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Morocco: Stop harassment of critical journalists

Amnesty International has called on the Moroccan government to cease harassing journalists who criticize the authorities or comment on issues considered “taboo”, including the status of Western Sahara and self-determination for its inhabitants, and the monarchy, and to respect the right to freedom of expression.

The organization made this call shortly after one journalist was sentenced to a six month prison term and as another faces trial on charges which appear to be politically motivated.

Taoufik Bouachrine, a journalist and publisher of the daily *Akhbar al-Youm Al-Maghribya* newspaper, was sentenced to six months' imprisonment and fined on 10 June after he was convicted of fraud by the Court of First Instance of Rabat. He had previously been acquitted in 2009 but the case was then reopened by the prosecuting authorities, possibly for politically-motivated reasons on account of his writings criticizing the government. He has lodged an appeal and he is currently at liberty. He previously received a suspended four-year prison term after a court convicted him on 30 October 2009 of showing disrespect to the national flag and offending a member of the royal family. .

Ali Amar, another journalist who has been critical of the monarchy, is facing trial on charges of fraud and theft brought under Article 505 of the Penal Code. His arrest and questioning by police was marked by irregularities. He was arrested on 4 June 2010 together with Zineb El-Rhazoui when police broke into the latter's home in Casablanca and searched it without producing a warrant, as required by Moroccan law.. Ali Amar and Zineb El-Rhazoui were taken to a police station and questioned for 12 hours, including about their writings, but then released. However, three days later Ali Amar was arrested in Rabat, taken back to Casablanca and detained for a further 24 hours and then charged in connection with the alleged theft of a personal computer. While detained on this occasion, he was questioned by police and security forces about his travel abroad to Spain and France, his links with human rights organisations and his writings as a journalist. He appeared before the Court of First Instance of Rabat on 15 June. A few days beforehand, on 10 June, Minister of Justice Mahamed Naciri commented publicly: “Ali Amar [trial] is far from freedom of expression and freedom of press, he is pursued for criminal offences for ‘theft’... Ali Amar is trying to give a political connotation to his trial...”

Zineb El-Rhazoui, a journalist and founding member of the Alternative Movement for Individual Freedom (Mouvement Alternatif pour les Libertés Individuelles, MALI), has also been subject to harassment by the authorities in the past because of her peaceful activities.

Another journalist, Omar Radi, who writes for the weekly newspaper *Le Temps*, is reported to have been beaten and insulted by police on 20 June 2010, during a peaceful protest in Rabat on which he was reporting. At least nine other people who were participating in the protest are reported to have been physically assaulted by police.

The Moroccan Association for Human Rights (Association Marocaine pour les Droits Humains, AMDH), which has been in the forefront of providing support to Taoufik Bouachrine and the other journalists named above, has recently come under pressure from the government and some media as a result. Following its 9th Congress in May 2010, the AMDH has been publicly criticized by sections of the media and leading politicians, including Prime Minister Abbas El-Fassi and others, who accuse it of showing support for the Polisario Front – an accusation that the AMDH strongly refutes as a smear aimed to cause it public discredit. In fact, the AMDH has been one of the foremost organizations campaigning for human rights in Morocco over many years during which it has repeatedly denounced human rights abuses committed by the Moroccan authorities in Western Sahara and made clear its commitment to secularism in Morocco.

Background

Human rights defenders, journalists, lawyers and others continue to face intimidation and even prosecution when they transcend certain “red lines”. Amnesty International calls for the repeal or amendment of provisions of the Penal Code and the Press Code which criminalize the peaceful exercise of freedom of expression.

Amnesty International welcomes the release of Idriss Chahtane on 11 June 2010 following a royal pardon granted by King Mohamed VI. He was a prisoner of conscience, detained solely for peacefully exercising his right to free expression. On 15 October 2009, Idriss Chahtane was found guilty under Article 42 of the Moroccan Press Code of spreading false information with “malicious intent” in relation to an article published in a September 2009 edition of the *Almichaal* on the health of King Mohamed VI. The court sentenced him to one year of imprisonment and a fine.

Ali Amar and Zineb El-Rhazoui both worked for Morocco's newsweekly, *Le Journal Hebdomadaire*, before it closed in January 2010 following several fines imposed by courts as a result of politically-motivated prosecutions. Ali Amar wrote a book entitled *Mohammed VI: The Big Misunderstanding (Mohammed VI, Le grand malentendu)*, which was published in France in 2009 but banned in Morocco on account of its criticism of King Mohamed VI's rule. Zined El-Rhazoui was arrested in September 2009 following a sit-in called by MALI in protest of the law prohibiting eating in public during the month of Ramadan and has been prohibited from travelling abroad.

Taoufik Bouachrine 's former newspaper, *Akhbar Al-Youm*, was shut down by the authorities, when he was convicted on 30 October 2009 - along with Khaled Gueddar, a cartoonist - of showing disrespect to the national flag and offending a member of the royal family; both men received suspended four-year prison sentences.

In another case, journalist and human rights defender Chekib El-Khiari is serving a three-year sentence in Oukacha prison in Casablanca. Amnesty International considers him to be a prisoner of conscience imprisoned solely for his legitimate and peaceful human rights work, namely for his outspoken criticism of Moroccan authorities and officials. He was convicted on charges of undermining or insulting public institution, and for opening a bank account abroad and transferring money without proper authorization.