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Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture

Fifth periodic report submitted by Morocco under article 19 of the Convention, due in 2015*, **

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* The present document is being issued without formal editing.

** The present document was submitted pursuant to the simplified reporting procedure. It contains the responses of the State Party to the Committee's list of issues prior to reporting (CAT/C/MAR/QPR/5).

Please recycle

I. Introduction

1. The Kingdom of Morocco hereby submits its fifth periodic report to the Committee against Torture under article 19 (1) of the Convention against Torture. In accordance with paragraph 35 of the Committee's concluding observations on the fourth periodic report, the present document constitutes a response to the list of issues prior to reporting, which the Committee adopted at its fiftieth session. It also highlights the ongoing efforts of Morocco to implement the provisions of the Convention.

2. The report was prepared using a participatory methodology that involved all government ministries and institutions concerned with human rights. The draft was also presented during meetings and outreach events with civil society organizations, which made their own observations and proposals that have served to enhance the text. Lastly, the text was submitted to the Government Council and to the two parliamentary human rights committees.

3. Morocco has been eager to present this report, the submission of which has been somewhat delayed by the desire that it should reflect the ongoing efforts that have been made since the adoption of the Constitution in 2011 and the subsequent sustained momentum to promote and protect human rights. The most noteworthy aspects of this process have included workshops on the reform of the justice system in 2012 and the qualitative leap forwards represented by the country's accession to the Optional Protocol to the Convention in 2014, which led to a visit by the Subcommittee on Prevention of Torture in 2017 and to the establishment of the national torture prevention mechanism in 2019. Other outcomes include the adoption of a national plan of action for democracy and human rights in 2017 and a greater openness to special procedures mechanisms, in particular hosting visits by eight specific mechanisms with mandates that have a bearing on the Convention, most notably the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, in 2012, and the Working Group on Arbitrary Detention, in 2013. Over the course of the same period, Morocco has also continued to enhance and reform its legislative framework, particularly in aspects that relate to the Convention, such as those concerning the criminal justice system. To this end, initiatives have been launched to revise the Code of Criminal Procedure and the Criminal Code. Also, a law governing the practice of forensic medicine has been enacted[1] as well as a law regulating prison facilities and a law on alternative penalties.[2]

II. Replies to the list of issues (CAT/C/MAR/QPR/5)

Articles 1 and 4 of the Convention

Reply concerning paragraph 1

4. Morocco has chosen to undertake a comprehensive review of its criminal justice system to bring it into line with human rights standards, the Constitution, contemporary realities and evolving patterns of crime. Part of this process has involved a revision of the Criminal Code with a view to preventing torture. Thus, a new draft of the Code, developed in 2022, aims to broaden the definition of torture and bring it into line with the definition enshrined in article 1 of the Convention. In fact, article 316 of the draft defines torture as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity, to intimidate or coerce that person or another person into providing information or a confession, or to punish that person for an act that the person in question or a third party has committed or is suspected of having committed, or when such pain or suffering is inflicted for any reason based on discrimination of any kind. Pain resulting from or inherent in legal sanctions is not to be considered as torture".

[1] Official Gazette No. 6866 of 19 March 2020.
[2] Official Gazette No. 7328 of 22 August 2024.

5. In the same way, article 317 of the new draft of the Criminal Code envisages more severe terms of imprisonment. It states: “Without prejudice to more severe criminal penalties envisaged under other provisions, any public official or other person acting in an official capacity who commits, instigates, consents or acquiesces to an act of torture against another person for any purpose – be it to intimidate or coerce that person or another person into providing information or a confession, or to punish that person for an act that the person in question or a third party has committed or is suspected of having committed, or for any reason based on discrimination of any kind – is liable to a term of imprisonment of between 5 and 10 years and a fine of between 10,000 and 100,000 dirhams (DH).” The draft Code also seeks to expand the scope for the criminalization of torture as regards the status of the perpetrator, in accordance with the relevant provisions of the Constitution, To this end, it criminalizes torture when committed by persons other than public officials, thus extending the definition to cover any acts of torture that may be committed by individuals without official authority, which is currently the defining characteristic for classifying the offence.

6. It is important to note that the current iteration of the Criminal Code treats torture as a distinct offence that is subject to specific provisions and penalized with terms of imprisonment that range from 10 years to life, depending on the circumstances under which the crime was committed. The same approach is taken in the new draft of the Code, which also criminalizes attempted torture as well as participation or complicity in all acts that constitute the offence, including incitement, consent, assistance, acquiescence or facilitation. In addition to this, constitutional provisions criminalizing torture and other acts of ill-treatment have been incorporated into Act No. 10.23 on the organization and regulation of correctional facilities (art. 63).

Reply concerning paragraph 2

7. In line with the international human rights obligations of Morocco, legislators have established a rule, enshrined in article 5 (3) of the Code of Criminal Procedure, which states: “There is no statute of limitations on public prosecutions arising from offences for which the law or an international treaty ratified by the Kingdom of Morocco and published in the Official Gazette stipulates that there is to be no statute of limitations.” Similarly, article 653 (1) of the Code stipulates that the penalties associated with such offences are not to be subject to a statute of limitations.

8. The statute of limitations enshrined in article 5 of the Code of Criminal Procedure has binding effect on all offences which are mentioned in the international treaties to which Morocco is a party and which are defined and penalized under the Constitution. These include serious crimes and human rights violations.

Reply concerning paragraph 3

9. National law does not permit torture, committed under any circumstances or by anyone, be it a private individual or a public official, including when it entails carrying out an order issued by a senior official or a public authority. In addition to any criminal sanctions that may be prescribed, disciplinary measures may also be taken against senior officials who have breached their obligations. These measures include temporary suspension of duty, relief of duties or dismissal. During the period covered by the present report, the Office of the Public Prosecution has made a point of opening investigations into complaints or reports of torture as soon as they were received, and legal sanctions have been imposed on anyone found to have committed such acts. The tables below contain statistical data about cases of torture, violence and ill-treatment between 2019 and December 2024.

Defendants	*Cases*		*Convictions*	*Acquittals*		*Cases in which a judgment has not yet been rendered*
	48			16		
	Torture	*Violence and ill-treatment*		*Torture*	*Violence and ill-treatment*	
72	1	47	23	1	15	9

Orders for the dismissal of a case	*Persons involved*
3	3

Pending requests for investigation	*Persons involved*
1	1

Reply concerning paragraph 4

10. One noteworthy aspect of the legislative review that is updating the Moroccan criminal justice system and bringing it into line with the Constitution and the country's treaty obligations is that it builds on progress that has already been made and consolidates fair trial guarantees. For example, Act No. 43.22 on alternative sanctions reinforces the national legislative framework and seeks to address the deleterious effects of custodial sentences for crimes that attract penalties of up to 5 years' imprisonment. Under the Act, convicted persons are granted their liberty on the prerequisite that they fulfil certain obligations. This provision is subject to a number of conditions, such as the nature of the crime involved, which must be a minor offence, and the nature of the person concerned, who must not be a repeat offender. Certain offences are excluded from the alternative sanctions regime, such as crimes against State security, terrorism, drug trafficking and sexual exploitation of minors. The Act envisages four kinds of non-custodial sentences: community service, daily fines, electronic monitoring and the restriction of certain rights along with the imposition of supervisory, therapeutic or rehabilitative measures. The Act also includes provision for mechanisms for the enforcement of alternative penalties and defines the duties of the institutions involved in the enforcement process.

11. Another significant aspect of the legislative review of the criminal justice system is bill No. 03.23 which amends and supplements Act No. 22.01 (Code of Criminal Procedure) by further consolidating fair trial guarantees. Article 1 of the bill reaffirms the principle of equality before the law, the right to a trial within a reasonable delay by a legally established court, the provision of fair trial guarantees to the parties involved and respect for the rights of the defence at every stage of proceedings. Furthermore, the article reaffirms the role of the judiciary as the guarantor of the rights of victims, suspects, accused persons, convicted persons, witnesses, experts and informants. It also explicitly stipulates that measures and procedures that entail deprivation of liberty must be admissible under the law and placed under the supervision of the competent judicial authority.

12. Furthermore, the text seeks to establish a framework for the action of law enforcement officials when such action entails restrictions on individual liberty, and it reaffirms the exceptional nature of preventive custody, which should be used only when absolutely necessary for the purposes of investigating an offence. Article 66 (1) contains new provisions stipulating that preventive custody is to be used only as an exceptional measure and specifies that it is to be applied for reasons such as preserving evidence; preventing interference in a crime scene; conducting inquiries that require the presence or participation of suspects; bringing suspects before the courts; preventing flight; obviating any pressure on witnesses, victims, their families or relatives; preventing suspects from colluding with persons involved in the crime; protecting suspects; or alleviating the disruption caused by the criminal act due

to its gravity, the means by which it was committed, the gravity of the resulting harm or the danger posed by the suspect. All these grounds are subject to verification by the Office of the Public Prosecution.

13. Furthermore, the bill seeks to improve the procedures for recording preventive custody (art. 66 (2)) and to strengthen the safeguards available to suspects and their families regarding the notification of arrests and detention. It stipulates that the notification given to the family must include the name of the person notified, the means of notification and the date and time. The measures taken must be set down in the official record and the preventive custody register, and any medical reports must be attached to those records (art. 67).

14. Presumption of innocence, as recognized in international treaties, is enshrined in the Constitution. According to article 23, "presumption of innocence and the right to a fair trial are guaranteed". Article 119 of the Constitution states: "Any person suspected or accused of having committed a crime is presumed innocent until they have been convicted under a final court judgment." This principle, which is already firmly established in existing law, has been taken up and enshrined in the new draft of the Code of Criminal Procedure, article 1 of which reads: "Any person suspected or accused of having committed a crime is presumed innocent until they have been convicted according to law under a final court judgment issued following a fair trial in which full legal safeguards were provided. Accused persons are to be accorded the benefit of any doubt." Article 15 upholds the presumption of innocence in matters related to investigations and inquiries. In addition, article 73 (2) of the draft aims to reinforce judicial oversight of the presumption of innocence, while article 286 includes an important procedural safeguard according to which a court cannot hand down a conviction merely on the basis of statements made by one accused person against another, unless such statements are supported by strong, coherent and consistent evidence.

15. The right to remain silent is enshrined in article 23 of the 2011 Constitution and is reaffirmed in article 66 (2) of the draft of the Code. According to article 66, preventive custody is to last for 48 hours from the time of arrest of a person suspected of having committed or attempting to commit an offence punishable by imprisonment. Oversight of this procedure has been strengthened by the requirement for immediate notification of the oversight authority; i.e., the Office of the Public Prosecution. The time required to transport a detained suspect outside the judicial district in which the police officer operates does not count towards the 48-hour limit. However, that time is calculated as part of the sentence if the person concerned is convicted of a crime punishable by imprisonment. Article 66 (2) also envisages the extension of preventive custody for a single additional period of 24 hours. Such an extension requires a reasoned written authorization from the Office of the Public Prosecution.

16. Article 66 (2) also contains a fundamental safeguard concerning the right to contact a lawyer from the very first hour that persons are placed in preventive custody. The right of suspects who are juveniles or have a disability to be attended by a lawyer during questioning is enshrined in article 66 (4). For its part, article 80 includes additional provisions aimed at consolidating defence rights in cases where preventive custody has been extended. In that regard, the article authorizes prosecutors to interview persons in custody using remote communications technology. Other provisions relating to the rights of the defence during questioning are to be found in article 73, which envisions the right to pose questions, make observations and submit documentation.

17. Under article 67 of the draft, police officers are required – having first notified the Office of the Public Prosecution – to ensure that persons in preventive custody undergo a medical examination if the officers see that the person concerned is ill or observe any signs or symptoms that would warrant an examination. This procedure is to be set down in the official record and the preventive custody register, and the medical findings are to be attached to the record and forwarded to the Office of the Public Prosecution. Article 73 of the draft identifies the forensic medical authority as the institution responsible for conducting medical examinations and stipulates that any confession made by accused persons and set down in a police record is to be deemed invalid if a request for a medical examination made by accused persons or their lawyers is refused. Furthermore, article 4 of Act No. 17.77 regulating the practice of forensic medicine envisages that persons in preventive custody, detention or

correctional facilities are to undergo a medical examination and provide samples in order to determine the nature, cause and date of any injuries.

18. In article 73 of the draft Code of Criminal Procedure, legislators have introduced a new safeguard for accused persons by authorizing the Prosecutor-General of the King – in cases where an offence has been discovered in flagrante delicto and, consequently, an investigation is not mandatory – to refer the matter to the courts while the accused persons remain at liberty. In such cases, accused persons may be subject to one or more of the judicial supervision measures envisaged in article 161. At the same time, article 178 of the draft provides for a new safeguard for accused persons, in the form of a bank guarantee in exchange for provisional release.

19. Article 176 of the draft includes new provisions regarding the justifications an investigating judge can use to order an extension of pretrial detention, in respect of both major and minor offences. It is prohibited, in fact, for judges to order an extension unless necessary for the investigation, either because the investigative proceedings are incomplete or because the grounds for pretrial detention still subsist. In addition, article 177 reduces the number of times detention can be extended in cases involving major offences, from five times to twice, each of the same duration.

20. Article 181 of the draft Code includes a new provision reducing from 48 hours to one day the time available to the misdemeanour appeals chamber to rule on orders for provisional release or for lifting or modifying the terms of judicial supervision, issued by a court of first instance. The time is to be calculated from the moment the chamber becomes seized of the matter. Notably, the same article also sets a time limit on the duration of pretrial detention and judicial supervision following a court order granting provisional release or lifting judicial supervision, even if prosecutors file an appeal against that order. This does not apply in cases involving crimes against State security or terrorist offences.

21. Article 299 of the draft further consolidates measures aimed at limiting pretrial detention or judicial supervision. Under the article, courts are granted the authority to rule (either at their own initiative or upon request) on the continuation of pretrial detention or judicial supervision, and any rulings they make in that regard are subject to appeal.

22. Contrary to the provisions of the current Code of Criminal Procedure, and in accordance with the constitutional mandate to increase the independence of the judiciary, the appointment of investigating judges, judges for the enforcement of sentences and juvenile court judges has become the responsibility of the Supreme Council of the Judiciary. The relevant provision is contained in article 47 of Act No. 38.15 regarding the organization of the judiciary.[3] The same legislative measure is also enshrined in article 52 of the draft Code of Criminal Procedure.

Reply concerning paragraph 5

23. Freedom of association is enshrined in the Constitution, notably in article 12, which states that associations may be established and operate freely, while respecting the Constitution and the law. Moreover, associations and organizations may be dissolved or suspended only by court order. In addition to this, the Constitution recognizes the contribution that such bodies make, within the framework of a participatory democracy, to the drafting, implementation and evaluation of the decrees and proposals that emanate from elected bodies and public authorities. The governance and operation of associations must respect democratic principles.

24. Freedom of association and the right to establish associations are regulated under Royal Decree No. 1.58.376,[4] as supplemented and amended. Regulation entails a system of notification whereby, under article 5 of the Decree, local administrative authorities, as soon as they receive a notification regarding the formation of an association, are required to issue a provisional acknowledgment of the fact, duly stamped and dated. For its part, the

[3] Official Gazette No. 7108 of 14 July 2022.

[4] Official Gazette No. 2404 bis of 27 November 1958.

association acquires legal capacity as soon as it has notified the local administrative authority within whose jurisdiction its headquarters are located. This interpretation has been confirmed by national judicial precedents.

