 2022, the Rabat First instance tribunal found him guilty of the 11 counts and sentenced him to three years in prison and a 5000MAD fine. His lawyer appealed the verdict but was not informed of a date for the appeals process. On 21 November 2022, the appeals court confirmed the sentencing and ordered his immediate imprisonment on request by the public prosecution, under articles 392 and 414 of the penal procedure code, which allows the prosecutor to order that the accused be put in detention immediately. In detention, prison guards have denied Mohamed Ziane access to any reading or writing materials. Mohamed Ziane has ongoing health conditions which require special treatment that is not provided in the prison. On 2 December 2022, his lawyer filed a request for his release at the Rabat appeals court. On 5 December 2022, the court refused the request for his release without explanation.

In November 2021, a complaint was filed against Mohamed Ziane for sexual harassment, blackmail, making immoral allegations, and threats. Sexual harassment accusations must each be considered on their merits and Amnesty International is not well placed to assess their veracity. Amnesty International notes that there has been a recent pattern of sexual assault charges being brought against critics of the government in the context of detention or prosecutions related to the exercise of their right to freedom of expression. In one case of a detained newspaper publisher [Omar Radi](#), the UN Working Group on Arbitrary Detention (WGAD) found that his detention in relation to rape accusations amounted to “judicial harassment attributable to nothing other than his investigative journalism”. In the case of journalist Suleiman Raissouni, detained since 22 June 2020 on sexual assault charges, the WGAD concluded that the violations of his right to a fair trial are of such gravity that they render his detention arbitrary.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Arabic, French, Spanish, English  
You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 28 March 2023  
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

**NAME AND PRONOUN:** Mohamed Ziane (He/him)