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## ORAL STATEMENT

### Item 6:

### Consideration of UPR reports: Morocco and Western Sahara

UN Human Rights Council

52nd session

27 February – 4 April 2023

Mr. President,

Amnesty International is disappointed that Morocco rejected recommendations to criminalize marital rape and to decriminalise consensual sexual relations between adults outside of marriage and consensual same sex sexual relations between adults.<sup>1</sup>

Amnesty International welcomes Morocco's acceptance of recommendations to remove provisions criminalizing freedom of expression from the Penal Code.<sup>2</sup> We urge Morocco to end the prosecution of and criminal investigations against journalists, bloggers and human rights defenders for exercising their right to freedom of expression.

Mr. President,

Torture and other ill-treatment continue in Morocco with impunity, particularly against Sahrawi activists. Prison conditions are frequently not in line with international standards. The UN Committee Against Torture has to date considered six communications on Gdeim Izik prisoners, four of whom have been detained in solitary confinement since 2017.

Amnesty international welcomes Morocco's acceptance or partial acceptance of recommendations to ensure that all reports of torture and other ill-treatment are promptly, impartially, independently and effectively investigated and that all prisoners are held in

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<sup>1</sup> Morocco rejected the following recommendations relating to the advancement of women's and girls' rights and LGBTI rights: 57.26 (France); 57.172 (Spain); 57.173 (Croatia); 57.174 (Iceland); 57.190 (Canada); 57.275 (Spain); 57.277 (Portugal); 57.280 (Costa Rica); 57.281 (Luxembourg); 57.282 (Netherlands); 57.283 (Uruguay). Human Rights Council, Report of the Working Group on the Universal Periodic Review: Morocco, UN Doc. A/HRC/52/7 and its addendum A/HRC/52/7/Add.1

<sup>2</sup> Morocco accepted the following recommendations concerning the removal of provisions criminalizing peaceful free expression from the Penal Code and end the prosecution of and criminal investigations against journalists, bloggers and human rights defenders for peacefully exercising their right to freedom of expression: UN Doc. A/HRC/52/7 and A/HRC/52/7/Add.1, recommendations 57.100 (Norway); 57.95 (United States of America); 57.96 (Belgium); 57.103 (Switzerland); 57.106 (Spain); see also 57.105 (Indonesia); 57.104 (Latvia)

detention conditions which adhere to international standards. .<sup>3</sup>

Mr. President,

On 24 June 2022, Moroccan authorities used violence against people at the Melilla border, leading to the deaths of at least 37 people and the injuries of dozens more. At least 77 people remain missing. The Moroccan authorities have to date refused to cooperate fully with those searching for the missing or to help return the dead to their loved ones, nor have they released any autopsy results of the deceased.

Amnesty International welcomes Morocco's acceptance of the recommendation to strengthen the protection of migrants' rights.<sup>4</sup>

Amnesty International urges the Moroccan government to end the use of disproportionate or unnecessary force by law enforcement officials, to investigate reports of human rights violations committed against migrants, asylum seekers and refugees, and to adopt national asylum legislation in line with international standards.

Finally, we encourage Morocco to implement supported recommendations as soon as possible and urge the government to submit a mid-term report on progress towards implementation of supported recommendations and to use an Item 6 General Debate to bring this to the attention of UN Member States.

Thank you.

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<sup>3</sup> Morocco accepted the following recommendations on ensuring that all reports of torture and other ill-treatment are promptly, impartially, independently and effectively investigated and that prison conditions are in line with international standards: UN Doc. A/HRC/52/7 and A/HRC/52/7/Add.1, recommendations 57.30 (Denmark); 57.80 (Indonesia); 57.81 (Switzerland); see also [57.82 (Lebanon). Morocco partially accepted recommendation 57.89 (Armenia).

<sup>4</sup> Morocco accepted the following recommendations concerning the protection of the rights of migrants and refugees: UN Doc. A/HRC/52/7 and A/HRC/52/7/Add.1, recommendations [57.46 (South Sudan); 57.113 (Nigeria); 57.146 (South Sudan); 57.284 (Cambodia); 57.285 (Cameroon); 57.286 (Canada); 57.87 (Costa Rica);