25. The legal provisions governing the right to form associations are applied uniformly across the national territory, without discrimination. As a result of legal protection and of the positive approach the authorities take towards the establishment and renewal of bodies that meet the legal conditions, civil society associations in Morocco are experiencing sustained growth. In fact, there has been an unprecedented increase in the number of associations, which currently stands at 273,491, across all regions of Morocco. As of March 2024, 17,811 of these associations were active in the southern provinces. The fields in which associations operate and the contributions they make to public life differ widely and can take the form of participation, advocacy, proposal-making, lobbying or monitoring. Their efforts constitute added value for the progress of democracy and the promotion of human rights and development, particularly in terms of strengthening constitutional roles and reinforcing legislative frameworks.

Article 2

Reply concerning paragraph 6

26. As stated earlier, the Criminal Code criminalizes torture and penalizes any public official or other person acting in an official capacity who instigates, consents or acquiesces to an act of torture. This constitutes a robust safeguard for subordinates who refuse to obey an illegitimate order from a superior or a public authority. National law also grants subordinates the right to report a grievance to the competent administrative body or to have recourse to the courts in order to seek protection against any retaliation. In addition to this, article 82 (9) of the Code of Criminal Procedure contains a further important safeguard for the protection of subordinates in that it stipulates that informants may not be subject to disciplinary or criminal proceedings on grounds of having breached professional confidentiality, if the offences they are alleging came to their attention in the course of their duties.

27. In this context, article 20 of the Code of Conduct for National Security Personnel stipulates that instructions issued by superiors to subordinates must be clear, precise and comprehensible, and that it is the superior authority that bears the responsibility for the orders it issues. Furthermore, article 3 of the Code of Conduct and article 13 of the Statute governing the Status of Personnel of the General Directorate for National Security both include provisions intended to protect officials by exempting them from the obligation to obey a superior authority in cases where that authority issues an order that is clearly unlawful. Subordinates who refuse to comply with an unlawful order from a superior officer or a public authority are entitled to report their refusal and the reasons behind it to the authority that issued the order. If the unlawful order is upheld, the subordinate may appeal to a higher authority.

28. Similarly, article 29 of the Code of Conduct and Ethics of the Royal Gendarmerie stipulates that gendarmes must obey the orders of their superiors. However, they cannot be ordered to perform actions that are contrary to the Constitution or to legislative and regulatory provisions. Furthermore, the authorities issuing the orders remain fully responsible for those orders, under all circumstances.

29. Article 31 of the Code of Professional Conduct for Prison Staff stipulates that, in the performance of their duties, staff must comply with orders willingly and without coercion and must carry out the instructions and directives of the administration and their superiors with due diligence, speed and precision.

30. To reinforce these provisions, the Supreme Council of the Judiciary has, in its turn, produced a code of ethics for the judiciary which sets forth the values, principles and rules

that judges must adhere to while carrying out their duties. This enables them to preserve their independence and fulfil their responsibilities with integrity, impartiality and accountability.[5]

Reply concerning paragraph 7

31. As stated earlier in paragraph 16, article 66 (2) of the draft Code of Criminal Procedure envisages the right to contact a lawyer from the very first hour that persons are placed in preventive custody.

32. As concerns the right of access to a lawyer, Moroccan legislators have distinguished between persons being held in preventive custody facilities and inmates of correctional facilities. The relevant provisions are contained in article 66 of the Code of Criminal Procedure and article 76 of Act No. 10.23 regarding the organization and regulation of correctional facilities. The table below contains statistical data relating to requests to contact a lawyer over a five-year period:

	Year	*Total requests*	*Accepted*	*Rejected*
Requests to consult a lawyer during preventive custody	2019	140	132	8
	2020	224	211	13
	2021	554	545	9
	2022	275	268	7
	2023	238	222	16
	2024	250	241	09

	Year	*Total requests*	*Accepted*	*Rejected*
Requests to consult a lawyer by persons in pretrial detention and prison inmates	2019	14 964	14 964	o
	2020	During the COVID-19 pandemic, there were 2 727 registered requests for remote consultations		
	2021	19 463	19 460	3
	2022	14 803	14 794	9
	2023	17 887	17 884	3

33. As part of the measures to prevent torture or ill-treatment, legislators in Morocco have entrusted the courts with the task of inspecting preventive custody facilities and ensuring that detainees enjoy due legal safeguards. Visits to detention facilities are considered, under the law, to constitute an effective monitoring and preventive mechanism that serves to ensure that the legal conditions for deprivation of liberty are duly met, and that deprivation of liberty remains legal and humane. The law also determines a minimum frequency for visits, and the modalities to be followed for both regular and unannounced inspections.

34. According to article 45 of the Code of Criminal Procedure – the provisions of which have been included in the draft amendment to the Code – crown prosecutors are to oversee compliance with the procedures and time limits governing preventive custody and to ensure that such custody is enforced, within their area of jurisdiction, in facilities designated for that purpose. Crown prosecutors must, likewise, ensure that measures are taken to ensure humane custody conditions, and they or their deputies are to visit custody facilities at any time they wish or whenever necessary but, in any case, not less than twice a month. Prosecutors are also responsible for examining preventive custody registers and must visit facilities immediately if they are notified of an arbitrary arrest or an abusive act. After each visit, prosecutors are to write up a report containing their observations and any violations they might have observed. The report is to be submitted to the Prosecutor-General of the King who, in turn, is to act to put an end to the violations then submit a report in that regard to the Director of the Office of the Public Prosecution.

[5] Official Gazette No. 6967 of 8 March 2021.

35. As part of the same protective measures, article 66 of the Code requires police officers "to maintain a register with numbered pages, signed by a crown prosecutor, in all locations where individuals may be held in preventive custody. The register is to include the identity of the person being held, the reason for the custody, the start and end times, the duration of any questioning, rest periods, the physical condition and health of the person concerned and the food provided. The individual in custody and the police officer are to sign the register as soon as the period of custody comes to an end. If the person is unable to sign or make a mark, or refuses to do so, this must be noted in the register. At least once a month, the register is to be submitted for review, monitoring and endorsement to the Prosecutor-General of the King. The Office of the Public Prosecution also monitors the situation of persons in preventive custody and may, at any time, order the end of such custody or the appearance of the persons concerned".

36. Under article 67 of the Code, the provisions of which have also been included in the draft amendment, "police officers must keep a written record of any person placed in preventive custody, including the date and time the person was arrested and the date and time the person was released or brought before the competent judge. This information is to be suffixed by the signature or mark of the person concerned or by an indication that the person refuses or is unable to sign or leave a mark and the reasons for such refusal or inability. This information is also to be recorded in the register envisaged in article 66. As soon as a decision is taken to place a person in preventive custody. police officers are – unless the person expressly objects – to notify that person's family, by telephone or by any other available means. The record is to include the name, surname and status of the person notified, the means used to deliver the notification and the date and time of notification. On a daily basis, officers must submit a list of the persons placed in preventive custody over the previous 24 hours."

37. As part of the same measures, the General Directorate for National Security has issued new guidelines regarding the use of preventive custody[6] and the prevention of torture.[7] The guidelines clearly and explicitly identify the obligation – on pain of disciplinary sanctions in the event of non-compliance – to take all necessary precautionary and preventive measures to ensure the proper conduct of preventive custody and the prevention and prohibition of torture. They also dwell on the need to apply due legal safeguards and to implement recommendations made by the national torture prevention mechanism. In addition to this, a guide has been published that covers the safeguards and rights enjoyed by persons in preventive custody.

38. For its part, the Royal Gendarmerie also drafts and publishes guidelines and directives to raise awareness among gendarmes and provide a framework within which they can operate. The purpose of this is to prevent any act of torture during the course of investigations, including during periods of preventive custody (or juvenile detention in the case of minors). The actions of the Royal Gendarmerie in this regard are, furthermore, carried out under the supervision of the Office of the Public Prosecution. In addition, oversight of their actions has been enhanced by providing them with individual body cameras to record their actions. At the same time, fixed cameras have been installed in all places of deprivation of liberty. Administrative and judicial inquiries are conducted against any member of the Royal Gendarmerie who is suspected of having committed an act of torture or ill-treatment.

39. Apart from the aforementioned provisions of article 67, under articles 73 and 74 of the Code of Criminal Procedure (art. 73 of the draft revision), if in cases of flagrante delicto involving an offence punishable by imprisonment, a medical examination is requested by accused persons or their lawyers, or if prosecutors personally observe signs that would justify such an examination, the Office of the Public Prosecution is to ensure that the suspect undergoes an examination, which is to be conducted by a forensic doctor or, if that is not possible, by another physician. If there are visible signs of violence, or if the individual in

[6] Directorate Memorandum No. 8360 of 27 October 2015, regarding precautionary measures related to the arrest and placement of persons in preventive custody or under judicial supervision.

[7] Directorate Memorandum No. 2895 of 24 April 2015 concerning torture prevention mechanisms, and Directorate Memorandum No. 8320 of 20 April 2023 concerning recommendations made by the national torture prevention mechanism.

question claims to have suffered violence, prosecutors must, before they commence questioning, refer the person for an examination, which is to be conducted by a forensic doctor or, if that is not possible, by another physician. In all cases, the questioning is to take place after the medical examination has been conducted. The lawyer of a juvenile may also request that a medical examination be conducted. According to the draft Code of Criminal Procedure, any confession made by accused persons and set down in a police record is to be deemed invalid if a request for a medical examination made by the accused persons or their lawyers was refused.

40. In the same context, article 134 requires investigating judges to grant a request for a medical examination made by persons in preventive custody or their lawyers. Judges must, acting on their own volition, order a medical examination if they see signs on the accused person that would warrant such an examination, and they must appoint a medical expert to conduct the examination.

41. As part of torture prevention efforts, the institutions responsible for running preventive custody facilities undertake to apply the recommendations made by the national torture prevention mechanism. As of the end of 2024, that mechanism had conducted 29 visits to preventive custody facilities run by the General Directorate for National Security and 40 visits to preventive custody cells operated by the Royal Gendarmerie. Those two institutions remain determined to apply the recommendations across all detention facilities under their jurisdiction, including those that the national torture prevention mechanism has not yet visited.

Reply concerning paragraph 8

42. In Act No. 03.03 on combating terrorism, Moroccan legislators have sought to define terrorism by using an approach that itemizes the constituent elements of that offence. This approach consists in identifying offences already set forth in the Criminal Code then classifying them as terrorist offences when they are intended as part of an individual or collective plan to undermine public order using intimidation, terror or violence. This is in addition to other provisions that criminalize the financing of terrorism.

43. Articles 66 and 80 of the Code of Criminal Procedure set 96 hours as the duration of preventive custody for terrorist offences. This period may be extended twice under a written warrant from the Office of the Public Prosecution, after prosecutors have interviewed the accused person and examined the case. Under the new draft of the Code, the Office of the Public Prosecution is required to provide justifications for any warrant to extend the custody period. This is a reflection of the particular care and concern shown towards this kind of offence, the investigation of which requires a significant amount of time. Under the new draft of the Code, preventive custody is also subject to rigorous oversight procedures as well as safeguards to preserve the rights and well-being of the persons being held. This begins by notifying the family as soon as someone has been placed in custody, then notifying and obtaining the approval of the Office of the Public Prosecution. In addition to this, prosecutors make unannounced visits to custody facilities; persons in custody have the right to contact a lawyer in the event that the period of custody is extended; and medical examinations are made, either as a matter of course or at the request of the person in custody or the defence lawyer. Any measures taken that are contrary to the law are deemed to be invalid (art. 751 of the Code), while confessions extracted through violence or coercion are inadmissible. Whether or not a confession is admissible as evidence remains subject to the discretion of judges (art. 293).

44. In addition to the information provided in the replies concerning paragraphs 4 and 7 above, it should be noted that the gravity and complexity of terrorist offences means that thorough investigations are required in order to uncover the truth and identify perpetrators. This is why the period of preventive custody is longer than for ordinary offences. That period may be extended but only under the oversight of prosecutors, who are required to stipulate the reasons and justifications for any extension. Thus, if there is no need for an extension of the custody period, then none is authorized, but if the investigation does necessitate an extension, the law requires the police to request prosecutors to provide written authorization

to that effect. The persons in question are then brought before prosecutors who, before making their decision, examine the case, conduct an interview and evaluate the reasoning set forth in the request for extension.

Reply concerning paragraph 9

45. In addition to the information provided above, the Office of the Public Prosecution strictly enforces all legal provisions aimed at preventing and combating torture. In that connection, it makes inspection visits to places of deprivation of liberty, and it verifies compliance with the legal requirement to conduct medical examinations (either as a matter of course or upon request) of persons in preventive custody. It also adjudicates any complaints regarding torture.

46. In addition to the information provided in the reply concerning paragraph 3 above, it should be noted that between 2017 and 2023, prosecutors issued orders for medical examinations of 2,708 individuals who appeared before them, as shown in the statistics below:

Year	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
No. of persons	190	143	410	390	448	442	303	382

47. With regard to the case of the officer accused of torturing a suspect in the course of an arrest, it should be noted that the judicial investigation unit of the Royal Gendarmerie took over the case in September 2010, under the supervision of the Prosecutor-General of the King at the Casablanca Court of Appeal. Interviewed, the officer concerned denied the allegations and explained that he had investigated a case involving robbery and attempted murder with the use of a bladed weapon (a knife), in which two German citizens were among the victims. The investigation led to the identification and arrest of one of the three persons suspected of involvement in the crime, who was found in possession of a mobile phone stolen from the victims and who was identified by them following a confrontation. As for the signs of violence observed on the body of the detained suspect, the officer explained that they were the result of a scuffle between the perpetrator and the victims, who in turn confirmed the facts of the case.

48. As the investigation continued, in 2014 the judicial authorities sent a letter for judicial assistance requesting their German counterparts to re-interview the victims (case No. 001-2014 / 00 598 488, assigned to the police in Lüneburg, Lüchow, Dannenberg and Uelzen in Germany). The Office of the Public Prosecution at the Casablanca Court of Appeal then requested the investigating judge to open an investigation against the officer in question and other persons. On 5 May 2015, following the conclusion of the investigation, the investigating judge referred the officer and his accomplices to the criminal court of first instance on charges of having collectively committed the offence of "torture by public officials against a person in preventive custody, with the intent of coercing a confession to suspected offences", as per article 231 (1)–(3) of the Criminal Code. On 11 February 2020, the criminal court of first instance ruled to acquit the accused persons on the charges against them. An appeal was launched and, on 22 September 2020, the court of appeal issued a ruling to uphold the acquittal handed down in first instance. An appeal for cassation was made but was dismissed by the Court of Cassation on 27 July 2022.

Reply concerning paragraph 10

49. According to article 23 of the Constitution: "All persons in detention are immediately to be informed, in a manner they are able to understand, of the reasons for their detention and of their rights, including the right to remain silent. They have the right to avail themselves, within the shortest possible time, of legal assistance and to communicate with relatives, in accordance with the law." The new draft of the Code of Criminal Procedure maintains this fundamental guarantee in article 66 (2), which reads: "Persons who have been arrested or placed in preventive custody have the right to legal assistance and to contact a relative or a lawyer, by telephone or by any other available means. They also have the right to request the appointment of a lawyer under the legal aid system."

50. As concerns the exercise of the right to consult with a lawyer and to undergo a medical examination by an independent doctor, in addition to the information already provided in paragraphs 17 and 18 of the present report, it should be noted that a number of provisions in national law uphold the right of detained persons to consult with a lawyer. The same safeguard is available to all persons in detention. As stated in article 66 of the Code of Criminal Procedure, persons in detention are entitled to legal assistance, to contact their relatives and to either appoint a lawyer or request that one be appointed on their behalf under the system of legal aid. The procedures whereby persons in detention can contact a lawyer, as well as the time frames and conditions for doing so, are set forth in regulations. The Office of the Public Prosecution, as the body entrusted with the proper application of the law, has the authority to authorize or delay such contact, depending on the circumstances of each case, as specified in the article itself. Similarly, articles 31 and 32 of the Act on the organization and regulation of correctional facilities guarantee the right of inmates to notify their families or the person, entity or institution who upholds their interests. At the same time, article 76 of the Act stipulates that lawyers of persons in pretrial detention may contact their clients under authorization from the judicial authorities running the investigation or the competent prosecutor.

