

URGENT ACTION

GROCER IMPRISONED FOR SPEECH

Omar Ben Boudouh, known as Moul El Hanout (the grocery store owner), has been hospitalised since 14 February 2020 after spending 45 days on hunger strike. On 5 December 2019, police arrested Ben Boudouh and accused him of “offending” public officials and institutions and “incitement to hatred”. Ben Boudouh had previously posted [a live video](#) on his Facebook page where he peacefully expresses critical opinions about the king of Morocco saying that he allowed for impunity to prevail. On 7 January 2020, a court sentenced Ben Boudouh to three years in prison and he subsequently began a hunger strike. His lawyers appealed the sentence on 12 February 2020 and are awaiting a final verdict to be pronounced on 26 February 2020.

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

Head of Government Saad Eddine Al-Othmani
Palais Royal-Touarga
Rabat
10070
Fax: +212537771010

Your Excellency,

*On 5 December 2019, police arrested **Omar Ben Boudouh**, also known as Moul al Hanout (grocery store owner), in Rabat for posting a live video on his Facebook page where he peacefully expresses critical opinions about the lack of justice and rule of law in Morocco. Ben Boudouh said that he held the King of Morocco responsible for the lack of accountability in Morocco, which is legitimate speech protected by freedom of expression under international law. Amnesty International has reviewed Ben Boudouh’s interrogation report and found that all the charges against him were related solely to his peaceful expression of views and his dissemination of the video. The organization also reviewed his video and found no incitement to violence or hatred.*

On 7 January 2020, a Rabat court convicted Ben Boudouh on charges of “offending” public officials and institutions and “incitement to hatred” and sentenced him to three years in prison. On 7 January 2020, Ben Boudouh went on hunger strike to protest the unfairness of his conviction and demand his immediate release. On 14 February 2020, he was transferred to a hospital after his health significantly deteriorated, and his body weakened, according to members of his family. His lawyers appealed the court decision on 12 February 2020, and a verdict is set to be pronounced on 26 February 2020. Omar Ben Boudouh, is the only breadwinner for a family of five kids, the youngest of which is only two years old.

I therefore ask you to immediately and unconditionally release Omar Ben Boudouh and quash his conviction as he is a prisoner of conscience. Pending his release, I call on you to ensure he has access to qualified health professionals and health care provided in line with medical ethics, including the principles of confidentiality, autonomy, and informed consent. Finally, I call on you to stop detaining people for peacefully criticizing the authorities and reform laws that violate the right to freedom of expression.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

Over the past three months, the Moroccan authorities have arrested at least ten individuals, including journalists, rappers and social media influencers who spoke out about corruption and socio-economic issues in Morocco.

In the ten cases reviewed by Amnesty International since the start of the crackdown, the main Penal Code provisions used to repress online speech were Articles 179, 263, 265 and 267 criminalizing those "offending" or "insulting" the Monarchy, Islam and territorial integrity, known to be red lines for freedom of expression in Morocco offline and online. Prosecutors used the Penal Code and counter-terrorism legislation to unduly restrict the right to freedom of expression in the country. For example, on 25 November 2019, a court sentenced rapper Gnawi to a year in prison for "insulting public officials" in the aftermath of publishing his video song "Aach Achaab" where he criticizes the authorities for lack of opportunity and dire socio-economic conditions in the country.

While Morocco passed a Press Code in 2016 decriminalizing speech, the authorities continue to prosecute people based on provisions in the Penal Code. In its May 2017 submission to the Universal Periodic Review, Amnesty International had called on the Moroccan authorities to repeal provisions in the Penal Code that unduly restrict the right to freedom of expression. In October 2019, the National Committee for Human Rights (CNDH) submitted a memorandum to parliament aiming at amending the penal code.

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: 3 April 2020.

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

NAME AND PREFERRED PRONOUN: Omar Ben Boudouh (he/his)