

ISLAMIC HUMAN RIGHTS COMMISSION

Morocco

Main issues of concern:

Freedom of association and repression critics of Government

Persecution of Members of Al-Adl wa Al-Ihsan / Justice and Spirituality Movement (JSM)

The JSM is the biggest and most popular Islamic organization in Morocco. It emerged as a powerful political movement by the end of the 1980s. Although it had obtained legal recognition, the association has been, since its founding, a target of oppression and abusive arrests by the Moroccan authorities. It is accused of being a terrorist organization, but contrary to this accusation, JSM rejects all forms of violence and has always carried out its activities in a peaceful manner. The spiritual leader of JSM is Sheikh Abdesalam Yassine.

The Moroccan authorities have arrested 2266 of JSM's members since 2006.

Overall, the actions by the Moroccan authorities against the members of JSM amount to, in our view, a violation of Article 22 of the ICCPR. Freedom of association must not be limited in an arbitrary way.

Following are a few cases that IHRC has campaigned for:

a. Moroccan 12, student members of JSM

- i.** 12 students were accused of complicity in the murder of a student at the University of Oujda, killed on 1 November 1991
- ii.** they were seized and reportedly investigated about their affiliation with JSM and the internal workings of the organization, rather than the crime they were accused of
- iii.** They were convicted on charges of murder, abduction, sequestration and violence.
- iv.** There was no evidence against them; unfair trial; forced to confess; physical abuse.
- v.** All 12 have been imprisoned since 1991, serving sentences of 20 years.
- vi.** Articles 7 and 14 ICCPR.

b. *Nasheed* (religious songs) artist Rachid Ghoulam, spiritual educationalist of JSM

- i.** Mr Ghoulam testified that on 25 March 2007 he was kidnapped by the police, stripped naked, tortured and forced to pose with a prostitute while the police took pictures

- ii. police demanded that he reveal information about the finances and activities of JSM
- iii. he refused, the police went public with his pictures and brought him to court to be charged
- iv. He was charged and convicted of encouraging moral corruption and prostitution and sentenced to one month imprisonment with fine
- v. The prostitute admitted that she and Mr Ghoulam were forced to pose together
- vi. Mr Ghoulam is on hunger strike to protest against conviction
- vii. Articles 7, 9 and 14 ICCPR

c. Nadia Yassine, daughter of Sheikh Abdessalam Yassine, spiritual leader of JSM

- i. Ms Yassine faces indictment over a statement she made in an interview against the Moroccan authorities in June 2005
- ii. expected to face from 3 to 5 years in prison with a fine of up to \$100,000
- iii. her trial since its inception has been postponed repeatedly; she still awaits the verdict
- iv. Articles 19 and 14 ICCPR.

d. Hayat Bouida, member of JSM

- i. Ms Bouida was abducted and tortured by intelligence agents in July 2006
- ii. stabbed by intelligence agents in May 2007
- iii. harassed by threatening phone calls
- iv. non-government observers suggest that she is being treated thus because of her affiliation with JSM
- v. Articles 7 and 9 ICCPR.

e. Omar Mohib, former JSM student leader

- i. accused of murdering a student in 1992
- ii. Prosecuted for the murder; his trial began in xx? 2006. The trial has been repeatedly postponed
- iii. three lawyers testified that Mr Mohib was not present at the scene of the crime when the murder took place
- iv. sentenced to 10 years in prison on 11 Sept 2007
- v. Article 14