51. Circular No. 1 issued by the Director of the Office of the Public Prosecution on 17 October 2017 underscores the fundamental importance of respecting the right to a defence as a fair trial guarantee, of enabling plaintiffs and accused persons to exercise that right and of ensuring that their lawyers – whether chosen by them or appointed under the legal aid system – are able to perform their duties freely, in accordance with the law. For their part, prosecutors in courts throughout Morocco are pledged to following those instructions and implementing them in practice. Thanks to the system of legal aid, the right of all persons to a defence is duly upheld in cases of all kinds and at every stage of proceedings. The law, in fact, guarantees the availability of legal aid in all national courts, in all cases and to all individuals, public institutions or entities serving the public interest, as well as to private Moroccan associations engaged in relief work and possessing legal personality which, due to insufficient resources, are unable to exercise or defend their rights before the courts. It is also accessible to foreign nationals in the instances envisaged under international treaties.[8]

52. Legal aid offices in courts of first instance, courts of appeal and the Court of Cassation are headed by the Office of the Public Prosecution. Prosecutors work on the committees envisaged under the law to appoint lawyers in response to requests for legal aid. Such aid is dependent on proof of the financial insolvency of the applicant, in accordance with the provisions set forth in the aforementioned Decree. The following table shows the positive response of legal aid offices to requests for the appointment or assistance of a lawyer, received between 2019 and 2024:

Year	*Applications presented*	*Applications granted*
2019	3 837	3 167
2020	1 962	1 649
2021	3 215	2 794
2022	3 436	3 033
2023	3 441	2 696
2024	3 000	2 366

Reply concerning paragraph 11

53. Freedom of assembly, freedom of association and freedom of peaceful demonstration are guaranteed under article 29 of the Constitution. The exercise of the freedom of peaceful assembly is not subject to any restrictions, save in cases where procedures for the authorization of such events have not been followed or where the authorities determine that they could disrupt public order. The competent authorities remain vigilant to ensure that

[8] Article 1 of Royal Decree (with force of law) concerning legal aid, Official Gazette No. 2820 of 16 November 1966.

freedom of peaceful assembly can be exercised routinely throughout the country, without discrimination. The authorities also seek to regulate demonstrations that take place in public areas and to ensure that law enforcement agencies intervene only to maintain public order and protect public and private property, in accordance with the law and international human rights standards.

54. The fact that just 25 complaints were made regarding violence against protesters between 2011 and 2021 is testament to the efforts made by law enforcement agencies to disperse demonstrations peacefully; their actions were, on the whole, characterized by composure and restraint. This reflects a commitment to protecting citizens, ensuring the exercise of rights and freedoms and maintaining public order, a commitment evident during all the demonstrations that took place in Morocco during that period. Law enforcement, in fact, sought to adopt a peaceful approach and to avoid the use of force, except when necessary to combat disorder and violations that significantly threatened security and public order or to protect persons and property. The same approach continued to be maintained even in the fact of the significant challenges posed by the coronavirus disease (COVID-19) pandemic, during which law enforcement agencies were careful to exercise restraint and not respond to the provocations they faced.

55. It is important to note that courts in Morocco cannot hand down any prison sentence on the basis of confessions that are shown to have been extracted under coercion. Legislators have been careful to ensure that confessions, like other forms of evidence, are subject to the discretion of judges, as per article 293 of the Code of Criminal Procedure, which stipulates that any confession shown to have been obtained using violence or coercion is inadmissible.

Reply concerning paragraph 12

56. Morocco can confirm the information it has already provided in response to the concluding observations on the fourth periodic report (paras. 54–58), and it sees no reason to open judicial investigations in the absence of any serious allegations from credible sources. The State has taken every occasion to reaffirm that – following the measures taken in response to the work done by the Equity and Reconciliation Commission – there are no secret detention centres operating outside the framework of the law. The Commission, in fact, made a recommendation to repurpose those sites and convert them into centres for the preservation of memory. That decision is irreversible and has been enshrined in the Constitution, which classifies incommunicado detention as a major offence, perpetrators of which are liable to the most severe penalties (art. 23 of the Constitution).

Reply concerning paragraph 13

57. Morocco set up its national torture prevention mechanism under Act No. 76.15 concerning the reorganization of the National Human Rights Council.[9] In doing so, it was fulfilling an obligation arising from its accession to the Optional Protocol to the Convention against Torture in November 2014. The mechanism itself came into being in 2019 following the selection of members (three members, including one woman) and the election of a coordinator.

58. The national torture prevention mechanism has a broad mandate under the Act. This includes monitoring the situation, conditions and treatment of persons deprived of their liberty. To this end, it conducts visits to places of detention, both on a regular basis and when requested to do so by the Council, in order to strengthen protection against torture and other cruel, inhuman, or degrading treatment or punishment. The mechanism also formulates recommendations for the improvement of the treatment and conditions of persons deprived of their liberty and the prevention of torture, and it makes proposals and comments on existing legislation and on proposed laws related to torture prevention (art. 13).

59. The independence of the national mechanism – including its procedures for deciding on visits, drafting reports, conducting investigations and inquiries, and developing plans and operational methodologies – lies in the fact that the National Human Rights Council, which oversees the mechanism, is itself an independent constitutional entity, as envisaged in

[9] Official Gazette No. 6652 of 1 March 2018.

article 161 of the Constitution. The mechanism thus has legal personality, full legal powers and administrative and financial independence, as set forth in article 3 of Act No. 76.15. For its part, the Council is subject to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and, since 1999, has been accredited with category A status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions.

60. The national mechanism has also been provided with an administrative apparatus that is separate from the Council's other structures. It has its own dedicated office space, logistical resources and a specialized, highly qualified administrative team with extensive and diverse experience in visiting places of deprivation of liberty and preventing torture. Another aspect of its independence is that the mechanism retains the authority to determine the nature of its reports and recommendations and whether they will be incorporated into the Council's annual reports or issued as special or thematic documents.

61. In order to ensure that the national torture prevention mechanism is able to monitor and inspect places of detention effectively and independently, article 15 of the aforementioned Act places an obligation on the administrators of places of deprivation of liberty to allow members of the national mechanism to access all areas of their facilities. In fact, members of the mechanism are to be allowed to select which parts of a facility they wish to inspect and which persons they wish to interview, and the interviews are to take place freely, privately and without the presence of witnesses. If the mechanism so wishes, it may call on the services of interpreters or any other person it considers might be useful. The Act also stipulates that members of the national mechanism are to be given access to all information regarding places of deprivation of liberty, their location and the number of persons being held, as well as information about the treatment and detention conditions of inmates.

62. In order to ensure that members of the mechanism are not subject to any influence that could impair their ability to carry out their duties independently, article 17 of the Act stipulates that the coordinator and members of the national mechanism are, in the conduct of their duties, to enjoy protection against any interference or pressure they might encounter. Moreover, they cannot be arrested, investigated or prosecuted for their opinions or actions, and their tenure cannot be terminated save in the circumstances envisaged in article 39 of the Act. For their part, members of the national mechanism are to perform their duties to the full and for the entire duration of their term of office, and they may not hold positions that are inconsistent with the mandate of the mechanism (art. 21).

63. Between its establishment and February 2025, the national torture prevention mechanism undertook 172 visits to places of deprivation of liberty. These include initial visits to detention facilities and follow-up visits to assess the extent to which its recommendations had been implemented. The type and geographical location of the visits varied, but they covered all regions of Morocco.

64. As a way of ensuring the effective implementation of recommendations made to administrators of places of deprivation of liberty, the national mechanism has developed a dashboard which uses responses provided by officials at detention facilities to monitor and assess any non-compliance. According to the latest statistical data provided by the National Human Rights Council, the rate of implementation of the mechanism's recommendations remains encouraging, ranging from 56% to 95% depending upon the detention facility concerned.

65. In this context, the Director of the Office of the Public Prosecution has issued a special circular [10] urging prosecutors to engage constructively with national human rights mechanisms, foremost among them the national torture prevention mechanism.

66. As concerns visits to places of deprivation of liberty by other institutions and stakeholders, it should be noted that article 11 of Act No. 76.15 confers on the National Human Rights Council a broad protection mandate, which also covers the supervision of places of deprivation of liberty of all kinds. The Council can exercise that mandate with

[10] Circular No. 40 of the Director of the Office of the Public Prosecution of 1 October 2019.

complete freedom and without restriction, and it is authorized to receive and handle complaints and conduct investigations into human rights violations. Since 2011, the Council has published two thematic reports on prison visits, as well as a thematic report on psychiatric and mental health facilities. It also issues annual reports on the results of its work.

67. Crown prosecutors are responsible for conducting inspection visits to detention facilities and ensuring that persons being held there enjoy all the safeguards envisaged in national legislation. Prosecutors' mandate covers prisons, preventive custody facilities, mental health facilities and juvenile detention centres. The law, in fact, requires judicial authorities of various kinds – most notably the Office of the Public Prosecution – to visit places of detention, and it sets minimum frequency requirements for such visits, which must be conducted both by prior arrangement and unannounced.

68. According to article 45 of the Code of Criminal Procedure, crown prosecutors are to visit preventive custody facilities at any time they wish or whenever necessary but, in any case, not less than twice a month. Their visits serve to verify the conditions and legality of detention, review the preventive custody register and ensure compliance with applicable procedures and time limits. Under the same article, prosecutors are to write up a report after each visit and to inform the Prosecutor-General of the King of their observations and any violations they might have encountered. Under article 616 of the Code, a crown prosecutor and a judge for the enforcement of sentences are to visit prison inmates at least once a month to verify the legality of their detention. In this connection, the Director of the Office of the Public Prosecution has issued a circular[11] drawing attention to the need to conduct regular visits then draft visit reports and submit them within three days. The circular emphasizes the importance of exercising due diligence, reviewing registers and inspecting infrastructure and conditions of detention in the facility concerned.

69. In addition to the foregoing, article 25 of the Royal Decree on the prevention and treatment of mental illness and the protection of mentally ill patients[12] stipulates that the Office of the Public Prosecution is to conduct visits to mental health institutions once every three months. The Director of the Office of the Public Prosecution has issued a circular regarding the role judicial oversight plays in safeguarding the health and well-being of patients in mental health hospitals.[13]

70. Under articles 473 and 616 of the Code of Criminal Procedure, the Office of the Public Prosecution is to conduct visits, at least once a month, to child protection centres that house juveniles in conflict with the law. During the visits, prosecutors are to pay particular attention to the best interests of the child and to ensure that children receive the protection they need, regardless of their legal status; i.e., whether or not they are in conflict with the law, victims of crime or experiencing difficult situations. The Director of the Office of the Public Prosecution has issued a circular[14] in this connection urging greater efforts to protect children in conflict with the law, facilitate their access to the justice system and ensure effective judicial safeguards. The table below shows the number of visits made by prosecutors to places of detention over an eight-year period:

Places of deprivation of liberty	*No. of visits annually*							
	2017	*2018*	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Preventive custody facilities	18 253	19 249	22 540	18 961	24 626	22 796	22 032	22 377
Prisons	635	844	937	519	845	1 031	1 058	1 116
Mental health hospitals	69	120	147	104	154	195	198	186
Child protection centres	**	21	21	27	**	**	**	**

[11] Circular No. 6 of the Director of the Office of the Public Prosecution of 15 November 2017.
[12] Official Gazette No. 2429 of 15 May 1959.
[13] Circular No. 21 of the Director of the Office of the Public Prosecution of 14 May 2018.
[14] Circular No. 49 of the Director of the Office of the Public Prosecution of 19 November 2019.

Reply concerning paragraph 14

71. Morocco has no record of its authorities having received any allegations regarding incommunicado detention. Similarly, since 2011, reports of the National Human Rights Council – which is the body constitutionally and legally empowered to address such violations based on complaints it receives or investigations it conducts – contain no data or information relating to instances of incommunicado detention. This fact, which has been acknowledged by the relevant United Nations mechanisms on visits to Morocco since 2012, shows that Morocco has put a definitive end to this type of gross human rights violations, in line with article 23 of the Constitution, which prohibits arbitrary or incommunicado detention and classifies it as a major offence that attracts the most severe penalties.

72. Thus, no one may be arrested, detained, prosecuted or convicted except under the circumstances and procedures defined in law, and no one may be deprived of liberty except in official facilities that are subject to judicial oversight.

Reply concerning paragraph 15

73. Judicial investigations are carried out whenever a death occurs in preventive custody, in prison or in any other place of deprivation of liberty. The investigation is conducted under the supervision either of a prosecutor or, at the request of the Office of the Public Prosecution, of an investigating judge. Any death that occurs inside a place of deprivation of liberty must be reported immediately to the competent prosecutor who must, on a case-by-case basis, take all necessary legal steps to determine the cause of death. To this end, prosecutors can conduct all necessary inspections and examinations, order autopsies, collect physical evidence and take statements that may help to establish the truth.

74. As a way of ensuring that judicial investigations are conducted promptly and independently, national law dictates that all inquiries, examinations and autopsies to determine the nature and causes of a death are to be carried out under the supervision of the competent judicial authority. According to article 4 of the Act regulating the practice of forensic medicine, medical examiners are to inspect and examine bodies and body parts to determine the nature, cause and date of death, identify any injuries and the causes thereof and assist, if necessary, in identifying the deceased.

75. According to article 5 of the Act, doctors acting as medical examiners are fully independent to express their professional medical opinions regarding the duties with which they have been entrusted. This also means that they are held to be responsible for the views they express and the certificates and reports they issue. Their independence does not, however, preclude oversight by the judicial authority that appointed them, and examiners can be requested to provide clarifications regarding the conclusions they have reached. Furthermore, in expressing their professional opinions, examiners remain bound by the principles of impartiality, objectivity, integrity and professional ethics.

76. According to article 25 of the same Act, a doctor performing forensic medical duties is required to draft a medical report containing all the information specified in that article. The report is to be submitted to the judicial authority that appointed the examiner for it to pursue the necessary legal procedures. Article 28 of the Act stipulates that the examiner's report is confidential and may be consulted only by the judicial authority that appointed the examiner or by a police official with authorization from the competent judicial authority. However, the Office of the Public Prosecution or the investigating judge may allow the victim, the relatives of the deceased or the defence lawyer to consult the report or receive a copy thereof, provided that doing so does not interfere with the proper conduct of the investigation.

Reply concerning paragraph 16

77. Morocco can confirm the information it has already provided in its response to the concluding observations on the fourth periodic report (paras. 47–49). In fact, the country's commitment to respecting human rights and preventing abuses extends to the whole of the national territory, including the Moroccan Sahara, just as it extends to all citizens without discrimination, including those in the southern provinces. This principle is enshrined in the national Constitution, guaranteed by national legislation and rigorously applied by national

institutions at all times. In this way, Morocco is committed to combating and preventing torture throughout its territory. It makes continuous efforts to promote a human rights culture among law enforcement personnel and does not hesitate to take robust action against any individual abuses that might occasionally occur.

78. In this connection, it is important to recall that the country's southern provinces have been the focus of anti-torture initiatives and programmes, as part of a comprehensive approach to security governance and human rights protection. Specific mention should be made of a training programme on security and human rights, which is being supervised by the General Directorate for National Security and which, between 2014 and 2016, benefited 833 police officers across the three regions of the southern provinces. In addition to this, between 2019 and 2024, the General Directorate organized 198 training courses for police officers in the same regions. The primary focus of the courses was on the national legal frameworks for combating and preventing torture, as well as the safeguards and rights of persons in preventive custody.

