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Morocco: Stop criminal investigations against human rights defenders over social media posts

Moroccan authorities have stepped up their harassment of human rights defenders and activists in the past two months, with at least four facing criminal investigations and prosecutions over social media posts critical of the authorities, Amnesty International said today.

Human rights defender Saida El Alami was arrested on 23 March and will appear before a Casablanca court on 8 April to face charges over posts in which she publicly denounced the harassment she faced at the hands of the police and criticized the authorities' repression of journalists and activists.

"The Moroccan authorities are harassing and intimidating activists through unfounded criminal investigations and bogus charges in a shameless bid to silence critical voices and clamp down on peaceful activism," said Amna Guellali, Deputy Regional Director for the Middle East and North Africa at Amnesty International.

"We call on the authorities to immediately and unconditionally release Saida El Alami and drop all charges against her. The police must stop all interrogations and prosecutions of activists that stem solely from their exercise of the right to freedom of expression."

Police forces also arrested blogger Mohamed Bouzlouf, who had expressed solidarity with El Alami on Facebook, on 26 March. A court in Ouarzazate sentenced him to two months in prison on 4 April. Two other activists, Abderrazak Boughanbour and Brahim Nafai, are being investigated and were summoned for interrogation over Facebook posts in which they called for protests and for a boycott of fuel, respectively.

Saida El Alami is a vocal human rights activist and member of the collective "Femmes Marocaines Contre la Detention Politique", which brings together women human rights defenders and denounces politically motivated detentions. On 23 March 2022, she received a summons from the National Judicial Police Brigade (BNPJ). After her interrogation, she was held in police custody for 48 hours before being taken to the Ain Sebaa first instance court in Casablanca. She did not have access to a lawyer while in police custody and for the first ten days of her imprisonment.

The prosecutor interrogated her over her social media posts, including a Facebook post from 22 March in which she criticized the Director-General of Morocco's National Security Directorate (DGSN) and Director of the Surveillance Directorate (DGST) for sending officers to question her neighbours about her while she was out. In another Facebook post published on 20 January, which is also part of the prosecution, Alami slammed corruption in the judiciary.

The prosecutor charged her with "insulting a body regulated by law", "insulting public officials while carrying out their duties", "contempt of judicial decisions", and "broadcasting and distributing false allegations without consent" under articles 265, 263, 266 and 2-477 of the Penal Code, respectively. One of El Alami's lawyers, who asked not to be named for security reasons, told Amnesty International that the prosecutor refused their request to grant her release pending trial, without justification.

Under international human rights law, prohibiting insult or disrespect of state officials or public figures, the military or other public institutions is in violation of the right to freedom of expression. Moreover, as determined by the UN Human Rights Committee, public officials are required to tolerate a higher degree of scrutiny and criticism than private individuals. Laws criminalizing defamation, whether of public figures or private individuals, are a disproportionate restriction on the right to freedom of expression and therefore defamation is required to be treated as a matter for civil litigation.

On 8 March, police in Settat City summoned Brahim Nafai, a philosophy teacher and national secretary of the youth wing of the political party Annahj Addimocracy (The Democratic Way), over a Facebook post he shared in which he called for a boycott on buying fuel for three days. Facebook authorities suspended Nafai's Facebook account on 8 March, after his post was signalled to them by unknown sources. When his friends helped him to regain access to his account several hours later, the post had been deleted. On 9 March, Nafai was interrogated by two police officers in the Settat police station for over three-and-a-half hours. He has not been informed of any follow-up about his case.

On 17 February 2022, following an order from the public prosecutor, the Moroccan police summoned Abderrazak Boughanbour, ex-president of the Moroccan League for the Defense of Human Rights (LMDDH) for interrogation. The summons came in after Boughanbour shared a post three times on his Facebook page calling on the Moroccan Social Front, which is a coalition movement of associations, political groups and unions, to join the protests planned in commemoration of the February 20 movement, which called for political reform. The following day, on 18 February, Boughanbour went to the police station in Skhirat-Temara, a city located around 30km from Rabat, where the police interrogated him for over three hours about his political career and his involvement in trade unions and human rights activism, as well as the Facebook posts. He has not been told whether his case is closed or what to expect next.

On 26 March, police from Casablanca travelled 432km south to Ouarzazate to arrest Mohamed Bouzlouf, a young man who had expressed solidarity with Saida Alami in a Facebook post on 24 March, his brother told Amnesty International. They took him in a civilian car to the Ouarzazate police station, where they interrogated him about his Facebook publications in support of Saida El Alami. According to the police statement, which Amnesty reviewed, the police charged him with "undermining established institutions", "influencing justice" and "prejudicing legal decisions", under articles 265 and 266 of the Penal Code. Police officers also searched his house on the same day. On 4 April, the court of Ouarzazate sentenced Mohamed Bouzlouf to two months in prison and a MAD2000 (around 206USD) fine. Mohamed appeared at his trial over a video call from his cell in Ouarzazate prison, where he is still being held. His family has not yet been allowed to visit him due to Covid-19 regulations.

Amnesty International calls on the Moroccan authorities to end the prosecutions of activists who have been critical of public figures, state officials or state institutions, and to ensure that people are free to express their opinions without fear of reprisals. All penalties for insult or defamation of public officials must be quashed.

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ecoi.net summary:

Authorities have increased harassment of human rights defenders and activists since February 2022; at least 4 of them are targeted for social media posts critical of the authorities

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