



JUBILEE CAMPAIGN
ECOSOC Special Consultative Status (2003)
SET MY PEOPLE FREE

United Nations Human Rights Council
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Kingdom of Morocco

A Vital Voice for Those Suffering in Silence
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**United Nations Human Rights Council
Universal Periodic Review of the Kingdom of Morocco**

I. Background

1. **Jubilee Campaign**, in special consultative status with ECOSOC, submits this analysis of religious freedom and human rights in the Kingdom of Morocco as a contribution to the Universal Periodic Review. Jubilee Campaign is a non-governmental organization focusing on promoting the rights of religious and ethnic minorities and raising the status of vulnerable women and children – to protect them from bodily harm and sexual exploitation.
2. **Set My People Free** is a network of individuals, churches and organizations working for the freedom of converts from Islam to live and practice their new faith, and to experience equality and justice in their home countries.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies.

3. Morocco has ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment; the Optional Protocol of the Convention against Torture; the International Covenant on Civil and Political Rights; the Convention for the Protection of All Persons from Enforced Disappearance; the Convention on the Elimination of All Forms of Discrimination against Women; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of All Migrant Workers and Members of Their Families; the Convention on the Rights of the Child; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography; and the Convention on the Rights of Persons with Disabilities.
4. Morocco has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; and the Interstate communication procedure under the International Convention for the Protection of All Persons form Enforced Disappearance.

Recommendation(s)

We urge the Kingdom of Morocco to:

5. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty; and the Interstate

communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance.

III. Violations of international human rights obligations, considering applicable international humanitarian law

A. Freedom of thought, conscience and religion

6. The Preamble of Morocco's Constitution of 2011 identifies the nation as a "sovereign Muslim State" and Article 3 states that Islam is the official national religion but notes that the state "guarantees to all the free exercise of beliefs". Article 10 further provides Moroccan citizens "freedom of opinion, of expression, and of assembly".¹ The only two faiths formally recognized in the Moroccan Constitution are Sunni Islam and Judaism.
7. Section II of Morocco's Penal Code of 1962 is regarding Offenses Relating to the Exercise of Religion and in Article 220 penalizes proselytism with imprisonment ranging between six months and three years and a fine of 200 to 500 dirhams (≈ USD \$20 to \$50). Subject to such penalty is any individual who "uses means of seduction for the purpose of shaking the faith of a Muslim or converting him to another religion".²
8. Article 222 of Morocco's Penal Code stipulates that "a person commonly known to be Muslim who violates the fast in a public place during Ramadan, without having one of the justifications allowed by Islam [such as travelling, sickness or menstruation], shall be punished by one to six months in prison" and a fine.³
9. In a 2016 supplementary amendment to Penal Code Article 222, any individual who "offends" the Islamic faith "by means of speeches, shouting, or threats made in public places and gatherings, or by posters presented to the public, or by sale or distribution, or by any means that fulfill the condition of publicity, including electronic, paper and audiovisual media" is punished with imprisonment between two to five years' imprisonment and a fine ranging from 50,000 to 500,000 dirhams (≈ USD \$5,300 to \$53,000).⁴
10. Morocco's 2016 Press and Publications Code criminalizes blasphemy, stating that any individual who creates or disseminates a publication "prejudicial to Islam, the monarchy, territorial integrity, or public order" can be sentenced to up to two years' imprisonment and a fine of up to 200,000 dirhams (≈ USD \$21,200).⁵

¹ [Maroc: Constitution](#), 29 July 2011.

² [Morocco: Code Pénal \[Morocco\]](#), 26 November 1962.

³ Humanists International, [The Freedom of Thought Report: Morocco](#), 22 October 2020.

⁴ *Ibid.*

⁵ Freedom House, [Freedom on the Net 2021: Morocco](#); United States Department of State, [2020 Report on International Religious Freedom: Morocco](#), 12 May 2021.

