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**UN Human Rights Council  
Thirty-sixth session, 11-29 September 2017**

**Item 6:  
Consideration of UPR reports**

**MOROCCO**

Mr. President,

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 Morocco<sup>1</sup>, and peaceful protests have been forcibly dispersed, including those advocating for self-determination of Western Sahara. We welcome Morocco's commitment to remove obstacles in the registration of civil society organizations,<sup>2</sup> to review the Penal Code in line with Article 9 of the International Covenant on Civil and Political Rights,<sup>3</sup> and to develop measure to ensure full respect of freedom of expression, association and assembly in Western Sahara.<sup>4</sup> However, we regret 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.<sup>5</sup>

While we acknowledge Morocco's commitment to guarantee fair trials in accordance with international human rights standards,<sup>6</sup> we urge it to amend the Code of Criminal Procedure, in order to ensure the right to a fair trial, such as

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

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

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

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

<sup>5</sup> 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)

<sup>6</sup> A/HRC/36/6, recommendation 144.124 (Australia)

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.<sup>7</sup>

We acknowledge 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 of rape, and other barriers remain, such as the ban on abortion and sexual relations outside marriage. We welcome Morocco's acceptance of recommendations to criminalize marital rape, and ensure protection against domestic violence,<sup>8</sup> 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.<sup>9</sup>

Despite some reform in policies towards migrants and refugees, Morocco has yet to adopt legislation to protect asylum-seekers and refugees. We are 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.<sup>10</sup>

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. We regret Morocco's rejection of a number of recommendations to establish a formal moratorium on the death penalty, with a view to its abolition.<sup>11</sup>

Thank you, Mr. President,

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

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

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

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

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