

URGENT ACTION

HUMAN RIGHTS DEFENDER'S CONVICTION UPHeld

On 20 February, the Rabat Court of Appeal upheld the conviction against human rights defender Rida Benotmane, imposed by a lower court on 7 November 2022, on charges relating to his social media posts and YouTube videos dating from 2021, in which he criticised the Moroccan government. On appeal, his sentence was reduced from three years to 18 months in prison. He remains held in solitary confinement in Arjate 1 prison in the city of Salé. He must be immediately and unconditionally released as his imprisonment stems solely from the exercise of his right to freedom of expression.

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

Head of Government of the Kingdom of Morocco

Mr. Aziz Akhannouch
Palais Royale – Touarga
Rabat, Morocco
Twitter: @ChefGov_ma

Your Excellency,

*I am writing to express grave concern about the ongoing arbitrary detention of journalist and human rights defender **Rida Benotmane**. On 20 February, his conviction on charges stemming solely from the exercise of his right to freedom of expression was upheld on appeal. The judge also reduced his sentence from three years to 18 months in prison after upholding a lower court's conviction issued in November 2022 on charges of "insulting a body regulated by law", "insulting public officials while carrying out their duties", and "broadcasting and distributing false allegations without consent" under Articles 265, 263, and 447-2 of the Penal Code, respectively. The charges are connected to his Facebook posts and YouTube videos dating from 2021, in which he criticised abuses by the Moroccan security forces, called for the release of political detainees and accused the Moroccan government of oppressing and marginalizing free voices and failing to respond to the demands of the Moroccan people. He also warned against security forces' use of new technologies associated with Covid-19 passports for surveillance, in particular of human rights defenders and pro-democracy activists.*

Rida Benotmane is held in conditions violating the absolute prohibition of torture and other ill-treatment. He has been kept in prolonged solitary confinement in a cell of around 2.5 by 1.8m in Arjate 1 prison in the city of Salé since his detention in September 2022. His parents told Amnesty International that these conditions weigh heavily on him psychologically, despite his attempts to keep up his morale and retain his dignity. He is only permitted to shower once a week, is isolated from other prisoners, and only allowed out of his cell for a maximum of half an hour per day to walk in a small courtyard accompanied by one other prisoner chosen by the prison administration. Unlike other prisoners, he is only permitted family visits once every 15 days for 15 minutes and with only two people at a time. He is only permitted to receive books and newspapers approved by the prison administration and is banned from having photographs of his wife. Rida Benotmane's lawyers asked for his provisional release, but the judges in the Rabat Court of Appeal rejected this request without providing any explanation. His verdict will next be reviewed by the Court of Cassation, Morocco's highest court.

I urge you to release Rida Benotmane immediately and unconditionally and quash his conviction and sentence as they stem solely from the exercise of his right to freedom of expression. Pending his release, he should be held in conditions meeting international standards for the treatment of prisoners and removed from solitary confinement. I further urge you to end the prosecution of and criminal investigations against journalists, bloggers, and human rights defenders for exercising their right to freedom of expression.

Yours sincerely,

ADDITIONAL INFORMATION

Rida Benotmane is a member of the Moroccan Association for the Defence of Human Rights (AMDH), a human rights group, a political activist and a journalist. He was already unjustly imprisoned for four years between 2010 and 2014 for online commentaries.

On 9 September 2022, the National Judicial Police Brigade (BNPJ) in Casablanca interrogated Rida Benotmane over a Facebook post and two Youtube videos from 2021, in which he criticized the authorities. After interrogating him, the BNJP arrested Benotmane and ordered his detention pending investigations. On 10 September 2022, the King's prosecutor in the Rabat First Instance Court charged Rida Benotmane with "insulting a body regulated by law", "insulting public officials while carrying out their duties", and "broadcasting and distributing false allegations without consent" under Articles 265, 263, and 447-2 of the Penal Code respectively. He was also convicted of breaching the decree law on the state of health emergency.

Rida Benotmane went on hunger strike for 18 days from 9 September 2022 in protest of his arbitrary detention.

Moroccan authorities have increasingly targeted dissenting voices in recent months. In November 2022, Moroccan security agents arrested and detained prominent human rights lawyer [Mohamed Ziane](#), on 11 separate charges in connection to different alleged offences including bogus charges of insulting public officials and institutions, defamation and marital infidelity. He remains detained Arjate 1 prison in Salé. In 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 the Qur'an. In April 2022, a court sentenced [Saïda el Alami](#), a human rights defender and member of the "Femmes Marocaines Contre la Detention Politique" collective, to two years in prison for posting about her ill-treatment by the police and for criticizing the repression of journalists and activists. Blogger Rabie al-Ablaq was also sentenced during the same month to four years in prison for offending the king in two videos posted on social media.

The right to freedom of expression, as stated in Article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to which Morocco is a state party, includes the right to impart and receive information through any media and regardless of frontiers. The Moroccan constitution protects the right to freedom of expression in Chapter 25, which states that freedom of thought and expression is guaranteed in all its forms.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic, French, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 25 April 2023

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

NAME AND PRONOUN: Rida Benotmane (He/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde29/6156/2022/en/>

ADDITIONAL TARGETS

Head of prisons

Moroccan General Delegation of the Penitentiaries and Reinsertion Administration (Délégation générale à l'administration pénitentiaire et à la réinsertion)

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