

20 May 2020

## Morocco: Preventive detention of human rights defenders because of social media posts, in the context of COVID-19

Between late April and early May 2020, several human rights defenders in Morocco have been subjected to preventive detention as a result of their posts on social media, on the issue of human rights and the response by the Moroccan authorities during COVID-19. Front Line Defenders believes that the detention of **Abdel Fattah Bouchikhi**, **Omar Naji** and **Siham El Makrini** is a worrying pattern which may become formalised if the proposed law No: 22-20, which would restrict the ability to defend human rights on social media, is to pass.

Abdel Fattah Bouchikhi is a member of the National Instance for Human Rights and a blogger. His human rights work focuses primarily on corruption issues. Omar Naji is a human rights defender who works on refugee and immigration issues, and is vice-president of the Moroccan Association for Human Rights (AMDH) in the Nador city branch. Siham El Makrini, is a woman human rights defender whose work is focused on the promotion of women's rights in Morocco. She is also a member of the Nador city branch of AMDH and is a member of the Teacher's National Coordination, which works to promote teachers' economic rights. Siham El Makrini is also part of the Rif movement in the north of the country.

On 5 May 2020, Abdel Fattah Bouchikhi was summoned to Jorf El Melha police station regarding a post he made on social media, in which he exposed corruption related to the issuing of transport permits, which are necessary for travelling in Morocco during COVID-19. He was interrogated for seven hours without the presence of his lawyer, following which he was placed in preventive detention. He was detained for 48 hours at the police station before being transferred to the public prison, where he remains at the time of writing. In the 48 hours he spent in detention at the police station, he was not given any food. Abdel Fattah Bouchikhi has been charged with defamation and his hearing is scheduled for 21 May 2020.

On 27 April 2020, Omar Naji was summoned to the Cybercrime police section in Nador city, following a complaint submitted by the Nador city governor regarding a social media post he had made. In the post, Omar Naji defended the economic rights of the street hawkers in the city, following the confiscation of their goods by the police due to COVID-19 restrictions. He was placed under preventive detention for almost 24 hours, before being granted release on a bail of 10000 Dirham (approximately 900 Euros). Omar Naji's hearing is scheduled for 2 June 2020 under the charges of 'defamation', 'the spread of false news for the purpose of insulting the public institutions' and 'publishing photos of persons without their consent'.

On 5 May 2020, several police officers dressed in plain clothes arrested woman human rights Siham El Makrini at her home. She was brought to the police station in Nador city, where she was interrogated for almost two hours without the presence of her lawyer, regarding a post she had made on social media which called for improved economic rights for teachers in Morocco. Siham El Makrini has been charged with 'incitement' with regard to her social media post, the hearing for which has not yet been scheduled. On 17 May 2020, Siham El Makrini's home was raided and vandalised by unknown individuals, which she believes to be connected to the charges against her and her human rights activities. The woman human rights defender has been previously harassed by Moroccan authorities. In 2018, Siham El Makrini was physically attacked by a group of police officers, fracturing her arm.

Front Line Defenders is seriously concerned regarding the continuous harassment of human rights defenders in Morocco regarding their social media posts which promote human rights and criticise the government's response to COVID-19. In this context, it is particularly concerned about the approval of the first drafts of law No:22-20 by the Moroccan Government Council on 19 March 2020. The proposed law includes vague articles which would restrict the ability to defend and advocate for human rights on social media.

**Front Line Defenders urge the Moroccan Authorities to:**

1. Immediately and unconditionally release Abdel Fattah Bouchikhi, and drop charges against all the human rights defenders listed above as it is believed that they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Ensure that the treatment of Abdel Fattah Bouchikhi, while in detention, adheres to the conditions set out in the '*Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment*', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Guarantee in all circumstances that all human rights defenders in Morocco are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions [including judicial harassment].

*Front Line Defenders respectfully reminds you that the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw attention to Article 6 (b and c): "Everyone has the right, individually and in association with others: (b) As provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; (c) To study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters".*

Please inform us of any actions that may be taken with regard to the above case.

Yours sincerely,



Andrew Anderson

Executive Director

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