

# URGENT ACTION

## RELEASE BLOGGER JAILED FOR OFFENDING ISLAM

On 15 August 2022, Moroccan blogger and activist Fatima Karim was sentenced to two years in prison and a fine for Facebook posts in which she made satirical comments about a Qur'anic verse, that the authorities deemed insulting to Islam. She has been held in solitary confinement since her arrest on 26 July 2022 and is not permitted contact with fellow prisoners. Posting a photo or text on social media, even something others might see as insulting religion, is protected under the right to freedom of expression. Amnesty International calls for Fatima Karim's immediate release.

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

Head of Government of the Kingdom of Morocco

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Your Excellency,

*I am writing to express my grave concern about the sentencing of blogger and activist **Fatima Karim** to two years in prison and a fine for expressing her opinions in Facebook posts. Posting a photo or text on social media, even something others might see as insulting religion, should not be a crime.*

*On 15 July 2022, police summoned Fatima Karim for interrogation at her workplace at a sewing company in Oued Zem, a city in central Morocco about 150km from Casablanca. On 26 July 2022, Fatima Karim went to the Oued Zem judicial police station for interrogation about her Facebook posts, according to her lawyer. She was placed that same day in Khouribga prison, where she remains. On 15 August 2022, a judge in the First Instance Court of Oued Zem sentenced her to two years in prison and a 50,000MAD fine (around 4570 USD) on charges of offending Islam through electronic means, under Article 267-5 of the Penal Code, which states that anyone who undermines Islam is punishable by six months to two years in prison plus fines. On 18 August 2022, she appealed the judgement, invoking her right to freedom of expression and apologizing to anyone offended by her posts. On 13 September 2022, the Khouribga Court of Appeal upheld the verdict.*

*Fatima Karim's prosecution was initially triggered by a Facebook post she published on 19 June 2022, in which she shared a picture of a woman in Niqab (full face cover), with words from a Surate of Quran about virgins in paradise. The publication was accompanied by a commentary, in which she says that the author of these words must be "from the desert and specifically from Saudi Arabia." The prosecution later added 9 other satirical posts she had made mocking Islamic practices and beliefs, all from between May and July 2022. Without endorsing the language and including harmful stereotypes, Amnesty International consider the statement to have been covered by the right to freedom of expression, which includes the right to shock, alarm and offend. The ten Facebook posts used as evidence against Fatima Karim contained no calls to hate or discrimination and were merely expressions of her opinions.*

*Since her arrest, Fatima Karim has been held in solitary confinement in Khouribga prison, around 40km from where her family live in Oued Zem. She is not allowed out of her cell, except to call her family- which she's allowed to do every three days- and is forbidden from speaking to fellow prisoners.*

***In light of the above, I urge you to release Fatima Karim and to drop all charges against her. I urge you to lift or amend articles which criminalize freedom of expression from the Penal Code, including Article 267-5 which prohibits "causing harm" to Islam, the monarchy, or Morocco's "territorial integrity".***

*Yours sincerely,*

## ADDITIONAL INFORMATION

Fatima Karim is 39 years old and owns two sewing and cosmetics companies in Oued Zem, a city in central Morocco, about 150km from Casablanca. In July 2021, she declared to have been targeted by death threats for her pro-Israel position. She ran in the 2015 regional elections as part of the progressive and socialist party (PPS).

Police arrested Fatima Karim on 26 July 2022, following an interrogation on her social media posts. Police took her to Khouribga prison, around 40km from her home in Oued Zem, where she remains in solitary confinement. A family member told Amnesty International that they believe she is forbidden from speaking to other inmates for fear that she will influence their ideas. She is permitted family visits every 15 days, but her parents cannot afford to visit more than once per month.

Article 267-5 of the Moroccan Penal Code punishes a person convicted of "causing harm" to Islam with a prison sentence of 6 months to 2 years and a fine of 20,000 to 200,000MAD. In June 2021, a Moroccan court sentenced a Morocco-Italian woman to three and a half years for posts about the Qu'ran on Facebook which were deemed insulting to Islam.<sup>1</sup> In July 2020, a court in Safi, a city in Western Morocco, used Article 267(5) to sentence Muhammed Awatif Qashqash to 6 months in prison and a fine of 300 Moroccan Dirhams (around 32 USD) for a caricature he posted online depicting several religious figures, including the Prophet Mohamed.<sup>2</sup> In May 2020, the Casablanca police arrested and charged Moroccan actor Rafik Boubker under Article 267(5) for a video posted on Facebook in which he spoke about doing abolitions with whisky and vodka and said that alcohol was a good way of connecting with God. He was released the following day after paying a fine.<sup>3</sup>

The right to freedom of expression, as stated in Article 19 of the International Covenant on Civil and Political Rights (ICCPR), includes the right to impart information through any media and regardless of frontiers. The U.N. Human Rights Committee, the authoritative interpreter of the ICCPR, in its 2011 General Comment on the ICCPR's article 19, held that the right to freedom of expression protects speech that might be deemed offensive or hurtful to followers of a particular religion, unless the speech in question amounts to "advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence."

The right to freedom of religion is enshrined in Article 18 of the ICCPR and includes [the Freedom to adopt, change or renounce a religious belief](#). The Human Rights Committee general comment 22 sets out in paragraph 5 that freedom of religion "necessarily entails the freedom to choose a religion or belief, including the right to replace one's current religion or belief with another or to adopt atheistic views". Paragraph 9 of the same comment states that "the fact that a religion is recognized as a State religion or that it is established as official or traditional or that its followers comprise the majority of the population, shall not result in any impairment of the enjoyment of any of the rights under the Covenant, including articles 18 and 27,<sup>4</sup> nor in any discrimination against adherents to other religions or non-believers".<sup>5</sup>

The Moroccan constitution protects freedom of expression in Chapter 25, which states that freedom of thought and expression is guaranteed in all its forms. However, in the court document from the First Instance court in Oued Zem on Fatima Karim's trial, the court rejected the argument that the prosecution violates her freedom of expression as constitutionally guaranteed, arguing that the exercise of this right should be consistent with other values enshrined in the Constitution, including its preamble, which states that the Moroccan identity is characterized by the assumption of Islam, and that Morocco is a nation based on the Islamic religion."

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Arabic, French, English

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 9 December 2022**

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

<sup>1</sup> [https://telquel.ma/2021/08/24/en-appel-deux-mois-de-prison-avec-sursis-pour-la-maroco-italienne-accusee-datteinte-a-la-religion-musulmane\\_1734409](https://telquel.ma/2021/08/24/en-appel-deux-mois-de-prison-avec-sursis-pour-la-maroco-italienne-accusee-datteinte-a-la-religion-musulmane_1734409)

<sup>2</sup> <https://end-blasphemy-laws.org/2020/07/moroccan-authorities-should-quash-the-conviction-of-man-charged-with-insulting-islam/>

<sup>3</sup> <https://www.middleeasteye.net/fr/actu-et-enquetes/maroc-acteur-injure-islam-rafik-boubker>

<sup>4</sup> International Covenant on Civil and Political rights (ICCPR). Article 18: 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. Article 27: In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language. Available: [International Covenant on Civil and Political Rights | OHCHR](#).

<sup>5</sup> <https://www.ohchr.org/sites/default/files/Documents/Issues/Religion/RapporteursDigestFreedomReligionBelief.pdf>

**NAME AND PRONOUN: Fatima Karim (she/her)**

## ADDITIONAL TARGETS

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