79. In addition, during 2013 and 2014, the Auxiliary Forces organized continuing education courses for their field commanders in the three regions of the southern provinces of Morocco. The aim of the courses was to integrate a human rights perspective into field operations, crowd control and the maintenance of public order. Ongoing training programmes on human rights in general, with a specific focus on the use of force and combating torture, are also being run for members of the Royal Gendarmerie.

Reply concerning paragraph 17

80. Morocco can confirm the information it has already provided in response to the concluding observations on the fourth periodic report (paras. 98–102). The State is voluntarily applying a de facto moratorium on the death penalty which, in December 2024, was further consolidated when it voted in favour of the United Nations General Assembly resolution on a moratorium on the use of the death penalty. This matter was also the subject of intense public debate following the adoption of the 2011 Constitution, article 20 of which upholds the right to life. That debate, which took various forms, gave rise to a countrywide momentum which – in the context of a national dialogue on reform of the justice system – led to a revision of the Code of Military Justice in 2015 that reduced the number of offences punishable by death from 16 to 5. It should also be noted that the criminal justice system of Morocco has established a body of legal conditions governing the imposition and application of the death penalty. Specifically, the new draft of the Code of Criminal Procedure requires that judges handing down a sentence of death must do so unanimously and, moreover, must draw up a record of their deliberations noting their unanimity and signed by them all. The table below contains statistical data regarding commutations of the death penalty:

	2016	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*	*Total*
Males	35	6	4	33	2	…	2	1	00	83
Females	0	0	1	1	0	…	1	1	01	05
Total	**35**	**6**	**5**	**34**	**2**	**…**	**3**	**2**	**01**	**88**

81. The public debate has seen the engagement of coalitions of civil society organizations as well as of parliamentary figures and stakeholders from the fields of human rights, the law, the media and education. The National Human Rights Council has taken an active part in the process by focusing on the issue of the death penalty, monitoring the situation of persons who have been condemned to death, visiting them in prison and drafting annual reports and memorandums that raise concerns about their rights and the improvement of their conditions. The Council has also launched a support campaign and has made recommendations and requests in this regard. The Interministerial Delegation for Human Rights has taken part in the national debate, and it has supported projects being run by civil society organizations, with the aim of contributing to community dialogue on issues of public interest – including the death penalty – in accordance with the recommendations of the national plan of action for democracy and human rights.

82. In line with this gradual approach, Morocco has responded to recommendations regarding the death penalty that emerged from the universal periodic review. It has emphasized that it accepts those recommendations in principle, in accordance with the Constitution and the de facto moratorium on the use of the death penalty, which has been in place since 1993. This position has been reinforced by regular royal pardons, which have commuted a number of sentences of death to lesser penalties. Moreover, there is a growing legislative trend towards reducing the number of crimes punishable by death, while civil society is driving ongoing public debate about abolishing the death penalty altogether. The table below provides statistical data regarding persons sentenced to death and those who have benefited from royal pardons:

Year	*Occasion*	*Beneficiaries*	*Total beneficiaries*	*Inmates under sentence of death*
2016	Throne Day	23		
	Eid al-Adha	02		
	Youth Day	07		
	Commemoration of the Revolution of the King and the People	03	35	94
2017	Youth Day	01		
	Throne Day	01		
	Commemoration of the Revolution of the King and the People	03	05	95
2018	Mawlid (Birth of the Prophet)	01		
	Eid al-Adha	04	05	91
2019	Eid al-Fitr	02		
	Commemoration of 11 January	01		
	Throne Day	31	34	72
2020	Throne Day	02	02	76
2021	-	-	-	79
2022	Throne Day	02		
	Youth Day	01	03	83
2023	Throne Day	01		
	Commemoration of 11 January	01	02	83
2024	Eid al-Fitr	01	01	01

83. By virtue of their status, prisoners sentenced to death or life imprisonment are subject to special conditions of detention. They are held in individual cells and are entitled to outdoor recreation and walks in the prison yard twice daily. They are also under special medical supervision to assess the state of their physical and mental health, receive regular visits from their families and have access to educational and academic programmes, including literacy classes. In addition, they are able to participate in cultural, recreational and sporting activities organized by the correctional facility and to benefit from support and assistance from civil society organizations.

Reply concerning paragraph 18

84. The Constitution establishes safeguards to combat impunity. The link between responsibility and accountability is enshrined in article 1, while article 6 stipulates that all Moroccans are equal before the law, regardless of their condition, status or position. This state of affairs is regulated by the national criminal justice system which, although it recognizes that certain categories of public official enjoy specific exemptions and legal and judicial privileges, nonetheless stipulates that they can be held accountable and prosecuted under the law if they commit criminal acts.

85. In line with the Constitution and the recommendations of the Equity and Reconciliation Commission, Morocco has been dedicating more attention to the question of preventing impunity, which has been the focus of strategic planning within the framework of the national plan of action for democracy and human rights. The plan, in fact, envisages a subsection aimed at combating impunity via the following 11 measures:

- Continuing to criminalize all acts that constitute gross human rights violations, in accordance with the Constitution
- Highlighting the principle of non-impunity in criminal policy and other public policies
- Facilitating access to justice for victims by providing legal aid and judicial assistance
- Strengthening legal provisions regarding redress for victims of human rights violations
- Protecting complainants, informants, witnesses and human rights defenders from any ill-treatment or intimidation resulting from their complaints or testimony before the public authorities or the courts
- Establishing an independent legislative and regulatory framework to institutionalize forensic medicine
- Referring the results of forensic medical examinations in alleged cases of torture to the Office of the Public Prosecution for verification, unless the Office ordered the examination in the first place
- Submitting the findings of inquiries by the national torture prevention mechanism to the judiciary
- Encouraging opportunities for filing administrative and judicial grievances
- Ensuring the exercise of the right to access, receive and disseminate information
- Boosting human rights training and awareness-raising programmes for law enforcement officials.

Reply concerning paragraph 19

86. Morocco can confirm that the judicial authorities opened an investigation into the allegations made by the persons convicted in connection with the “Gdeim Izik” case. The court, in fact, granted the request of the defence for the accused persons in detention to undergo a medical examination to substantiate their claims of torture. The examination was entrusted to a three-member medical panel chaired by a professor at the Faculty of Medicine and the head of the Forensic Medicine Department at the University Hospital in Rabat. The medical examination was conducted on the 16 individuals who consented thereto. In its ruling of 19 July 2017 on case No. 332, the court of appeal confirmed that the experts had duly examined the persons being prosecuted in that case and that the examination had been conducted in full compliance with the preliminary ruling ordering the examination and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). The ruling of the Court became definitive once the Court of Cassation had rejected the appeal made by the accused persons.

87. It should be noted that the persons convicted in this case, like all other prisoners, benefit from measures designed to ensure that they are not subjected to torture or other forms of cruel, inhuman or degrading treatment. In this context, they receive visits from the National Human Rights Council, the national torture prevention mechanism and civil society organizations, as well as from the competent judicial authorities. In addition, they receive visits from their families regularly and without hindrance, and they can communicate with their relatives using the prison telephone system, in accordance with a pre-established schedule. They are also able to receive books, magazines and newspapers, which their families send by post, and to send and receive letters, in accordance with regulations. Furthermore, inmates are permitted to receive certain food items and personal necessities from their families, even though the prison does provide all inmates with three daily meals. The meals duly meet legal requirements with respect to quantity and quality and are prepared

by a specialized company. In addition to this, inmates receive the necessary medical care – both on a regular basis and on request – either inside the prison or in a public hospital. Lastly, the persons in question, like other inmates, have access to free educational programmes and participate in all cultural, recreational and sporting activities organized inside the prison.

Article 3

Reply concerning paragraphs 20 and 21

88. The issue of deportation is regulated under Act No. 02.03 of 2003 concerning the entry and residence of foreigners in the Kingdom of Morocco and unlawful migration.[15] Expulsion measures can be carried out only on the basis of a reasoned administrative decree issued by the local authority having jurisdiction over the area in question. Under the same Act, moreover, foreigners have the right to appeal against such rulings before the judicial authorities. Articles 21 ff. of the Act identify the safeguards surrounding the issuance of administrative rulings in cases of deportation, particularly with regard to the conditions in which rulings may be issued. The same provisions also dwell on procedural safeguards such as challenging a ruling via urgent recourse to administrative courts, the public nature of court proceedings in the presence of the party concerned, representation by defence counsel, interpretation, access to case files and notification of consular authorities. The Act does not admit rulings that order collective deportations, be it a ruling for expulsion or accompaniment to the border. In fact, any order to accompany a person to the border or to expel them must take the form of a reasoned individual ruling.

89. Article 29 of the Act prohibits the deportation of a foreigner against whom an order of expulsion or of accompaniment to the border has been issued, if that person is recognized as having refugee status or has made an application for asylum upon which no decision has yet been made. It is prohibited, moreover, to deport pregnant foreign women or foreign children, just as it is forbidden to deport foreigners to a country where their life or freedom would be threatened or where they would be subjected to inhuman, cruel or degrading treatment.

90. According to article 26 of the Act, expulsion rulings do not apply to foreigners who can show that they have been residing regularly on Moroccan territory since the age of 6 or that they have been residing regularly on Moroccan territory for more than 15 years. Nor do they apply to foreigners who have been residing legally for 10 years, unless they were students during that period. According to article 25 of the same Act, an expulsion order may be issued by the State if the presence of a foreigner on Moroccan territory poses a serious threat to public order, while article 26 lists the exceptions in which expulsion is not admitted:

- Foreign nationals who can show that they have resided in Morocco on a regular basis since the age of 6
- Foreign nationals who can show that they have resided in Morocco on a regular basis for more than 15 years
- Foreign nationals who have resided in Morocco legally for 10 years, unless they were a student during that period
- Foreign nationals who have been married to a Moroccan citizen for at least one year
- Foreign nationals who are the father or mother of a child residing in Morocco and who has acquired Moroccan citizenship under the law
- Foreign nationals who reside legally in Morocco under a residence permit envisaged in the law or in international treaties and who have not previously been the subject of a definitive sentence of imprisonment of at least 1 year
- Pregnant foreign women
- Foreign minors.

[15] Official Gazette No. 5160 of 13 November 2003.

91. In accordance with the aforementioned legal provisions, rulings of expulsion or accompaniment to the border are individual rulings, and the enforcement of such rulings thus depends upon each person's individual circumstances. There is nothing in law or in practice that justifies or admits cases of collective or arbitrary expulsion, especially since rulings are subject to judicial oversight and are implemented using well-defined procedures that respect the fundamental rights of migrants and the safeguards they enjoy under national law.

92. In 2005, Morocco set up a national programme for voluntary repatriation, which aims to facilitate voluntary return and reintegration for migrants with health problems, victims of human trafficking, pregnant women, single-parent families, older persons and unaccompanied foreign minors. From its launch until the end of June 2022, a total of 17,139 migrants benefited from the programme.

93. The process of extraordinary regularization of migrants that took place in Morocco in 2014 and in 2017 is evidence of the country's eagerness to prioritize the issue of migration and migrants' rights in national policy. Thanks to that process, around 50,000 migrants were regularized, a figure that clearly demonstrates the State's will to integrate migrants and to avoid any practices that fail to respect their human rights and dignity.

94. In the same vein, the national strategy for migration and asylum has a section that specifically focuses on migrants' rights. Its aim is to consolidate the system of humanitarian assistance for victims of migrant smuggling and human trafficking networks, as part of ongoing efforts to protect migrants against criminality. The border control authorities, for their part, make every effort to apply the law and to comply with humane principles of border management. Morocco is the only country in the region to possess a national framework for the reception, referral, care, support and monitoring of vulnerable migrants and victims of migrant smuggling and human trafficking who arrive on its territory. Particular attention is paid to persons in difficult circumstances who were rescued at sea (73,821 migrants were rescued between 2018 and 2021). Under the framework, persons are referred to the appropriate institutional actors and mechanisms for follow-up and support, depending upon the category to which they belong; i.e., whether they are economic migrants, asylum-seekers, victims of human trafficking, persons in vulnerable situations or unaccompanied minors.

95. The authorities managed to break up 256 criminal networks involved in migrant smuggling in 2021 while, in more recent years, efforts by the public authorities have made it possible to provide assistance and relief to more than 59,000 migrants located in challenging terrain and forested areas near the fences separating the two occupied Moroccan cities of Ceuta and Melilla. The migrants are provided with care, housing, food and medical attention, in accordance with humanitarian standards.

96. A procedural frame of reference for guiding and supporting migrants, which was adopted in 2020, has made it possible to develop humanitarian border management mechanisms. The focus of the mechanisms is on receiving vulnerable migrants entering Morocco, especially unaccompanied children, who are provided with guidance, care and support.

97. Morocco does not hesitate to pursue a policy of openness toward requests for cooperation with neighbouring countries in managing migrant flows, and it will engage and cooperate with any State in order to resolve such issues. At the same time, however, by virtue of its location, it has continued to bear a heavy burden of problems and challenges arising from migration management, at both the regional and international levels. Moreover, it has found itself alone facing increasing risks due to limited, weak or non-existent cooperation from certain countries in managing irregular migration flows.

Reply concerning paragraphs 22 and 23

98. In addition to the information provided in the replies concerning paragraphs 20 and 21 above, it should be noted that the procedure for extraditing criminals to foreign countries is regulated under articles 718–745 of the Code of Criminal Procedure. According to article 718, in order to extradite an accused or convicted person who is on Moroccan territory but is not Moroccan, the person concerned must be the subject of ongoing proceedings in the requesting State or have been convicted of an offence by an ordinary court in that State. Moreover, extradition can be granted only if the crime was committed on the territory of the

requesting State by a national of that State or by a foreign national, if the crime was committed outside the territory of the requesting State by a national of that State, or if the crime was committed by a non-Moroccan foreign national and the crime is also penalized under Moroccan legislation even if committed by a foreigner abroad.

99. Article 720 of the Code defines the criminal acts that constitute grounds for requesting or authorizing the extradition of an offender. These include all crimes and misdemeanours that, under the law of the requesting State, attract penalties of deprivation of liberty of not less than 1 year's imprisonment or, if the case concerns a person convicted by a court in the requesting State, a sentence of 4 months' imprisonment or more. The same article also stipulates that extradition is inadmissible if the act committed is not penalized as a crime or a misdemeanour under Moroccan law.

100. Article 721 exempts Moroccan citizens from extradition. Extradition, moreover, is inapplicable for political offences and any offences related thereto. The exemption is also applicable in cases in which the Moroccan authorities have serious grounds to believe that an extradition request was made solely for the purpose of prosecuting or punishing a person on grounds of race, religion, nationality or political views, or that the person's situation may be aggravated as a result of any of those considerations.

101. The procedure for submitting an extradition request is delineated in articles 726–729, which stipulate that such requests must be made in writing and submitted via diplomatic channels, accompanied by the relevant information and documents pertaining to the case. The arrest of persons being sought for extradition requires a warrant from the Prosecutor-General of the King acting on a request from the judicial authorities of the requesting State or on a notice from the International Criminal Police Organization (INTERPOL). Prompt notification must be given to the Minister of Justice and the Prosecutor-General of the King at the Court of Cassation.

