

URGENT ACTION

DETAINED JOURNALIST MUST GET A FAIR TRIAL

On 19 July 2021, the Casablanca Court of First Instance convicted Moroccan journalist, Omar Radi, of espionage and rape and sentenced him to six years in prison after a trial marred by blatant breaches of due process rights. His appeal trial started on 25 November 2021. Amnesty International renews its calls for a fair trial and a fair review of Omar Radi's ongoing detention pending the end of his appeals.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Head of Government Aziz Akhannouch

Palais Royal Touarga, Rabat 10070,
Morocco

Fax: +212 53 7771010

Twitter: @ChefGov_ma

Copies to: Minister of Justice Abdellatif Ouahbi

Email: contact@justice.gov.ma

Your Excellency,

*I am writing to express concern over the authorities' failure to grant detained journalist **Omar Radi** a fair trial. His was sentenced to six years in prison on 19 July 2021 for espionage and rape following a trial marred by flaws.*

Omar Radi's lawyers' requests to cross examine a key prosecution witness in the rape charge was denied by court on spurious grounds. The defense team repeatedly asked the court during the trial sessions to summon for testimony a man the alleged victim said was her fiancé and who testified before the investigative judge that he was in communication with her the night of the incident. The judge refused all requests, saying there is no need for such cross examination because it will delay the trial. Omar Radi was sentenced for the espionage charge for the receipt of foreign funds and his contacts with foreign diplomats, which are part of his legitimate journalistic and consultancy work. During several hearings throughout the duration of the trial, his defense team emphasized the need to summon all the witnesses in the espionage case, including diplomats and organizations cited by the prosecution, as suspected of being foreign agents fomenting trouble against Morocco. These requests were all refused because the prosecution argued their testimony will not be impartial as they are foreign agents.

Furthermore, Omar Radi's right to consult with his lawyers privately was not respected. On 1 June 2021, during his trial session at the Casablanca Court of Appeal, he complained to the judge about the lack of privacy in the room where he consults with his defence team in prison. This lack of privacy has been ongoing since the start of the trial. One of his (international) lawyers was also banned from attending his trial after receiving a deportation order.

While the rape accusations must each be considered on their merits and Amnesty International is not well placed to assess their veracity, I note with concern that the UN Working Group on Arbitrary Detention found in another case that the detention of another Moroccan journalist also accused of rape amounted to "judicial harassment attributable to nothing other than his investigative journalism".

Therefore, I urge you to grant Omar Radi a fair appeal trial in accordance with international fair trial standards and to ensure he is immediately provided an opportunity for his ongoing detention to be reviewed by a court, with a presumption that he will be released pending the end of his trial.

Yours sincerely,

ADDITIONAL INFORMATION

Omar Radi is an investigative journalist and activist from Morocco. He is a founder of and journalist at Le Desk, an independent Moroccan news website that publishes content critical of the authorities. He has worked with several national and international media outlets. His investigations have focused on political affairs, including the relations between political powers and business elites in Morocco and investigating corruption by the authorities. In 2013, he won the first investigative journalism award of International Media Support (IMS) and the Association of Moroccan Investigative Journalists (AMJI) for an investigation into the exploitation of sand quarries published on Lakome. In 2016, he was the author of an investigation report widely known as “Servants of the State” in which he listed the names of around 100 senior officials alleged to have illegally acquired state land.”

On 23 March 2021, an investigative judge indicted Omar Radi for “harming the internal and external security of Morocco” based on an accusation that he had received funds from sources “linked to foreign intelligence agencies”. Amnesty International has found that Omar Radi has received funds transferred from abroad for research grants in the context of a journalism fellowship and freelance consultancies, both related to his exercise of freedom of expression. During the trial, the prosecution did not provide any evidence that he had revealed classified information or in any way acted outside of his legitimate work. Amnesty International therefore considers the charges to be spurious. A similar tactic is often used by the Moroccan authorities to intimidate critics; in 2015, similar charges were brought against academic [Maati Monjib](#) for legitimately receiving funding from a foreign NGO.

Omar Radi is also charged with “rape” and “indecent assault against a female” based on an accusation made by a former colleague at Le Desk, who alleges Omar Radi assaulted her on 12 July 2020. He denies this, affirming that he had a “consensual sexual relationship” with her. A witness in this case, who was present during the alleged incident, has denied throughout the investigation that rape took place. The witness has also been indicted as an accomplice of the rape. Allegations of sexual violence should always be taken seriously and investigated properly. However, it is worth noting that there has been an ongoing pattern of sexual assault charges being brought against critics of the government in the context of detention or prosecutions related to their freedom of expression.

Omar Radi’s targeting by the Moroccan authorities for espionage is not new. [On 17 March 2020](#), a court in Morocco handed Omar Radi a suspended four-month prison sentence and a fine of 500 Moroccan dirhams (US\$52) for a [tweet](#) in which he criticized an appeal court judge for upholding heavy prison sentences against [Hirak El-Rif](#) activists.

In June 2020, an Amnesty International report revealed that Omar Radi was targeted by the Moroccan authorities using spyware produced by NSO Group, an Israeli company. Following its publication, the Moroccan authorities launched a smear campaign against Amnesty International, in an attempt to discredit the organization’s findings and distract from the unlawful surveillance in Morocco of human rights defenders and journalists. In October 2019 Amnesty International had published a report presenting evidence Moroccan human rights defenders Maati Monjib and Abdessadak El Bouchattaoui had similarly been targeted by surveillance technology produced by the company NSO Group. Amnesty International has underlined the gravity of the threat that unlawful targeted surveillance poses to the rights to freedom of expression and peaceful assembly in Morocco.

Omar Radi has been in solitary confinement since his detention in July 2020. He is allowed an hour daily walk outside his cell but no contact with other prisoners; a treatment that amounts to torture. In December 2020, Amnesty International and Human Rights Watch sent a letter to the Interministerial Delegation for Human Rights (DIDH) to express concern about the solitary confinement of Journalists Omar Radi and Sulaiman Raisouni. The authorities denied that both journalists imprisonment conditions amount to solitary confinement. However, the United Nations’ Standard Minimum Rules for the Treatment of Prisoners, also known as the Mandela Rules, define solitary confinement as spending 22 hours or more per day without meaningful human contact.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic, French or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 23 March 2022.

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Omar Radi (He/him)

LINK TO PREVIOUS UA: <http://www.amnesty.org/en/documents/mde29/3945/2021/en/>

ADDITIONAL TARGETS

Minister of Justice Abdellatif Ouahbi
Email: contact@justice.gov.ma

Mme Amina Bouayach
Presidente du conseil national des droit de l'homme
Email: CNDH@CNDH.org.ma

Mr Hakim Hajoui
Embassy of the Kingdom of Morocco
6 Grosvenor Gardens, London SW1W 0DH
Tel: 0207 2590382,
Fax 0207 225 38 62
ambalondres@maec.gov.ma