11. In May 2020, Moroccan authorities, under direction of the public prosecutor of Casablanca's Court of First Instance, arrested actor Rafik Boubker for allegedly blasphemous social media posts he made "insulting the Islamic religion and violating the reverence for acts of worship". The post in question was an Instagram video of an intoxicated Boubker stating "We are at the mosque since bars are closed because of the lockdown. The bar of the mosque. Make [your] ablution with wine and perform prayers with whiskey". Boubker, a devout Muslim himself, has since apologized for his remarks.⁶ Boubker was freed on a bail of 5,000 dirhams (≈ USD \$530) but still faces charges of blasphemy and potentially between six months and two years in prison.⁷
12. In May 2020, Moroccan authorities arrested Mohammad Awatif Kachach, an employee of Youssoufia City Council, regarding a satirical cartoon of the Prophet Muhammad that he shared on his social media. Kachach was charged with blasphemy and sentenced to six months in prison and fined 3,000 dirham (≈ USD \$315). The Court of First Instance and Appeals of Safi upheld Kachach's original sentencing in July 2020.⁸
13. In June 2021, Casablanca authorities arrested a 23-year-old Moroccan-Italian woman while she was at the airport after returning from studying law in France. The anonymous woman was charged with blasphemy and sentenced to three and a half years in prison and a fine of 55,000 dirhams (≈ USD \$6000) for a Facebook post she shared in 2019 in which Quranic verses were used "in a parodic praise of the consumption of alcohol". The woman's father has defended her by explaining that she is not fluent in Arabic and could not understand the nature of the post she shared. In addition, after visiting her in prison, the father stated that she is mentally struggling and that her future in law has been detrimentally affected by her case.⁹
14. In 2017, Moroccan religious figureheads decided that apostasy – or renouncing Islam and converting to another faith – is no longer a crime punishable by the death penalty, converts do face imprisonment.¹⁰ In mid-2020, Christian converts were being arrested on a weekly basis for religious conversion; one man in Al Hajeb city received death threats from his employer for his conversion to Christianity and was later arrested and sentenced to six months in prison.¹¹ Other forms of punishment relegated to Christian converts include denial of custody and revocation of inheritance rights.
15. Moroccan family laws dictate that while a Muslim man can marry a Christian or Jewish woman, a Muslim woman is not permitted to marry a man of another

⁶ Hamza Guessous, "[Police Arrest Moroccan Actor Rafik Boubker For Blasphemy Against Islam](#)", *Morocco World News*, 26 May 2020.

⁷ Middle East Online, "[Morocco actor prosecuted over 'blasphemy' remarks against Islam](#)", 28 May 2020.

⁸ The New Arab, "[Calls for release of Moroccan man jailed for sharing 'blasphemous' cartoon on Facebook](#)", 29 July 2020. ; End Blasphemy Laws, "[Moroccan authorities should quash the conviction of man charged with insulting Islam](#)", 28 July 2020.

⁹ Shaquile Goff "[Moroccan Court Convicts Woman for 'Publicly Insulting Islam'](#)", *Morocco World News*, 30 June 2021.

¹⁰ Joseph Hartropp, "[Morocco Religious Authorities Rule Leaving Islam Is No Longer Punishable By Death](#)", *Christian Today*, 6 February 2017.

¹¹ Jennifer Lee, "[Morocco's Christian converts face arrest and harassment](#)", *Christian Today*, 20 July 2020.

faith unless he converts to Islam. Moreover, Moroccan citizens must be registered Muslims in order to adopt orphaned children; Christians and other minorities must convert to Islam if they wish to do so.¹²

16. In 2021, two college-age Moroccan women “Nadeen” and “Fatima” (pseudonyms) explained to Open Doors that when they told their parents that they had converted to Christianity, they were physically beaten and pressured to renounce their newfound faith. Nadeen and Fatima pretended that they had returned to Islam but instead have been practicing Christianity in secret; Nadeen explains that “if my father found out, he’d kill me”.¹³
17. The only church buildings in Morocco belong to the Catholic Church and are legally recognized as belonging to the foreign religion which came to the nation during French rule; only historically Catholic communities can use these churches. Moroccan Christians are prohibited from constructing their own houses of worship and Moroccan civilians in general are forbidden from even entering a Catholic Church. According to Jawad Elhamidy, president of the Moroccan Association of Rights and Religious Liberties, “If a Moroccan enters a church, one of two things can happen; either a policeman sitting in front of the church arrests him or her, or the cleric in charge of the church asks the person to leave, unless the purpose is tourism”.¹⁴
18. Moroccan authorities required that mosques close to the public directly following daily prayer times as a means to prevent the mosques from becoming breeding grounds for allegedly “unauthorized activity” and “extremism”.¹⁵
19. While the Moroccan government permitted the sale and use of Bibles in the French, English, and Spanish languages, Arabic Bibles remain difficult to find as they are usually only permitted for higher education religion classes.¹⁶ Bible Society reveals that they receive steady requests for Bibles from Morocco.¹⁷
20. In late October 2021, Moroccan elections ousted the Islamist Justice and Development Party and replaced it with the National Rally of Independents Party in a move that was welcomed by Moroccan citizens. The formerly ruling Justice and Development Party has been associated with the extremist Muslim Brotherhood, whereas the newly ruling National Rally of Independents Party is more liberal and socially democratic. Moroccan Christians across the country have expressed high hopes that the transition to a new government will usher in a new period of religious freedom and plurality.¹⁸

Recommendation(s)

¹² United States Department of State, [2020 Report on International Religious Freedom: Morocco](#), 12 May 2021.