102. The criminal chamber of the Court of Cassation considers the status of persons whose extradition is being requested according to one of the following two circumstances:

- The persons whose extradition is being requested explicitly accept their rendition to the requesting State and declare that they waive the possibility of availing themselves of judicial extradition procedures. This requires authorization by the Court of Cassation, which issues a ruling to that effect to the Prosecutor-General of the King at the Court, who in turn forwards it to the Minister of Justice to complete the administrative procedures.
- The persons whose extradition is being requested do not express a desire to waive the possibility of availing themselves of judicial extradition procedures. This requires the Court of Cassation to issue a ruling on the extradition request. If it rules against the extradition, the detained persons are to be released; if it rules in favour of the extradition, the Prime Minister can, acting on a proposal of the Minister of Justice, issue a decree authorizing the extradition.

103. As concerns legal developments, the new draft of the Code of Criminal Procedure includes revised provisions governing extradition. It has expanded the categories of persons subject to extradition to include suspects who are the subject of a criminal investigation, and it has expanded the cases in which an extradition request must be denied to include cases where there is reason to believe that the persons concerned may be subjected to torture. In addition, persons are granted the right to choose between invoking the extradition procedure or waiving that right. The draft further envisages that persons being held in detention under an extradition procedure are to be notified of any measures taken against them and of their detention status. Furthermore, in cases where multiple extradition requests concern the same person, the Court of Cassation is authorized to rule on each request individually, and it can rule on a request for provisional release even after rendering its opinion on the extradition request. In addition to this, the competent prosecutor's office is empowered, in specific cases, to order the release of persons being sought for extradition. Lastly, certain extradition requests from foreign States have been made contingent on the provision of guarantees and commitments.

104. This approach is consistent with the country's well-established practice of positive engagement with the Committee against Torture regarding anti-torture safeguards for persons detained in the context of extradition proceedings. In this regard, Morocco remains committed to upholding its obligation under article 3 of the Convention not to extradite persons who have submitted a complaint to the Committee claiming that they risk being subjected to torture if extradited to a requesting State. Upon receiving a request from the Committee to take interim measures, administrative extradition procedures are suspended pending the Committee's decision. As concerns diplomatic assurances, the Moroccan authorities have not received any request in that regard.

Reply concerning paragraph 24

105. Morocco has never refused an extradition request in regard of persons suspected of having committed acts of torture. In 2012, for example, it complied with an extradition request it received from the Libyan authorities regarding an individual accused of having detained and tortured citizens.

Reply concerning paragraph 25

106. Morocco reaffirms its commitment to article 3 of the Convention regarding the obligation not to forcibly return or extradite persons to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture. In that connection, the allegations it has received concerning "extraordinary renditions" in the context of counter-terrorism measures are entirely false and without basis in fact or in practice. Extraditions are carried out in accordance with the law, under the oversight of the courts and in accordance with international judicial cooperation agreements with other countries. Moreover, the cases mentioned in the Committee's concluding observations concern lawful extraditions carried out in response to formal extradition requests from countries with which Morocco has judicial cooperation agreements. The Moroccan authorities have provided all available information regarding these cases, which bear no relation whatsoever to the alleged extraordinary renditions.

Articles 5, 7 and 9

Reply concerning paragraph 26

107. The principle that it is the responsibility of the State to prosecute perpetrators of torture is enshrined in Moroccan law, notably in article 10 of the Criminal Code, according to which anyone on the national territory – citizens, foreign nationals or stateless persons – is subject to the country's criminal legislation. That legislation, moreover, is also applicable to crimes committed outside Morocco, if they fall under the jurisdiction of the national courts. According to article 11 of the Code, State territory includes land, air and sea, as well as Moroccan ships and aircraft wherever they may be.

108. Under article 704 of the Code of Criminal Procedure, the courts of Morocco are competent to consider any crime committed on Moroccan territory, regardless of the nationality of the perpetrator. The article also makes it clear that a crime is considered to have been committed on Moroccan territory if some constituent element of that crime was committed inside Morocco. Moreover, the jurisdiction of Moroccan courts to rule on the principal criminal act extends to all associated acts of complicity or concealment, even if they were committed outside the country and by foreigners.

109. Article 707 of the Code stipulates that any act constituting a crime under Moroccan law that is committed outside Morocco by a Moroccan national may be prosecuted and adjudicated in Morocco. This is applicable if the accused persons return to Moroccan territory unless a definitive ruling has been issued against them abroad, or they have served any sentence handed down against them, or the statute of limitations has expired, or they have been granted a pardon. The jurisdiction of Moroccan courts also covers crimes committed outside the country by foreign nationals when the victim of the crime is a Moroccan national.

110. In addition to this, the draft Code of Criminal Procedure stipulates that "foreign nationals who are the subject of an extradition request may be prosecuted and sentenced by the Moroccan courts if they have committed crimes outside Morocco that are punishable under Moroccan law and if their extradition to the requesting State is not possible". The proceedings are initiated on the basis of a formal complaint from the requesting State, supported by available evidence, or after the requesting State agrees that the extradition request should be treated as a formal complaint.

Reply concerning paragraph 27

111. Morocco has concluded international agreements on judicial cooperation in criminal matters, particularly with regard to extradition, with the following countries:

Country	*Year*	*Country*	*Year*
Libya	1962	United Arab Emirates	2006
Tunisia	2010	Kuwait	2008
Egypt	1989	Yemen	2006
Sudan	2007	France	1957 & 2011
Spain	1957 & 2009	Belgium	2009
Portugal	1998 & 2007	Germany	1985
Italy	1971 (amended in 2014)	Kingdom of the Netherlands	2023
United Kingdom of Great Britain and Northern Ireland		Romania	1972
Poland	1979	Türkiye	1989
Bulgaria	2005	Hungary	2019
Ukraine	2019	Senegal	1968
Côte d'Ivoire	2015	Burkina Faso	2018
Rwanda	2019	United States of America	1983
Brazil	2019	China	2016
Russia	2016	Azerbaijan	2011
Bosnia Herzegovina	2014	India	2018
Qatar	2016	Sierra Leone	2016
Saudi Arabia	2024	Kazakhstan	2024
Malawi	2024	Austria	2024

Article 10

Reply concerning paragraphs 28 and 30

112. Morocco has strengthened the legal and regulatory framework surrounding forensic medicine by enacting Act No. 17.77, which sets forth the rules and conditions governing the practice of forensic medicine as well as the duties, powers, rights and obligations of forensic doctors. It also sets forth the procedures whereby the competent judicial authorities can appoint a forensic doctor and the disciplinary measures applicable in the event of any violation of the Act.

113. It should also be noted – as already explained in the replies concerning paragraphs 4, 7 and 15 above – that national law already envisages all necessary safeguards in the form of mechanisms and procedures to ensure that persons in detention undergo an impartial, independent, and specialized forensic medical examination conducted by qualified doctors. For their part, the competent judicial authorities undertake to ensure the proper implementation of these norms via written warrants from the Director of the Office of the Public Prosecution, anti-torture training for law enforcement officials and guidelines to regulate law enforcement operations.

114. Morocco provides specialized training for doctors who practise forensic medicine. The training focuses on the conduct of forensic examinations and the documentation, evaluation and interpretation of physical and psychological evidence. In 2020, some 85 doctors attended courses on the conduct of autopsies and about 300 on the submission of expert medical evidence. In addition to this, in 2024, 136 doctors were trained in aspects of forensic medicine regarding both living subjects and the bodies of the deceased. In addition to this, other training has taken place in the context of international cooperation, including a programme with the Institute of Forensic Medicine and Forensic Sciences at Berlin University Hospital, which ran from 2017 to 2019. The programme was attended by doctors specializing in forensic medicine, toxicology and DNA profiling, as well as medical professionals and officials from the Royal Gendarmerie, the General Directorate for National Security, health authorities and prison departments. Participants from both countries (experts and institutional bodies responsible for forensic medicine) also exchanged reciprocal visits.

115. Forensic medicine departments in university hospitals will be consolidated as a result of this cooperation with Germany. The partnership, in fact, aims to build new units, conclude bilateral agreements between specialized forensic medicine institutes in both countries and run practical training programmes for Moroccan doctors who operate in the field of forensic medicine. In addition to this, the National Human Rights Council and civil society organizations also run specialized seminars and workshops in the field of forensic medicine.

116. These initiatives are an extension of the foundation courses taken by fifth-year medical students, notably the module on forensic medicine. In that module, the students learn about physical assault and the causes of injuries, and how to assess and document these elements in scientific terms in forensic medical reports. The students also study the intersection of forensic medicine with international human rights law and international humanitarian law. In particular, they are made aware of the importance of conducting medical examinations on persons in preventive custody, in order to detect signs of torture, and they learn about the role of health professionals in identifying and documenting allegations of torture.

117. Doctors who have enrolled to study for a university diploma on the submission of expert medical evidence and the assessment of physical injuries are trained in the use of the Istanbul Protocol as a tool for documenting and assessing physical and psychological evidence of torture. As happens every year, approximately 30 doctors from various specialties in both the public and private sectors receive training as part of this university programme. Twenty-eight forensic doctors are currently participating in specialized intensive training courses covering various aspects of forensic medicine, including the detection and assessment of physical and psychological signs of torture.

118. In accordance with relevant international guidelines, the General Delegation for Prison Administration and Reintegration provides all its newly hired medical and paramedical staff with initial and ongoing training on respect for human rights, particularly with regard to protecting the health and dignity of persons in detention. In partnership with other institutions at both the national and international levels, the General Delegation also runs specialized capacity-building programmes for staff, most notably a programme for the prevention of violence, abuse and torture, which is running from 2020 to 2027 and which, as of the end of 2023, has:

- Trained 115 medical and paramedical staff in how to improve medical examinations when persons are admitted to a facility, in order to identify signs of violence, ill-treatment and torture, (this brings the total number of trained staff to 804)

- Trained 82 doctors in how to interact with the national torture prevention mechanism and the Subcommittee on Prevention of Torture, and how to respond to their recommendations.

Reply concerning paragraph 29

119. Morocco continues to strive to promote a culture of human rights among law enforcement officials. To this end, various programmes have been rolled out and partnerships have been forged between ministries, institutions and civil society stakeholders at both the national and international levels. In this context, it should be noted that the Office of the Public Prosecution operates a system of continuing training for judges and other officials on the specificity of investigations into cases of torture, on the rational use of pretrial detention and on the protection of the rights of certain vulnerable groups. The Office has also developed a human rights capacity-building programme for judges, which includes a module on the Convention against Torture. The programme, which was launched in December 2020 and is still ongoing, has so far been attended by 1,000 beneficiaries. In addition to this, the Office of the Public Prosecution has been running a human rights train-the-trainer programme for judges, with 24 participants. Furthermore, training courses on criminal justice for judicial officials and police officers, held in 2021, 2022 and 2023, included a module on protecting human rights during criminal investigations and the importance of adhering to international standards in the performance of professional duties.

120. These efforts were further consolidated with the launch, in 2023, of a special programme that focused on the individual complaints mechanism under the Convention against Torture and that has so far been attended by 133 law enforcement officials. Another training programme concentrated on the use of forensic evidence in investigating alleged instances of torture, in accordance with the revised Istanbul Protocol. As of February 2025, that course had benefited a total of 282 law enforcement officials. In addition to this, between 2016 and 2024, a series of seminars and training courses was organized to build capacity among law enforcement officials in the areas of human rights protection and the fight against torture, while studies were undertaken and guidelines prepared on preventing torture, combating human trafficking, upholding judicial safeguards for victims of violence and implementing international human rights treaties.

121. These examples of continuing education go to complement the basic training programmes for trainee judges at the Higher Judicial Institute, where combating torture is covered as part of the module on human rights. In addition, human rights are a fixed component of basic training programmes at educational institutions for law enforcement personnel.

122. In this context, the basic training programme for personnel of the General Directorate for National Security has undergone a qualitative transformation since 2016, as part of a comprehensive strategy to strengthen human rights awareness. This has been achieved by reviewing training curricula and introducing specialized modules in areas such as security and human rights and democratic crowd control techniques. In addition, special educational programmes have been designed to encourage proper professional conduct and foster a culture of human rights. Such programmes are attended by around 3,500 trainees each year. Also, as part of an ongoing specialized training initiative, 3,575 courses were run between 2019 and 2024 on subjects related to human rights protection, particularly torture prevention during arrest, interrogation and preventive custody

123. A framework agreement on partnership and cooperation between the General Directorate for National Security and the National Human Rights Council was rolled out in 2022, its purpose being to promote human rights culture across all police training curricula. In this context, in September 2022, the Royal Police Institute organized an international symposium on standards and practices for the prevention of torture, as well as a regional conference in November 2023 on the role of security institutions in preventing torture. Both events were attended by United Nations experts. In 2022 and 2023, two train-the-trainer courses were held for 36 police officers assigned to preventive custody cells while, in 2025, a further two train-the-trainer courses with 40 participants focused on the protection of human rights in the context of migration. Mention should also be made in this context – as stated

above in the reply concerning paragraph 16 – of the security and human rights training programme being run in the country's southern provinces.

124. The Ministry of the Interior provides capacity-building for its own staff by incorporating human rights education into all levels of training for law enforcement officials, particularly with regard to respecting human rights during crowd control, public order and emergency operations.

125. The Royal Gendarmerie, for its part, has adopted a comprehensive approach to education, training and awareness-raising and has sought to integrate a human rights dimension into the career development of its personnel, particularly with regard to combating and preventing torture. To this end, training curricula have been formulated for the Gendarmerie's various educational facilities as well as special programmes designed to keep pace with developments at both the national and international levels. Moreover, a central unit has been set up that is dedicated to promoting human rights and upholding professional ethics. Between 2020 and 2025, a total of 86,063 Gendarmerie personnel benefited from training of this kind while, over the same period, more than 2,080 personnel benefited from training programmes and workshops on torture prevention and human rights-related international treaties and national laws. These initiatives were accompanied by the issuance of documents intended to provide a framework of reference for operations by the Gendarmerie, for the conduct of inspections and oversight and for avenues of complaint and redress.

126. The national training centre run by the General Delegation for Prison Administration and Reintegration provides Delegation staff with basic human rights training that also covers the fight against torture and ill-treatment. As soon as they join, new staff members undergo a six-month training course that includes a module on human rights, with a total of 7,034 staff following that course between 2017 and 2024. In cooperation with non-governmental organizations (NGOs) and Moroccan and foreign experts, the General Delegation also organizes ongoing human rights training courses for staff and officials, particularly with regard to the treatment of prisoners, the prevention of torture and the role of doctors in preventing torture and attending to prisoners' health. A total of 2,838 staff members received such training over the same period. The Delegation also provides manuals and reference books and conducts research into training materials and prison conditions.

Article 11

Reply concerning paragraph 31

127. Newly established regional monitoring committees – envisaged in article 620 of the Code of Criminal Procedure – are tasked with conducting regular visits to correctional facilities and monitoring the conditions and situation of inmates. In addition to this, under articles 80–82 of the Act regarding the organization and regulation of correctional facilities, civil society groups and NGOs are entitled to visit prisons in order to help with the reintegration of inmates or to conduct prison-related research and studies. These groups and organizations have the right to publish the results of their visits, under conditions set forth in the Act itself. Moreover, according to article 83 of the Act, representatives of international organizations also have the right to visit persons deprived of their liberty.

128. In addition to this, the national torture prevention mechanism – which, as has already been stated, operates independently – also conducts regular inspection visits to places of deprivation of liberty and makes recommendations and proposals aimed at improving the treatment of detainees and preventing torture.

Reply concerning paragraph 32

129. Morocco has continued its efforts to make prison conditions more humane. A programme launched by the General Delegation for Prison Administration and Reintegration in 2012 has sought to improve prison structures by renovating dilapidated facilities or closing them and replacing them with new ones that duly fulfil security requirements while also complying with international human rights standards and providing appropriate conditions

for the rehabilitation and reintegration of inmates. In all, 27 new prison facilities have been constructed, 36 existing facilities have been renovated and refurbished, and 5 facilities are still in the process of being reconditioned. These efforts have helped to improve conditions of detention and render them more humane, in accordance with relevant international standards, as well as to improve amenities at various correctional institutions.

