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COI QUERY RESPONSE

MOROCCO- INFORMATION ON PRISON AND DETENTION- INFORMATION ON BREACHES OF FUNDAMENTAL HUMAN RIGHTS

The *National Human Rights Council of Morocco (CNDH)* in May 2025 mentioned that: “In addition to the preventive visits conducted by the NPM (166 visits), the CNDH conducted 814 protective visits to penitentiary institutions between 2019 and the end of 2023. These visits revealed that prison overcrowding, despite national efforts made to build and expand prisons and to implement reintegration programs, remains one of the most pressing challenges facing the prison system.” [...] ¹

This report further states that: “Following its visits, the CNDH noted in 2023 the prolonged detention of individuals with mental health disorders or those declared criminally irresponsible, whose number reached 12,105 in 2023. It called for legislative reforms to better regulate their care and protect their rights. The CNDH identified also challenges related to access to healthcare in prisons (for example, insufficient medical services and delays in appointments with doctors), despite efforts made to overcome them.” ²

The *Sahara Press Service* in June 2025 points out that: “Saharawi political prisoner and member of the Gdeim Izik group, Sidi Abdallah Abbahah, has now endured seven years of solitary confinement inside Morocco’s notorious Tiflet 2 prison, indicates Dr. Isabel Lourenco, in a statement to the SPS, considering his situation a punishment the UN defines as torture. His crime? Peacefully advocating for Saharawi self-determination. This week, after formally notifying prison officials of his intention to begin a protest hunger strike, Abbahah was denied the right — a right even Morocco’s own prison regulations are meant to protect. Over the next 48 hours, a chilling pattern emerged. One by one, prison guards entered his cell with a coordinated warning: “Stop saying you are a political prisoner. You are nothing more than a civilian criminal.”” ³

This document further commented that: “In 2016, the UN Committee Against Torture not only took up his case, but confirmed he had suffered torture while in Moroccan custody. The UN Working

¹ National Human Rights Council of Morocco (CNDH) (29 May 2025) Report of the National Human Rights Council of the Kingdom of Morocco to The UN Human Rights Committee

² ibid

³ Sahara Press Service (5 June 2025) Morocco’s torture of a political prisoner enters 8 years of solitary confinement

Group on Arbitrary Detention went further, declaring his detention a violation of due process and calling for his release. Morocco has ignored both rulings. Worse still, Abbahah remains completely cut off from legal representation. His lawyer, Maître Olfa Ouled, is barred from any contact with him — a stunning breach of legal norms that intensifies his isolation. The Moroccan state’s treatment of Abbahah is not just a case of prison abuse, Dr. Isabel Lourenco emphasizes, it is an act of political erasure. By stripping him of the right to protest, denying his political status, and silencing his voice, Morocco is not just violating human rights — it is attempting to rewrite history itself.”⁴

A report issued by *Amnesty International* in April 2025 notes that: “According to LGBTI rights organization Akaliyat, LGBTI people continued to face arbitrary arrest, prosecution, ill-treatment in detention, hate crimes and other discrimination, while most did not feel safe enough to report violations.”⁵

The *Foreign, Common Wealth and Development Office* in April 2025 reported that: “Prisoners are mixed together, regardless of their crimes. Most foreign prisoners share cells. Overcrowding is normal – typically 30 men share a cell meant for 18. How bad it is depends on where you are – some prisons have dormitories with anything from 60 to 150 men in one room, and overcrowding can be worse in the women’s sections. With such overcrowding, the chances are that you may have to sleep on the floor. Access to bathrooms is very limited with one bathroom shared between many.”⁶

The *US Department of State Country Reports on Human Rights Practices* mentioned that: “Prison conditions improved during the year but in some cases did not meet international standards. Conditions were harsh in some prisons due to overcrowding.

Abusive Physical Conditions: The Moroccan Observatory of Prisons, an NGO focused on the rights of prisoners, continued to report that some prisons were overcrowded and failed to meet local and international standards. In newer prisons pretrial detainees and convicted prisoners were held separately, but in older prisons the two groups remained together. As of July, 41 percent of a total prison population of 100,004 were pretrial detainees. As of the end of November, the prison population surpassed 158 percent of capacity in the country’s 76 prisons. According to government sources and NGOs, prison overcrowding was due in large part to an underutilized system of bail or provisional release, a severe backlog in cases, and lack of judicial discretion to reduce the length of prison sentences for specific crimes.”⁷

This report further states that: “The General Delegation for Prison Administration and Reintegration (DGAPR) reported no discrimination in access to health services or facilities based on gender for women prisoners, who made up just over 2 percent of the prison population. Some officials reported that women inmates often had difficulty accessing gender-specific health specialists such as obstetricians and gynecologists. Local NGOs asserted that prison facilities did not provide adequate access to health care and did not accommodate the needs of prisoners with disabilities.”⁸