¹³ Open Doors USA, [Morocco](#), 2021.

¹⁴ Aid to the Church in Need, [“Christian converts face discrimination in Morocco”](#), 22 February 2021.

¹⁵ United States Department of State, [2020 Report on International Religious Freedom: Morocco](#), 12 May 2021.

¹⁶ United States Department of State, [2020 Report on International Religious Freedom: Morocco](#), 12 May 2021. ;

¹⁷ Bible Society, [“Despite the risks, 100 people ask us for a Bible every week in Morocco”](#).

¹⁸ International Christian Concern, [“Freed from Islamist Rule, Christian Minorities in Morocco Express Hope”](#), 23 October 2021.

We urge the Kingdom of Morocco to:

21. Abolish Article 220 of Morocco's Penal Code which criminalizes peaceful evangelism;
22. Abolish laws and amendments that criminalize alleged acts of blasphemy and are used to detain faith minorities and converts for their expressions and manifestations of belief, including the 2016 supplementary amendment to the Penal Code and the 2016 Press and Publications Code;
23. Cease the practice of imprisoning faith minorities on charges of blasphemy and release unconditionally and with immediate effect all religious prisoners of conscience in Morocco;
24. Repeal family laws which unjustly target interfaith marriages;
25. Permit the construction of churches and houses of worship for Moroccan Christians, or otherwise allow their attendance and worship at Catholic Churches.

B. Gender-Based Violence (GBV), Violence against Women (VAW), & Intimate Partner Violence (IPV)

26. In 2017, a video circulated on the internet showing a group of teenage boys on a bus verbally harassing and tearing clothes off of a 24-year-old woman who was crying and asking other bus passengers for help. The viral video caused much outrage among the Moroccan public who increased their calls for criminalization of violence against women.¹⁹
27. In 2018, Morocco passed and implemented Law No. 103-13 On Combatting Violence against Women. The legislation "criminalizes some forms of domestic violence, establishes prevention measures, and provides new protections for survivors".²⁰ Acts including sexual harassment, exploitation, and forced marriage could be punished with up to five years in prison and a fine of up to ≈ USD \$1,000.²¹ While the prohibition of certain acts of violence was welcomed by the public, many pointed out the weaknesses of the law, such as that victims must file charges in order to receive survivor protection; that there is no list of investigative due diligence activities for state actors; that there is no financial assistance for shelters and support services; and there is no legal definition for marital rape or domestic violence provided. Immediately following the law's implementation, it was reported that prosecutors did not file charges and police

¹⁹ Imogen Calderwood, "[A Video of a Woman Being Sexually Assaulted on a Moroccan Bus Has Sparked Fury](#)", *Global Citizen*, 23 August 2017.

²⁰ Human Rights Watch, "[Morocco: New Violence Against Women Law](#)", 26 February 2018.

²¹ Al Jazeera, "[Morocco criminalizes violence against women and sexual harassment](#)", 12 September 2018.

did not follow up on cases, as, regrettably, there is no legal requirement to do so.

28. In 2019, the Solidarity, Family and Social Development Ministry conducted a survey of Moroccan women to collect statistics about the rates of domestic violence; 54.4% of respondents reported being subjected to violence by an intimate partner, yet only 28% have informed another individual of their abuse and a meager 6.6% have actually attempted to seek justice.²² The survey also revealed that some of the main obstacles to achieving accountability for their perpetrators include courts' rejection of victim testimonies and pressure from family members to withdraw their cases "for the sake of keeping the family together", as more than half of domestic violence incidents involve husbands as the primary perpetrators.²³
29. In late September 2020, the Kingdom of Morocco published its *Voluntary National Review of the Implementation of the Sustainable Development Goals*, with one section dedicated to SDG 5 on Achieving Gender Equality. Morocco reports that some progress has been made to combat violence against women; between 2009 and 2019, psychological violence against women decreased from 58% to 49%, and physical violence decreased 2%. However, during that same decade term, economic violence increased from 8% to 15% and sexual violence increased from 9% to 14%. The rates of physical domestic in rural areas of Morocco increased 4%. The increase in the number of domestic violence incidents occurring in the home between 2009 and 2019 exhibits just how devastating pandemic-associated isolation and lockdown measures can be for women and girls who are forced to stay home with their perpetrators.²⁴ Civil society organizations have noted that state reported decreases in psychological and physical violence against women is misleading, as "it doesn't mean violence has gone down. It means that people aren't able to make complaints and don't have access to justice".²⁵
30. In November 2020, the Moroccan Federation of Women's Rights' Leagues (FLDF) revealed that amidst the COVID-19 pandemic, violence against women in Morocco had increased 31.6%, with a total of 4,663 incidents recorded between March and November. Acts of violence against women that were reported to have increased during the pandemic include sexual coercion; defamation; harassment; denial of access to financial resources, education, and employment; rape and sexual violence; and even murder.²⁶
31. Member organizations of the Moroccan Federation of Women's Rights Leagues have reported that over the past year and a half of the pandemic, they