130. There can be no doubt that living conditions for prison inmates will be improved by the use of a system of non-custodial alternatives to pretrial detention. The system of alternative penalties takes due account of the situation in correctional facilities and seeks to pursue a criminal justice policy that rationalizes recourse to pretrial detention, which is to be applied as an exceptional measure and as sparingly as possible, only when necessary and with clearly enunciated justifications.

131. Similarly, significant progress has been made in efforts to improve inmates' nutrition. In fact, statistical data shows that the budget allocation for food increased from DH 310 million in 2012 to DH 746 million overall, while the daily food allowance per inmate went up from DH 12 in 2012 to DH 20.30 in 2023. It should also be noted that food services are tendered out to private contractors under terms of reference that envisage strict standards and controls with respect to quantity and quality. It is important, also, not to overlook the efforts being made with respect to inmates' communal eating arrangements, including the building and equipping of meal distribution outlets and bakeries inside correctional institutions.

132. At the same time, efforts continue to be made to improve the prevention and treatment services provided to inmates. Medical infrastructure has been enhanced, and vital medications have been made available. Also, equipment and facilities have been modernized as infirmaries have been set up or renovated in several prisons with new medical units and laboratories. Statistics from 2024 point to a staffing ratio of one doctor and one dentist for every 1,297 inmates.

Medical service	*2016*	*2017*	*2018*	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Medical tests	434 637	511 412	540 128	526 737	338 500	480 351	481 791	516 413	905 409
Dentistry	91 721	83 102	83 757	86 384	84 990	88 941	90 707	91 477	121 648
Hospital treatment	1 911	1 301	3 566	4 593	1 285	1 087	1 225	2 632	3 088
Psychiatric care	32 095	32 051	34 068	32 904	13 966	24 241	32 643	44 613	50 521
Medical analyses	22 232	77 698	41 501	58 311	23 905	28 863	39 651	46 640	59 724
Surgical procedures	485	416	486	522	237	299	423	503	545

133. Inmates in correctional facilities have access to medical services at State-run hospitals; in 2024, for example, inmates received 64,847 medical services of various kinds. At the same time, ongoing medical campaigns aim to improve healthcare in correctional facilities. By way of example, in 2024, 507 campaigns were organized, including 21 multidisciplinary medical campaigns. The campaigns included 70,341 awareness-raising sessions, 47,084 screenings, 16,878 medical examinations and 19,319 vaccinations. There are also ongoing efforts to promote the reintegration of inmates via the development and roll-out of educational and training programmes. The number of inmates benefiting from educational programmes increased to 7,173 during the academic year 2023/24, and the pass rate for the baccalaureate exams rose to 64.19% among inmates as compared to a national pass rate of 39.5% for independent candidates.

134. Anti-illiteracy campaigns have also been rolled out in prisons, which had a completion rate of 93.87% in the academic year 2023/24. Professional and agrarian training programmes have also been run, which benefited 8,452 inmates over the same period. In addition to this, 765 inmates were given vocational training, while 101 inmates participated in a rehabilitative vocational training programme. All this is in addition to the fact that inmates benefit from

awareness-raising and educational initiatives in other areas such as sports, culture, social life, the arts and health. A total of 11,743 cultural, religious, artistic and social activities took place in 2024.

135. These activities have been complemented by other rehabilitation programmes tailored to the needs of specific groups of inmates. These include the "Moussalaha" (reconciliation) programme aimed at inmates convicted of extremism- and terrorism-related offences. The following table shows the numbers of persons participating in this programme who subsequently benefited from a royal pardon:

		Released		
Course	*Participants*	*Under royal pardon*	*On completion of sentence*	*Still in detention*
1	25	18	02	04
2	50	22	12	10
3	37	27	07	03
4	28	25	02	01
5 (for women)	10	08	02	00
6	32	15	14	02
7	16	10	02	04
8	21	03	08	10
9	15	08	--	07
10	17	05	--	12
11	20	09	02	09
12	20	09		11
13	22	11	--	11
14	21	07	--	14
15	21	08	02	11
16	21 (inc. a female inmate)	--	--	21
17	26	Course still ongoing		
Total	**364**	**193**	**84**	**86**

Training workshops have also been held as part of a peer education programme. The programme is itself part of a plan to promote a message of tolerance and combat extremist ideology in prisons. As of October 2023, this has produced the following results:

Category/institution	*No.*
Peer educators	194
Auxiliary staff	66
Institutions	29
Inmates	50,850 including 844 women and 91 foreign nationals

In addition to this, there are other new programmes on subjects such as debates, mediation, trial, nascent values and coexistence.

136. As concerns the measures taken to ensure that convicted prisoners are held separately from unconvicted prisoners, articles 6–8 of the Act on the organization and regulation of correctional facilities stipulate that convicted persons who have been sentenced to long- or medium-term imprisonment are to be held in central prisons, while persons in pretrial or provisional detention, persons sentenced to short terms of imprisonment and debtors are to be held in local prisons. Prisons in rural areas are used to accommodate inmates nearing the date of their release. Article 38 of the Act also stipulates that persons in pretrial or provisional detention are to be held separately from convicted prisoners, while debtors are to be held

separately from persons in pretrial or provisional detention and from convicted prisoners. For its part, article 16 of the Act requires prison facilities that house juvenile detainees to provide a separate wing or, at the least, a separate area for them. Moreover, according to article 17, correctional facilities must provide individual cells for persons in pretrial detention.

137. Article 9 of the Act states that juvenile detainees are to be placed in reform and rehabilitation centres. This is consistent with article 473 of the Code of Criminal Procedure, which stipulates that juveniles aged between 12 and 18 may not be placed in a prison, not even on a temporary basis, unless it is determined that such a measure is absolutely necessary, or no other measure can be taken. In the latter case, the juvenile is to be held in a special wing separate from adults. In practice, judges seek to pursue a course of action that is most appropriate to the particular situation and to the best interests of the child concerned. It should also be pointed out that, at least once a month, juvenile court judges monitor the situation of juveniles in detention as well as of those in the centres and institutions envisaged in articles 471 and 481 of the Code of Criminal Procedure.

Reply concerning paragraph 33

138. In addition to the information already given in the reply concerning paragraph 32, it should be noted that article 14 of the Act on the organization and regulation of correctional facilities stipulates that women are to be held in a special facility and that, in facilities designed to house persons of both sexes, the areas designated for women are to be separate from those designated for men. Furthermore, female guards must be assigned to oversee the areas designated for women. Article 15 of the Act includes provision for incarcerated mothers accompanied by their children and for kindergarten facilities in the correctional institution or in the areas designated for women. It should be noted, also, that women in pretrial detention are to be held in facilities separate from those for men and that they are to be supervised by female staff.

139. It is important to mention that the bodies responsible for administering places of detention are working to upgrade preventive custody facilities and bring them into line with international standards, particularly with regard to ventilation, lighting, bedding and sanitation. They also seek to adopt gender-sensitive approaches and to ensure the physical separation of detainees on the basis of age and sex. Surveillance cameras have been installed, internal oversight is conducted, and regular inspections are carried out. These efforts are in addition to visits by the national torture prevention mechanism which, since 2019, has been reporting a clear improvement in reception facilities and living conditions for persons in preventive custody. Moreover, since 2022, Morocco has been committed to providing such persons with adequate nutrition in line with recommendations from relevant United Nations mechanisms.

140. In addition to the information already given in the replies concerning paragraphs 4 and 32, it should be recalled that the new draft of the Code of Criminal Procedure envisages new measures, such as electronic tagging, as alternatives to pretrial detention. The draft also underscores the exceptional nature of pretrial detention and imposes a requirement for a written warrant setting forth the justifications for such detention. Also under the draft, any pretrial detention ruling is subject to appeal, while the courts can, acting on their own initiative, decide whether pretrial detention should continue. The draft, moreover, seeks to consolidate reconciliation mechanisms as alternatives to the pursuit of public proceedings, notably by streamlining reconciliation procedures and expanding the number of eligible offences. All of these initiatives reflect the ongoing efforts to improve detention conditions and address the problem of prison overcrowding.

Reply concerning paragraph 34

141. Bill No. 71.13 to combat mental disorders and protect the rights of persons with such disorders aims to uphold the rights and freedoms of persons with mental or psychological conditions. The bill sets forth the principles governing the care of such persons in national hospitals, and it emphasizes the need to respect their dignity and to protect their private lives and the confidentiality of their personal information. In addition, the bill includes clear treatment guidelines aimed at ensuring, in particular, that fundamental rights and freedoms

are not restricted. It also envisions safeguards to ensure that treatment in healthcare facilities is provided in accordance with specific standards.

142. The 27 healthcare institutions currently providing treatment for mental and psychological disorders are subject to internal and external oversight, including mandatory visits by the Office of the Public Prosecution at least once every three months. In fact, 147 such visits took place in 2019. The National Human Rights Council also carries out visits – five in 2022, including visits by the Council's regional branch committees and the national torture prevention mechanism – while inspection visits are also carried out by parliamentary committees. In addition, the Ministry of Health and Social Protection (both its central departments and its general inspectorate) conduct inspection visits, both on a regular basis and in response to specific incidents. As of March 2024, a total of 32 such visits had taken place.

143. Morocco also continues to implement its national mental health programme, which aims to upgrade hospitals, improve psychiatric services and consolidate mental health facilities.

Articles 12 and 13

Reply concerning paragraph 35

144. Article 24 of the Code of Criminal Procedure stipulates several conditions and formal requirements that must be met in interview records, which must indicate the name, rank, workplace and signature of the person compiling the record as well as the date and time the procedures were conducted. The record must also contain the name of the persons being interviewed and the number of their identity documents, as well as their statements and their replies to the questions put to them by police officers. If the matter concerns suspected persons, the police officer must inform them of the offences they are suspected of having committed. Persons who have made a statement are to read it or to have it read out to them, and this is to be indicated in the record, after which the police officer is to note down any additions, changes or comments made by the persons who gave the statement, or to indicate that none were made. Alongside the police officer, the persons who gave the statement are to sign the record below the statement and any additions thereto, and to write out their name in their own handwriting. Persons unable to write or to sign are to leave a mark, and this is to be indicated in the record. The police officer and the person who gave the statement are to initial any crossings-out or references in the record, and the record is also to indicate any refusal or inability to sign or to leave a fingerprint, and the associated reasons.

145. As noted earlier in the reply concerning paragraph 7, the rules, formalities and procedures for maintaining registers in preventive custody facilities are set forth in articles 66 and 67 of the Code of Criminal Procedure. According to article 68 of the Code, in offices and departments where police officers are required to maintain a record of statements, the officers are to ensure that such records include the information and signatures referred to in article 67 of the Code, and the same information is to be included in the records submitted to the judicial authorities. Records of statements are to be made available to a representative of the Office of the Public Prosecution, upon request. In accordance with article 69 of the Code, police officers are required to draw up records immediately and to sign each page thereof.

146. According to article 289 of the Code, records and reports compiled by officers and officials of the police or by other functionaries entrusted with police duties are not considered valid unless they are drafted in the correct form. They must also include the name of the persons who compiled them, who must record what they personally observed or received in the course of performing their official duties within their own jurisdiction. Article 751 of the Code states that any procedure mandated under the Code that cannot be shown to have been accomplished legally is to be considered as not having taken place.

147. Under articles 18 and 19 of the Act on the organization and regulation of correctional facilities, every correctional facility is to keep a hard-copy register of detention as well as registers of appeals and other registers specified in regulations. The pages of the detention register must be numbered in advance in sequential order, and the president of the court of

first instance within whose territorial jurisdiction the correctional facility is located – or another judge delegated by the president – must sign the first and last pages and initial the remaining pages. The register is to be maintained by the official responsible for judicial custody, under the supervision of the prison director and the oversight of the prison administration and the competent judicial authority. The register, moreover, is to include the detention order, the detention number, the date of admission to the correctional facility, the scheduled date and time of release, all judicial rulings and measures that alter the duration of detention, the date of placement in preventive custody (or juvenile detention in the case of minors) and the actual date and time of release. This register is also to include all information regarding the transfer of detainees to other correctional facilities. Registers may not be removed from a correctional facility.

148. Article 20 of the Code stipulates that the register must not contain any blank spaces, erasures or alterations, while article 21 contains regulations for maintaining electronic registers of detention that are identical to the hard-copy registers. Article 22 of the Code prohibits the placement of any person in a correctional facility without a valid detention order as envisaged in the Code of Criminal Procedure. The article further states that the official responsible for judicial custody is to ensure that the detention order duly fulfils legal requirements. That official is also to record the detention in the detention register when the person is admitted to the correctional facility for the enforcement of the detention order. The register is to show the actual date of admission to prison, taking account of the duration of any preventive custody (or juvenile detention in the case of minors).

149. Article 25 of the Code specifies that civil status information relating to persons in detention, having first been verified, must be included in the detention register. Article 29 requires the official responsible for judicial custody to endorse all detention orders and to sign all release, temporary release and special leave permits. Article 36 of the Code explains the procedures for producing a summary extract of a detention register or release permit.

150. Under article 23 of the Code, the placement or detention of a person in a prison facility without a legal warrant amounts to arbitrary detention, and perpetrators of such acts are liable to be punished. It is worthwhile recalling that members of the Office of the Public Prosecution are responsible for verifying compliance with the procedures governing preventive custody, including interview records, and with monitoring other places of deprivation of liberty, such as prisons and juvenile detention centres. Their duties during their visits include inspecting the detainee registers.

151. In order to improve the way records are kept, the authorities responsible for overseeing the running of preventive custody facilities and juvenile detention centres maintain several different registers. These include a preventive custody register, a juvenile detention register, a family notification register and a register of lawyer visits as well as other registers related to healthcare and confiscated items. Yet more registers cover things such as the meals provided to persons in preventive custody or in juvenile detention and a record of cleaning operations. In addition to this, departmental registers document completed tasks, operational hours, record-keeping and other matters. Also, security cells are fitted with surveillance cameras and are subject to a system of regular and unannounced monitoring.

Reply concerning paragraph 36

152. Morocco can affirm that allegations of failures to investigate complaints regarding unlawful arrest, placement in secret places of detention for indefinite periods, torture and ill-treatment during interrogation and the extraction of confessions and statements under duress or torture (confessions and statements then accepted as evidence in judicial proceedings) are entirely false and without basis in law or in practice.

153. Indeed, judicial practice dictates that judges are to consider defence arguments and complaints regarding allegations of arbitrary detention, torture, ill-treatment or coercion and to rule on these matters as required by law, constitutional safeguards and international human rights standards. As stated in the replies concerning paragraphs 3, 9, 13 and 14, the Moroccan judiciary does not hesitate to launch inquiries and investigations into alleged violations of the legal and judicial safeguards that are guaranteed for all persons involved in legal proceedings, including persons suspected of committing criminal acts. Under national law, only police

records and reports that have been correctly compiled are considered to be valid, while any confession shown to have been obtained through violence or coercion is inadmissible (arts. 289 and 293 of the Code of Criminal Procedure).

154. In the case of less serious offences and misdemeanours, police records and reports are deemed to be valid unless there is evidence to the contrary. In the case of major offences, however, legislators have decreed that such records and reports are to be regarded merely as sources of information (arts. 290 and 291 of the Code).

155. Judicial practice dictates that investigations into allegations of arbitrary detention, torture or bodily harm are to be initiated immediately, as soon as a complaint has been filed with the competent authorities, or the matter has been raised when a case is brought before the courts. Initially, this entails verifying compliance with the law and with legal procedures. The judicial authorities then examine the validity of allegations of torture and ill-treatment by subjecting the person concerned to a medical examination. There is an obligation to conduct such an examination, even in the absence of a complaint or formal allegations, if signs of violence are visible on the person concerned.