This document further mentioned that: “In ordinary criminal cases, the law required police to notify a detainee’s next of kin of an arrest immediately after the above-mentioned period of incommunicado detention, unless arresting authorities applied for and received an extension from a

⁴ *ibid*

⁵ *Amnesty International.* (Amnesty International (28 April 2025) *The State of the World’s Human Rights - Amnesty International Report 2024/25: Morocco/Western Sahara*

⁶ *Foreign, Common Wealth and Development Office* (8 April 2025) *Information pack for British prisoners in Morocco*

⁷ *US Department of State* (22 April 2024) *2023 Country Reports on Human Rights Practices: Morocco*

⁸ *ibid*

prosecutor. Police did not always respect this requirement. Authorities sometimes did not notify family or lawyers promptly of the arrest, and families and lawyers were not able to monitor compliance with detention limits or treatment of the detainee.”⁹

The *Bertelsmann Stiftung* in March 2024 reported that: “Pretrial detainees can be held beyond a one-year limit and even longer without valid justification. Omar Radi and Soulaïman Raïssouni spent one year in pretrial detention before being sentenced.”¹⁰

The same document further points out that: “Prisoners can be denied access to their case files. This obstructs their ability to prepare their defense adequately. Activist Maati Monjib was not granted access to his file. The constitution and the law prohibit torture and cruel, inhuman or degrading treatment or punishment. However, human rights organizations have reported the use of coercion to obtain confessions. Amnesty International reported on the torture of Sahrawi activist Mohamed Lamine Haddi by prison guards. This occurred after he declared a hunger strike in protest of his prison conditions, and visits by his lawyer and family were denied in March 2022. Prisons in Morocco are overcrowded. It is estimated that the prison population is more than 175% greater than the total capacity of Morocco's prisons. Prisons fail to meet international standards as they lack basic facilities and fail to ensure fair treatment of minors.”¹¹

The *Reporters Sans Frontières (Reporters Without Borders)* in March 2024 notes that: “Detained for the past four years and currently held at Casablanca's Ain Borja prison, Raïssouni had written a reply to the letter that Ukrainian writer and novelist Andrey Kurkov sent him as part of PEN International's campaign for imprisoned journalists, but his reply was confiscated, his family says. The former editor of the daily newspaper *Akhbar al Yaoum*, who was sentenced to five years in prison by a Casablanca appeal court on 24 February 2021, is being deprived of the basic right to correspond with the outside world, say members of his family.”¹²

This document further mentioned that: “Raïssouni was already subjected to abusive treatment by the prison authorities when he was transferred without any warning in May 2022 from Casablanca's Oukacha prison to Ain Borja prison, which is located far from where his family lives. During the transfer, the prison guards seized many of Raïssouni's documents such as his notes for his novel and tore up many of his notes and books. RSF denounced these unacceptable violations of his rights at the time. When the appeals submitted by Raïssouni and fellow imprisoned journalist Omar Radi to Morocco's highest appeal court, the Court of Cassation, were finally rejected after repeated postponements on 18 July 2023, RSF urged the Moroccan authorities to use Throne Day on 30 July to issue a royal pardon for the two journalists.”¹³

A report issued by *Freedom House* in February 2024 states that: “Due process rights are not respected. In 2017, a Moroccan appeals court issued prison sentences to 23 Sahrawis over the 2010 deaths of Moroccan security personnel during an uprising at the Gdeim Izik protest camp; confessions that were allegedly obtained by torture were used as trial evidence.”¹⁴

⁹ *ibid*

¹⁰ Bertelsmann Stiftung (Germany) (19 March 2024) Bertelsmann Stiftung's Transformation Index (BTI) 2024 Country Report – Morocco

¹¹ *ibid*

¹² Reporters Sans Frontières (Reporters Without Borders) (5 March 2024) Morocco's persecution of imprisoned journalist Soulaïmane Raïssouni must stop

¹³ *ibid*

¹⁴ Freedom House (29 February 2024) Freedom in the World 2024: Western Sahara

This report further commented that: “Torture and degrading treatment by Moroccan authorities is a problem, especially against proindependence advocates. While under arbitrary house arrest between 2020 and 2022, proindependence activist Sultana Khaya was repeatedly subjected to violent physical and sexual assaults by members of the Moroccan security forces enforcing her detention. Amnesty International reported that, as of September 2022, no investigation into the abuse had taken place. In another case, in March 2022, imprisoned Sahrawi activist Mohamed Lamine Haddi reported that guards had physically assaulted him in his jail cell. The UN Committee against Torture (CAT) has criticized the Moroccan government for failing to promptly and thoroughly investigate reports of torture and abuse against detainees.”¹⁵