²² Reuters, "[Many women in Morocco face abuse at home, some are now speaking out](#)", 10 June 2019.

²³ Amira El Masaiti, "[Over 50% of Cases of Violence Against Women Committed by Spouses](#)", *Morocco World News*, 18 December 2017.

²⁴ Kingdom of Morocco, *Voluntary National Review of the Implementation of the Sustainable Development Goals*, 2020. ; Safaa Kasraoui, "[HCP: 5.3 Million Women in Morocco Experience Domestic Violence](#)", *Morocco World News*, 28 September 2020.

²⁵ Anna Mitchell, "[In Morocco, Domestic Abuse Remains Behind Closed Doors](#)", *US News*, 18 June 2020.

²⁶ Yahia Hatim, "[Violence Against Women in Morocco Increased by 31% Since Lockdown](#)", *Moroccan World News*, 25 November 2020.

have had difficulty responding to the endless phone calls with women's reports of physical, sexual, psychological, and economic violence by their partners. One organization, Tahadi Association for Equality and Citizenship, based in Casablanca, reported that while in normal years they take a few calls a day, the number has now increased to 20 or 30 daily calls.²⁷

Recommendation(s)

We urge the Kingdom of Morocco to:

32. Amend and expand existing legislation prohibiting violence against women by eliminating the requirement that victims must file charges to receive protection, providing funding and necessary capital for shelters and survivor support services, finalizing a legal definition for marital rape and domestic violence, and ensuring that state actors follow through on their responsibilities to report on cases, forward them to courts, protect survivors, and punish perpetrators.

C. Violence against Children (VAC), Child Sexual Abuse (CSA), Child Neglect, & Other Rights Violations

33. Sexual violence against children is regrettably a major problem in Morocco, often accompanied by lenient punishment for perpetrators. In 2016, the Moroccan Human Rights Association reported that one thousand children were victims of sexual assault in just one year, 626 of which were boys, and 386 of which were girls; the number of total incidents in 2016 had increased since the previous year. The report also noted that in 75% of cases, the perpetrators of sexual violence are biologically related to the child victims. While Moroccan criminal law punishes "attempted rape of children under the age of 18" with 10 to 20 years in prison (a sentence which raises to between 20 to 30 years' imprisonment if the perpetrator is a relative of the victim or if a girl victim's hymen is damaged), courts rarely follow these punishment guidelines and penalties for child sexual abuse typically range from only between one and four years in prison.²⁸
34. In 2018, 17-year-old girl Khadija was kidnapped, physically tortured, and raped by a group of eleven Moroccan men. Khadija reported that her perpetrators had burned her with cigarettes, starved her, forcibly tattooed her, raped her, and prohibited her from taking showers, for the two months she was in their captivity. While Moroccan public was horrified by Khadija's case and supported her journey to accountability, the relatives of the perpetrators accused Khadija of lying and living a "depraved" lifestyle. Fortunately in late September 2021, a Moroccan court sentenced each of the eleven perpetrators to 20 years' imprisonment and a fine of \approx USD \$16,000.²⁹

²⁷ Anna Mitchell, "[In Morocco, Domestic Abuse Remains Behind Closed Doors](#)", *US News*, 18 June 2020.

²⁸ Dune Voices, "[Rape: a ghost threatens children in Morocco](#)", 31 January 2022.

²⁹ BBC News, "[Morocco shock at 'Khadija brutal rape ordeal'](#)", 27 August 2018. ; BBC News, "[Morocco's Khadija rape case: Eleven jailed for 20 years](#)", 23 September 2021.