156. The national courts each keep their own register of complaints and allegations of torture and seek to address such complaints promptly, effectively and without delay and then to notify the complainants of the outcome by all possible means.

157. As concerns the claims of placement in secret places of detention for indefinite periods, these remain mere allegations with no basis in reality. In fact, the experience of transitional justice in Morocco has put an end to gross human rights violations, including enforced disappearance and detention in secret or irregular locations. Such acts are defined under the Constitution as gross human rights violations that are punishable by law. In this context, ever since the establishment of the Equity and Reconciliation Commission, Morocco has not recorded any verified cases of detention in secret locations. This is upheld by the findings of the National Human Rights Council, whose operations since 2011 have shown that no such cases exist.

Reply concerning paragraph 37

158. On 8 November 2010, law enforcement authorities took steps to dismantle a camp on the outskirts of Laayoune where acts of violence and other crimes punishable by law had been committed. In particular, leaders inside the camp were in possession of weapons and were detaining civilians, not allowing them to leave, preventing communication with them and rejecting all forms of mediation and dialogue with the authorities. The competent authorities therefore proceeded to remove the barricades that were blocking entry to and exit from the camp. On that same morning, they delivered a verbal appeal to put an end to the sit-in and to board the transportation provided for persons in the camp (residents and detainees) to facilitate their return to their homes in Laayoune. Most of those present sought to comply but they were prevented from doing so by masked individuals who began throwing Molotov cocktails at security forces and setting fire to gas canisters inside the tents.

159. In the light of the grave danger these acts posed to public order and security, as well as to the lives of persons residing in or seeking to leave the camp, law enforcement personnel, following orders from the competent prosecutor, intervened to break up the gathering and to protect lives. Their intervention, however, was met with extreme violence by masked individuals armed with knives, sticks and swords. They targeted the security forces and set the camp on fire, causing chaos and striking fear and terror into residents. The violence also caused deaths and injuries among law enforcement personnel, 11 of whom were killed, including a member of the Civil Defence, (with some of the bodies being desecrated and mutilated) and 161 injured. Many civilians also sustained injuries. The disorder spread to the centre of Laayoune, where fires broke out and public facilities and private property were vandalized.

160. In the wake of these events, the competent prosecutor’s office launched investigations which led to the arrest of certain individuals who were suspected of having committed criminal acts and were duly referred to the courts. Of a total of 223 accused persons, 23 were convicted after the courts found them to have been implicated in those criminal acts. They were sentenced to terms of imprisonment by the civilian courts in 2017. All the accused

persons enjoyed a fair trial, and their cases were heard by courts of different levels. The trials were subject to independent national and international observation which showed beyond question that all stages of the proceedings were conducted independently and impartially. Fair trial guarantees were duly respected, in particular the principles of legality, public proceedings in the presence of the parties concerned, the presumption of innocence, notification of charges, interpretation, the right to a defence, the right to equality of arms between the parties, the right to call defence witnesses, the consideration of procedural motions and incidental requests brought by the defence, the right to be heard, the right to a verdict within a reasonable time and the right to appeal.

161. Apart from verifying the criminal acts, the judicial investigations and inquiries also served to examine statements by the accused persons and motions by their defence lawyers regarding allegations of torture. Although medical examinations confirmed that the persons in question showed no signs of having been tortured, this matter was nonetheless discussed by the parties to the case in the presence of medical experts. This was also made clear in the course of interaction with the Committee against Torture and other United Nations bodies in the context of individual communications.

162. At the level of the Parliament, the House of Representatives set up a fact-finding committee on the Gdeim Izik camp and the city of Laayoune. The committee conducted field visits, heard from the parties concerned and prepared a report which was discussed by the House and made public. The conclusion reached by the report was that several of the persons present in the camp were linked to foreign agencies that were exploiting socioeconomic demands to advance foreign political agendas. Moreover, the exceptional circumstances under which the camp was dismantled show that national law and international human rights standards were duly respected. This is confirmed by data indicating that the dismantling was conducted without any civilian fatalities. Indeed, the fact that the security forces used only peaceful means not only resulted in no civilian deaths, but their non-recourse to violence – and in particular the fact that they avoided the use of firearms – led to fatalities among their own ranks. Similarly, the non-violent approach taken to deal with the disorder in central Laayoune prevented any casualties among civilians or among the perpetrators of the violence, and the large numbers of injured and the severe material damage during that disorder were due primarily to attacks committed by the persons who were subsequently brought to trial, as mentioned above. The authorities' concern for the persons injured during those events is also evident in the fact that they were provided with medical care at a number of different hospitals.

163. It is also worth noting that the work of the fact-finding committee met with a positive response from various stakeholders, including local authorities, elected officials, the judiciary, civil society organizations, regional human rights committees and the families of victims. The committee found that the law enforcement authorities had adhered to legal procedures regarding crowd dispersal and the arrest and prosecution of persons suspected of criminal acts. They had also duly followed search procedures and respected conditions of detention, notified relatives, guaranteed defence rights and safeguarded families' right to visit and communicate with detainees. Moreover, all complaints received by the competent prosecutor's office in regard of the arrests were subjected to a judicial investigation.

Article 14

Reply concerning paragraph 38

164. Morocco can reaffirm the information already provided in its replies to paragraphs 3, 9, 36, 37 and 40 of the list of issues.

Article 15

Reply concerning paragraph 39

165. Morocco reaffirms the replies it has already given concerning paragraphs 4, 7, 8, 11 and 36. In addition to this, it is very clear that the operation of the courts is in full compliance

with the procedures and safeguards set forth in national law regarding confessions, evidence and the reasoning behind court rulings.

166. Rulings handed down by the courts show that judges arrive at their opinions, not on the basis of confessions that accused persons might have made and that are set down in police records, but on the statements and testimony such persons provide in the course of investigations and before the courts. Furthermore, judges also form their views on the basis of the available evidence, in its various forms, and on the circumstances, facts and background of the case.

167. In this context, and in order to limit the use of confessions as a means of evidence in the course of criminal inquiries, efforts have been made to improve forensic and scientific police work by establishing a number of laboratories, notably the Institute for Forensic Science and Evidence.[16] In addition, crime scene investigation units have been deployed, and an automated fingerprint identification system has been rolled out. Other specialized units have been set up to analyse digital footprints; identikits; crimes involving nuclear, radiological, biological and chemical agents; and cybercrimes. Forensic analysis mechanisms have also been developed for cybercrimes.

Article 16

Reply concerning paragraph 40

168. While recalling its earlier replies concerning paragraph 11 of the list of issues, Morocco wishes to state that the control of demonstrations and gatherings is generally carried out peacefully, in line with the Constitution, the law and fundamental international standards The public authorities seek to comply fully with those norms while working to ensure the free exercise of the right to peaceful assembly and demonstration, in which regard they even tolerate instances where the legal conditions governing peaceful demonstrations have not been met. Moreover, when dispersing gatherings that pose a threat to public order and security, the authorities avoid excessive use of force and adhere strictly to the principles of necessity and proportionality, restricting freedom of assembly only to the minimum extent necessary and in such a way as not to undermine that right or other related rights. Thus, law enforcement authorities adopt an approach of composure and self-restraint, avoiding clashes with demonstrators and seeking to enforce the law while protecting human rights and maintaining public order and security.

169. This approach on the part of law enforcement is applied throughout the country, including the southern provinces and even in instances of disorder and violence where protesters themselves use excessive force. Even then, security forces avoid all disproportionate force, do not use firearms and do not violate the law. On the contrary, data from at least 2010 to the present confirm that the victims of many incidents were members of the public security forces, as already noted in the reply concerning paragraph 37 of the list of issues.

170. Reference is made to the allegations of torture against six individuals in the context of attempts to incite public disorder in Laayoune, between late April and early May 2013, in the wake of the adoption by the Security Council of its annual resolution on the Moroccan Sahara. It is important to make it clear that the intervention by law enforcement personnel – which was carried out in accordance with the law and with regulations governing the dispersal of illegal gatherings – was intended to protect people and property from attacks involving bladed weapons, Molotov cocktails, gas canisters and stones. Those attacks

[16] For the fifth consecutive time, the Casablanca Forensic Laboratory has managed to obtain the ISO 17025 international quality certification, which is a recognition of the country's efforts to update forensic police work and develop an evidence-gathering infrastructure. A new national laboratory that meets international standards was inaugurated on 16 May 2021, affiliated with the Institute for Forensic Science of the General Directorate for National Security. The new structure, which covers all scientific disciplines, is the largest such laboratory not only in the country but also at the level of the Arab world and Africa.

resulted in injuries to 115 law enforcement officials, the occupation of public thoroughfares, the obstruction of traffic and significant damage to public and private property.

171. A judicial investigation was launched in the wake of these events, and six individuals, including one minor, were identified as suspects in the commission of criminal offences. They were arrested on 9 May 2013 and brought before the Office of the Public Prosecution, which levelled charges against them of armed assembly, obstructing a public thoroughfare, violence against public officials and damaging property intended for public use. They were referred to the investigating judge of the competent court who ordered that they be sent for trial before the criminal chamber of the competent court of appeal. On 21 May 2014, the court issued a ruling convicting the minor on the charges against him and sentencing him to 2 years' imprisonment, of which 5 months were to be served. The ruling was not appealed. The court also convicted two of the accused persons on the charges against them and sentenced them each to 2 years' imprisonment. The remaining accused were also convicted and the court sentenced them to 2 years' imprisonment, with 10 months to be served. This ruling was upheld on appeal, and the Court of Cassation overturned the petition for cassation.

172. An investigation was duly launched into the allegation that the accused persons suffered torture, and two medical examinations were conducted under an order from the investigating judge. The conclusion reached was that there was no evidence that they had been subjected to torture. It is also worth noting that the Regional Human Rights Committee in Laayoune, which is affiliated with the National Human Rights Council, made two visits in the company of doctors to the prison where these persons were being held. Other visits were conducted by civil society organizations.

Reply concerning paragraph 41

173. Act No. 103.13 to combat violence against women, which was enacted in 2018, is underpinned by fundamental anti-violence principles, which consist in penalizing perpetrators, preventing violence and protecting and caring for victims. The Act came into being as part of efforts to bring national legislation into line with international standards, constitutional requirements and the demands of society. It includes provisions that seek to define the concept of violence and to criminalize the various forms of violence – physical, sexual, psychological and economic – that can harm women. It also envisages more severe penalties for certain actions, particular circumstances and specific perpetrators as well as for crimes committed against specific categories of female victim. These provisions are intended as a way of responding to, reducing and preventing the phenomenon of violence against women.

174. The Act also envisions additional measures to protect women, such as removing the perpetrator from the vicinity of the victim, issuing a warning or prohibiting the perpetrator from approaching the victim. Other measures include referring a victim for medical treatment or ordering that a victim be placed in a shelter or social welfare facility, if necessary. The Act establishes the principle that action in such cases is to be taken immediately and it envisages penalties for any violation in that regard. Likewise, provision is made for the creation of institutional mechanisms to support female victims. These mechanisms take the form of joint stakeholder committees, particularly at the level of the courts and in the central and decentralized offices of the relevant ministries. Provision is also made for the creation of a national committee for the welfare of female victims, which has the task of coordinating the work of stakeholders, providing input to regional and local plans and helping to develop mechanisms to improve the operation and reporting lines of anti-violence units. Other regional committees are to be established within the territorial jurisdiction of each court of appeal. They have the task of preparing regional plans of action, coordinating among regional stakeholders, homogenizing the work of local committees, identifying constraints and obstacles, documenting best practices and drafting reports. In addition, local committees are to be established within the territorial jurisdiction of each court of first instance, with the same powers as the regional committees.

175. The Act also makes provision for measures and initiatives aimed at preventing violence. This entails the formulation and implementation of policies and programmes to raise awareness about the risks of violence against women, highlight the seriousness of such violence and promote women's rights. Action to give effect to those provisions was taken in

2019, notably through the establishment of the national committee for the welfare of female victims of violence and its subcommittees at the regional and local levels, and the creation of central and decentralized units to support female victims of violence within courts, ministries and other institutions. These institutional mechanisms, which have been operational ever since they were established, work in cooperation with NGOs and with civil society.

176. The Code of Criminal Procedure, as amended in 2011, also envisages special forms of protection for female victims of crimes of violence. These include measures to ensure the physical safety of victims and members of their family, protection of personal information, the provision of physical and psychological treatment and of social care and the entitlement to seek redress by appearing as a civil claimant before the courts.

177. The Criminal Code also includes provisions to protect against violence. Under article 88 (1), the courts can prohibit an offender from contacting, approaching or communicating with a victim. Moreover, in cases where a conviction is handed down for crimes of harassment, assault, sexual exploitation, ill-treatment or violence against women or minors, the courts can require the perpetrator to undergo appropriate psychological treatment. The competent judicial authorities can also use article 88 (3) of the Code to prohibit an offender from contacting, approaching or communicating with a victim. The Code sets forth penalties for any violation of these protective measures.

178. The Criminal Code criminalizes all forms of violence, including physical or psychological violence, abduction and detention, regardless of the sex of the victim. It also envisages additional protection for women with regard to such matters as abortion, rape, indecent assault, sexual harassment, prostitution and incitement to or exploitation in prostitution.

179. For its part, Act No. 27.14 to combat human trafficking also envisions special measures for female victims of trafficking in persons. In that connection, the Act criminalizes all offences against women and prescribes the relevant penalties, which are harsher if the victim of the crime is pregnant. The Act also includes special protective and preventive measures for female victims of trafficking and exploitation.

180. Article 475 (2) of the Criminal Code stipulates that a person who abducts and seduces a minor and later marries the minor in question can be prosecuted and convicted only on the basis of a complaint submitted by a party entitled to seek annulment of the marriage and the issuance of a judgment effectively annulling the marriage. In that regard, it should be noted that article 472 (2) was repealed as part of the amendments made to the Criminal Code under Act No. 15.14 of 20 February 2014.

Reply concerning paragraph 42

181. Morocco has shown a particular concern to protect women against all forms of gender-based violence. Not only have judicial proceedings been brought against perpetrators, but protective measures have been made available for victims. Relevant statistical data for the period between 2019 and 2024 is contained in the following two tables:

Year	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Number of cases	19 019	18 275	23 879	28 816	29 950	30 410
Number of defendants	20 351	19 570	25 529	31 522	31 522	28 446

Protective measures for women	*Year*					
Type of measure	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Suspect prohibited from contacting victim	101	08	1 857	868	2 652	4 179
Suspect interviewed by the competent unit		20 287	42 047	39 054	51 873	53 416

Protective measures for women	*Year*				
Reception and guidance	51 147	84 458	89 959	137 243	125 813

182. The time required to process complaints varies depending upon the nature and severity of the incident, how the incident is classified under the law, the extent to which a preliminary investigation is necessary, the availability of evidence and other procedural matters that depend upon the individual circumstances of each case.

Reply concerning paragraph 43

183. Morocco has taken legal and institutional measures to provide comprehensive protection for children against the various forms of violence to which they may be exposed in different settings. In doing so it is acting in accordance with article 32 of the Constitution, which requires the State to provide legal protection for all children on an equal basis and to act to uphold their social and moral development. The Constitution also envisages the creation of the Family and Children's Advisory Council which, under article 169, is responsible for overseeing the situation of families and children. The operation of the Council is regulated by Act No. 78.14, enacted in 2016.