The *Front Line Defenders (Ireland)* in December 2023 reported that: “Front Line Defenders is deeply concerned by the ongoing imprisonment of Sahrawi human rights defenders who were arbitrarily arrested in November 2010 by Moroccan authorities during the dismantling of the Gdeim Izik camp. Front Line Defenders joins the UN Working Group on Arbitrary Detention (WGAD) and numerous human rights organisations in calling for their immediate release. On 11 October 2023, the UN Working Group on Arbitrary Detention deemed the imprisonment of a group of Sahrawi activists, who were sentenced over a decade ago by a Moroccan court, as illegal. In its opinion, it urged the Moroccan authorities to promptly release the group of detainees, which comprises of journalists and human rights defenders, from Western Sahara. These detainees, known as the Gdeim Izik prisoners, have reportedly faced inhumane treatment since their non-violent protests in 2010 in the Gdeim Izik camp in Western Sahara. The prisoners include a number of human rights defenders.”¹⁶

This document further points out that: “The UN WGAD, in advocating for the prisoners' release, highlighted several serious violations, including the denial of the prisoners' right of access to a lawyer, the use of confessions obtained under torture, and the lack of impartiality and independence of the court. The group concluded that the prisoners had been arbitrarily deprived of their liberty since their arrest in 2010. In addition, the UN WGAD called on Morocco to guarantee reparations and encouraged the Kingdom to conduct an investigation into the arbitrary deprivation of liberty, and to bring those responsible to justice.”¹⁷

The *Office of the United Nations High Commissioner for Human Rights (OHCHR)* in December 2023 states that: “The condition of physical and psychological health of the Sahrawi political prisoners held in Moroccan prisons continues to deteriorate, while any request for independent medical consultation on their part is refused by the Moroccan authorities. The families of the Saharawi political prisoners continue to be victim of harassment and threat from the Moroccan authorities. In protest against the humiliating conditions of detention and the violations of the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), several Saharawi political prisoners have undertaken short term or unlimited hunger strikes.”¹⁸

The *Sahrawi Association of Victims of Grave Violations of Human Rights Committed by the Moroccan State (ASVDH)* in November 2023 points out that: “Sahrawi political prisoners who are held in Moroccan prisons, also face various discriminatory measures. They are separated from their families' residences and detained in prisons far from their homeland. In addition, they are often subjected to

¹⁵ ibid

¹⁶ Front Line Defenders (Ireland) (20 December 2023) Western Sahara/Morocco: Morocco must immediately release Gdeim Izik human rights defenders

¹⁷ ibid

¹⁸ Office of the United Nations High Commissioner for Human Rights (OHCHR) (15 December 2023) Joint written statement submitted by American Association of Jurists (Western Sahara: the Need for an Independent Monitoring Mechanism)

harassment and attacks resulting from incitement against them. Most of the time, their repeated demands to provide the minimum rights as political prisoners are not met, as legally recognized.”¹⁹

The *Global Initiative against Transnational Organized Crime* in September 2023 mentioned that: “Prisons are overcrowded and prisoners are frequently subjected to human rights abuses.”²⁰

In August 2023 *Human Rights Watch* notes that: “On the International Day of the World's Indigenous Peoples, we, the undersigned civil society organizations, call for the immediate and unconditional release of Nasser Zefzafi from his unjust detention in Morocco. Zefzafi is a human rights defender serving a 20-year prison sentence for peaceful activism on behalf of his Indigenous Amazigh community in the marginalized Rif region.”²¹

This report further states that: “Zefzafi was a prominent leader of the 2016 Hirak movement, which was triggered by the brutal killing of a local fishmonger in Al Hoceima. It was the country's largest series of public demonstrations since 2011, gathering tens of thousands of people. Zefzafi and other Hirak leaders expressed socioeconomic demands that received national and international attention, and transcended class divisions, without violence. Zefzafi was arrested on May 29, 2017. He was subjected to torture and other ill-treatment by police officers and held in prolonged solitary confinement for nearly a year between September 2017 and August 2018.”²²

This report further notes that: “According to sources close to him, Zefzafi's health continues to deteriorate in prison as authorities prevent him from receiving sufficient medical treatment. “As he continues to endure terrible treatment into the fifth year of his long sentence, we join our partners in calling for Zefzafi's immediate and unconditional release,” said Margaux Ewen, director of Freedom House's Political Prisoners Initiative. “We stand together on the International Day of the World's Indigenous Peoples to show Zefzafi that he and the peaceful movement he represents are not forgotten.”²³

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