35. In early June 2020, a six-year-old Moroccan girl was sexually assaulted in Tata Province, and her family was fortunately able to rescue her and take her to the hospital for treatment. The hospital forwarded the victim's medical report to the Court of First Instance who had arrested the perpetrator; however, the victim's father later sent a written letter dropping the charges against the perpetrator "in order to preserve and protect the rights of his minor daughter. He later revealed, however, that he was pressured and coerced into dropping the charges. The Court of First Instance released the suspect on bail and financial guarantee. One month earlier in May, a man who had assaulted and raped a three-year-old Moroccan girl was not even arrested for his heinous crime.³⁰
36. In September 2020, 11-year-old Adnane Bouchouf was sent by his parents to purchase medicine from a local pharmacy; while he was out, a 24-year-old man lured Adnane to his apartment where he raped him, killed him, and buried his body in a nearby garden.³¹
37. In October 2020, Morocco's Ministry of Solidarity and Social Development launched a six-month campaign to raise awareness about child abuse. The campaign includes a platform where children can share their opinions on the danger of child abuse; development of plans to protect especially vulnerable migrant and homeless children; debates from psychological experts and social activists to be televised.³²
38. In February 2021, Morocco launched an online portal, *Espace Maroc Cyberconfiance*, where people can anonymously report images and videos of child sexual abuse circulating on the internet. Members of the Internet Watch Foundation monitor the portal 24 hours a day, remove flagged posts depicting child sexual abuse, and report the content to authorities for legal proceedings.³³
39. In March 2021, *Zenith* reported on the cases of two Moroccan children who were subjected to child sexual abuse. Ten-year-old Safiya had been repeatedly raped by her seventy-year-old neighbor since she was just two years old. As a result of the continued abuse, Safiya developed behavioral and attachment problems, isolates, and has not made any friends in school; despite this, she has only been able to attend two mental health counseling sessions as they were too expensive to continue. Safiya's perpetrator was sentenced to only five years in prison and was released after serving only two years. Six-year-old Ameer's mother became suspicious after Ameer pointed at a flask filled with liquid and told her that this is what he drank when he was visiting his uncles. Ameer had been repeatedly fed a concoction by his uncles that would make him sleep so

³⁰ Euro-Med Human Rights Monitor, "[Morocco: Shameful indulgence in punishing minors' rapists](#)", 9 June 2020.

³¹ Yahia Hatim, "[King Mohammed VI Sends Condolences to Family of Adnane Bouchouf](#)", *Morocco World News*, 14 September 2020.

³² Safaa Kasroui, "[Morocco Launches Campaign to Counter Abuse, Violence Against Children](#)", *Morocco World News*, 20 October 2020.

³³ David Kodjani, "[Morocco Now Has A Portal For Reporting Sexual Violence Against Children.](#)", *AfroAware*, 20 February 2021.

that the men could rape him while he was unconscious. It is unclear whether Ameer's perpetrators were ever arrested or held accountable.³⁴

40. In January 2022, Morocco announced that judicial authorities have opened up an investigation into the alleged rape of 30 children at a social center dedicated to childcare.³⁵
41. Child sexual abuse in Morocco has worsened during the COVID-19 pandemic. A study of the Mohammed V University of Rabat found that "all types of child abuse become more common during school vacations, summer vacations, and nature disasters [...] Thus, containment measures taken to halt the spread of SARS-CoV-2 made us expect an increase in cases of child abuse". The number of children who contacted the Pediatric Medical Emergency Department at Rabat Children's Hospital for child abuse-related injuries in 2020 was 2.3 times higher than in the previous year, and doctors observed that the majority of child sexual abuse victims were under 13 years old.³⁶

Recommendation(s)

We commend the efforts of the Kingdom of Morocco to combat child sexual abuse by launching awareness campaigns and online incident reporting portals, and make the following additional recommendations:

42. Ensure that state actors – including police, courts, and prosecutors – duly enforce the criminal sentencing of perpetrators of rape of children under the age of 18;
43. Expand legal protection of children by criminalizing other acts of sexual violence in addition to rape, including sexual assault, unwanted touching, soliciting sexual acts, trafficking, and more.

³⁴ Zenith, "[Everything is falling apart](#)", 19 March 2021.

³⁵ Tawfiq Nasrallah, "[Morocco: 30 children raped inside social centre by two foreign workers](#)", *Gulf News*, 26 January 2022.

³⁶ Nour Mekaoui, Hanae Aouragh, Youssef Jeddi, Houda Rhalem, Badr Sououd Benjelloun Dakhama, & Lamya Karboubi, "[Child sexual abuse and COVID-10 pandemic: another side effect of lockdown in Morocco](#)", *PanAfrican Medical Journey*, 11 December 2020.