184. Any act of abuse or violence against a child is criminalized under the Criminal Code. This also covers violence committed within educational institutions or child protection facilities. Articles 408–410 of the Code envision terms of imprisonment for anyone who injures, beats or harms a child or who endangers a child's health. More severe penalties are envisaged if the act results in illness; disability; the loss, loss of functionality or amputation of a limb; the loss of sight in one or both eyes; or any other permanent disability or death; or if the act was committed with premeditation, malice, aforethought or the use of a weapon.

185. More severe penalties are envisaged under article 411 of the Code if the perpetrator of the crime is an antecedent of the child victim, a person with authority over the child or a person entrusted with the child's care. Threats of violence directed against children are penalized under article 429 (1), which also envisages harsher penalties if the perpetrator is a person entrusted with the care of the victim. Likewise, the Code includes provision for harsher penalties for any failure to report a crime or attempted crime against a child to the competent authorities. Protection for child victims of violence includes measures prohibiting convicted offenders from contacting or approaching the victim or from communicating with the victim using any means. Offenders, moreover, are required to undergo appropriate psychological treatment.

186. Legislators in Morocco have ensured that legislation regulating education upholds the right of students to psychological and physical protection and includes provision to prevent any violations of that right. Framework Act No. 51.17 of 2019 concerning the system of education, training and scientific research envisages a charter setting forth the rights and duties of students, which is to be respected and applied by all educational and training institutions. The charter, which was issued in 2020, envisages legal protection against all forms of exploitation, abuse, ill-treatment and physical or psychological neglect or violence. These protective norms have been transposed into guidelines issued by the authorities responsible for education and training, which prohibit all forms of violence within educational settings.

187. The fundamental principles that need to be observed in the care of individuals are delineated in article 4 of Act No. 65.15 of 2018 concerning social care institutions. These principles include preserving the dignity and protecting the physical and mental well-being of persons in care.

188. Ministries and other institutions involved in child protection strive to implement these legal norms via public policies and institutional and administrative measures to combat violence in the areas under their jurisdiction. In that regard, the integrated national policy for child protection 2015–2025 aims to provide effective and sustainable protection for children against all forms of violence, abuse, exploitation and neglect. The policy consolidates the system for identifying children at risk and addressing and reporting their situation. It also

aims to strengthen the units dedicated to protecting child victims of violence; raise child protection standards; establish a unified system for collecting and processing information on violence, abuse, and exploitation; develop partnerships between the public and private sectors; and develop educational programmes on non-discrimination and combating violence.

189. As part of the same process, other initiatives have been rolled out to prevent and combat violence against children in schools. These include monitoring, reporting and mediation mechanisms; greater partnership and cooperation among stakeholders; and pedagogical and administrative guidelines to address, prevent, reduce and raise awareness about school violence. In addition to this, awareness-raising programmes are being run across audiovisual and electronic media, in facilities and institutions that care for children and via partnerships with civil society organizations.

190. The national institutional framework for human rights was enhanced in 2019 with the creation – under Act No. 76.15 – of a national grievance mechanism for child victims of human rights violations. The new mechanism, which is part of the National Human Rights Council, receives complaints from child victims which it then examines and addresses before issuing a ruling, having first interviewed all the parties involved in the case. All complaints relating to children's rights that are brought to the attention of the mechanism are addressed as a matter of course then, in the event of an actual breach or violation, submitted to the competent judicial authorities along with all available information, data and documentation.

191. The national torture prevention mechanism, which came into being under the same Act, constitutes a further element in the institutional framework for the protection of human rights in places of deprivation of liberty, in particular thanks to the field visits the mechanism makes to child protection centres. The work of these mechanisms is complemented by that of the National Observatory for Children's Rights, which is responsible for fostering a culture of children's rights, protecting and engaging with children and combating all forms of violence. The Observatory, which has launched protection initiatives and run awareness-raising activities, concentrates its efforts on building partnerships with other stakeholders, training staff and establishing monitoring, reporting, tracking and follow-up mechanisms.

192. Mention should also be made of the role played by units to support child victims of violence, which have been set up in a number of courts of first instance and of appeal. The units work to facilitate access to the justice system for children, provide them with a specialized interlocutor and strengthen institutional cooperation and coordination with civil society stakeholders.

Reply concerning paragraph 44

193. Morocco enacted Act No. 27.14 to combat human trafficking in 2016. The Act duly defines the offence of trafficking in persons and associated forms of exploitation, in accordance with international standards, and it envisages appropriate penalties commensurate with the gravity of the crime. Harsher penalties are envisaged in cases where the victim is a minor, a person in a vulnerable situation or a pregnant woman, or if the crime is committed by a relative or a person entrusted with the protection of the victim. The Act contains provisions to protect victims and envisages institutional mechanisms to coordinate stakeholder interventions. It also mandates the provision of healthcare and psychosocial support for victims, as well as shelter, legal assistance and support for reintegration into society.

194. It was under this Act that the National Commission for the Coordination of Measures to Combat and Prevent Trafficking in Persons was established in 2018. Its job is to strengthen coordination among the various stakeholders, make recommendations on national policy, develop a plan of action for that policy, monitor developments, act to prevent human trafficking and support civil society in protecting and assisting victims. The members of the National Commission were appointed on 23 May 2019, and it issued its first annual report in February 2022. The Commission assesses the impact of this crime at the national level and runs training and awareness-raising activities to draw attention to the dangers of trafficking and its negative impact on society. The Commission has also drafted a national plan to

combat and prevent human trafficking 2023–2030 as well as a strategic plan of action for its implementation 2023–2026. It has proposed the creation of a national referral mechanism for trafficking victims.

195. For their part, the judicial authorities have also taken steps to protect victims of human trafficking, notably through procedural measures designed to keep perpetrators away from victims, protect personal data, guarantee the confidentiality of court proceedings and provide victims with legal and judicial assistance. In addition to this, a unit has been set up as part of the Office of the Public Prosecution to monitor trafficking cases, while a liaison officer and a network of appeal-court prosecutors have been appointed to track such cases. Lastly, a database has been established, and a specialized team of social workers has been formed in the courts.

196. Thanks to all these efforts, 412 cases were brought between the years 2017 and 2021, and 860 individuals were prosecuted. Throughout this period, the judicial authorities were careful to enforce all legal provisions for the protection of victims, and 420 persons benefited from protective measures such as preventing suspects from contacting victims, interviewing suspects in the competent unit, receiving shelter and medical care, being reunited with their families and receiving legal aid and judicial assistance. The following two tables contain statistical data concerning cases of human trafficking and protective measures for victims over a five-year period:

Year	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Number of cases	151	79	85	84	110	155
Number of defendants	307	131	127	153	171	213
Number of victims					169	299

	Year					
Type of measure	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Suspect prohibited from contacting victim	08	0	0	01	07	00
Suspect interviewed by the competent unit	116	18	20	44	72	125
Reception and guidance			20	46	72	125

197. In addition to this, further measures have been adopted. They include, in particular, the establishment of integrated local mechanisms to protect children at risk, training and awareness-raising for relevant stakeholders, greater international cooperation and measures to provide medical care and shelter for victims.

Other matters

Reply concerning paragraph 45

198. Morocco acceded to the Optional Protocol to the Convention against Torture on 24 November 2014. Since then, it has been working to fulfil the obligations arising from accession, in particular by creating the national torture prevention mechanism and welcoming a visit by the Subcommittee on Prevention of Torture, as already mentioned in the introduction to the present report and in the reply concerning paragraph 13.

Reply concerning paragraph 46

199. Morocco has undertaken a comprehensive reform of its justice system to bring it into line with the Constitution, the outcomes of the transitional justice process and the recommendations of the National Human Rights Council and United Nations mechanisms. Amendments to legislation governing the military justice system, contained in Act No. 108.13 of 2015 which concerns the military courts, mark an important milestone on the

path of reform. The amendments give the military courts jurisdiction over military offences and abrogate all provisions under which civilians could, in peacetime, be referred to military justice, irrespective of the nature of the crime committed or the status of the perpetrators. Under the amendments, only the ordinary courts have jurisdiction to hear crimes under ordinary law, even when committed by military personnel and persons of similar status.

200. By aligning the procedures followed in military courts with those followed in ordinary courts, the Act embraces fair trial safeguards and protects the rights of persons involved in proceedings. In addition, the Act envisages a second tier of proceedings, establishes the mandatory right to a defence, allows persons who have suffered harm to pursue civil claims and states that court rulings must include justifications.

Reply concerning paragraph 47

201. In recognition that the threat of terrorism constitutes the greatest challenge to security, stability, development and human rights, Morocco has adopted a comprehensive and integrated national approach to this grave menace. The approach has three basic components: prosecution, prevention and development.

202. As concerns prosecution, the national strategy is based on Act No. 03.03 on combating terrorism, which criminalizes various forms of terrorist activity and calibrates the severity of penalties according to the gravity of that activity. The Act contemplates a body of crimes that involve attacks against individuals and property, which are characterized according to the severity of their consequences and their impact on the safety of individuals and public order. These are considered to be terrorist crimes under the Act when they are intended as part of a plan to undermine public order using intimidation, terror or violence. They include deliberate attacks against the lives, safety or freedoms of persons; abduction or detention; counterfeiting or forgery of currency, public debt securities, means of payment, State seals and stamps; sabotage, destruction or diversion of means of transport; destruction of navigational installations; sabotage, destruction or interference with means of communication; theft and extortion; manufacture, possession, transportation, distribution or use of weapons, explosives or ammunition in violation of the law; offences against automated data processing systems; formation of criminal gangs or conspiracy to commit acts of terrorism; and concealment of any assets obtained from such crimes.

203. Act No. 86.14 was issued to address the risks associated with the growing phenomenon of foreign terrorist fighters. The Act makes it a crime to join or attempt to join terrorist entities, organizations, gangs or groups; to receive training or instruction with intent to commit a terrorist act; and to recruit, train or encourage (or to attempt to do so) one or more persons to join terrorist entities, organizations, gangs or groups. The Act defines all these actions as major offences and envisages more severe penalties for cases involving the recruitment or training of minors or if an offender seeks to exploit a supervisory role in an educational centre for that purpose. The Act also outlaws propaganda, glorification or promotion on behalf of individual terrorists or of terrorist entities, organizations, gangs or groups. Offenders in this regard are liable to the penalties prescribed for the glorification of terrorist offences, while legal entities are liable to punishment in a manner consistent with their legal status.

204. It is important to be clear that, in the enforcement of these measures, every effort is made to reconcile the need to address the risks and challenges of terrorism, on the one hand, with the need to protect public safety and respect human rights, on the other. In particular, every attempt is made to respect the principles enshrined in the Constitution, notably in articles 21–24, 54, 107, 109, 110 and 117–128, and to apply the fair trial guarantees envisaged in the Code of Criminal Procedure, including the protection of the rights of suspects and the imposition of judicial oversight for all procedural measures.

205. Thus, terrorism cases are handled in accordance with legally defined procedures and under the supervision of the competent prosecutor. These procedures relate to investigations and inquiries in the field, the arrest of suspects and their placement in preventive custody, the duration of which is set at 96 hours. This period may be extended twice under a written warrant from the Office of the Public Prosecution, after prosecutors have interviewed the accused person and examined the case. In addition to this, during the course of the

investigations, suspects are duly notified of available legal safeguards and allowed to benefit therefrom. These include contacting their families, exercising their right to remain silent and seeking the services of a lawyer or having one appointed on their behalf at their request, under the system of legal aid. Moreover, confessions extracted through violence or threats are inadmissible and any proceedings conducted in violation of the law are deemed null and void.

206. Accused persons also have the right to undergo medical examinations and to receive medical care and to enjoy periods in which they can rest, sleep and eat, all of which must be recorded in the official register. It should be noted, also, that preventive custody facilities and prisons remain subject to oversight by judicial authorities. Such oversight can take the form of visits or of other oversight measures set in train by those authorities.

207. The law does allow police officers to conduct home searches outside the 6 a.m. to 9 p.m. window designated for ordinary crimes, if necessary for the investigation or in cases of extreme urgency where there is a risk that evidence may be lost. The law decrees, however, that such searches can be carried out only with written authorization from the Office of the Public Prosecution.

208. There can be no doubt that these various improvements and safeguards will be consolidated by the adoption of the draft Code of Criminal Procedure, which guarantees the right to contact a lawyer from the very first hour that persons are placed in detention. The draft also underscores the right of families to be notified and the right to proper conditions of detention that are consistent with the preservation of human dignity. This includes audiovisual recordings of persons in preventive custody while their statements (as set down in the official record) are read out and at the moment they sign or leave their mark or refuse to do so. Furthermore, the new draft reinforces safeguards relating to notification of arrest and notification of families, and it includes provision for protective measures for suspects if they appear ill or show any signs or symptoms that would warrant a medical examination. Lastly, the draft improves the way in which the procedural aspects of preventive custody are documented and overseen.

209. In the same context, institutional infrastructure is being developed with the creation of a special unit within the Office of the Public Prosecution to handle cases of terrorism and organized crime. In addition, a counter-terrorism unit is being set up within the court of appeal, specialized security teams have been formed and the Central Bureau of Judicial Investigations has been established. Other institutional advances – achieved thanks to Act No. 43.05 on combating money laundering, as amended – include the establishment of a financial information processing unit, a national financial information authority and a national committee for the enforcement of sanctions under Security Council resolutions regarding terrorism, the proliferation of weapons and the financing thereof. These developments are being accompanied by other measures to improve coordination between security agencies, promote appropriate investigative techniques, update the technical and forensic methodologies of the police and improve traditional methods of investigation and inquiry.

210. The country’s approach to terrorism also includes a preventive dimension. In the security sphere, this entails enhanced information-gathering and proactive interventions as well as training and capacity-building programmes for law enforcement officials to give them a thorough understanding of the legislative and institutional framework, as well as respect for human rights and the rule of law. These efforts are reinforced by the work of the national torture prevention mechanism, which is responsible for visiting places of deprivation of liberty, as explained above in the reply concerning paragraph 13.

211. Preventive measures include rehabilitation and reintegration for persons convicted of terrorism offences. Special programmes are being run to that end, including the “Moussalaha” (reconciliation) programme, which is being overseen by the Moussalaha Centre. Other social programmes focusing on training and social reintegration are overseen by the General Delegation for Prison Administration and Reintegration and the Mohammed VI Foundation for the Reintegration of Prisoners.

212. Prevention also entails promoting values of diversity, pluralism, moderation and tolerance as well as action to combat hate speech and violence. In this regard, Morocco has

played host to a number of major international gatherings that led to the adoption of important plans. They include the 2012 Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and the 2017 Fez Plan of Action for Religious Leaders and Actors to Prevent Incitement to Violence. Morocco has also organized international conferences, such as the second session of the International Conference on Intercultural and Interfaith Dialogue (Fez, 2018), the Global Forum of the United Nations Alliance of Civilizations (Fez, 2022) and the International Parliamentary Conference on Interfaith Dialogue (Marrakesh, 2023), among others. In addition to this, a number of research centres and study programmes on the aforementioned values have been set up inside Moroccan universities. Programmes have also been developed to counteract hate speech on the Internet and to support young persons and adolescents, such as a capacity-building support programme on counter-terrorism overseen by the Mohammedan League of Ulema.

213. In addition to the foregoing, prevention also includes initiatives to improve security in the spiritual sphere and to restructure religious institutions. These initiatives have three main components, the first being the theoretical component, undergirded by Ash'arism and the Maliki school of jurisprudence, which are an inherent part of the nation, and by the Caliphate of the Believers, which serves as a source of guidance and protection against all forms of bigotry or extremism. The second structural component concerns strengthening the role and functions of the administrative and academic institutions responsible for managing religious affairs. The third component, for its part, focuses on responding to religious needs and facilitating religious practice through the construction and renovation of mosques and the consolidation of their spiritual and social functions. It also entails the development of programmes to provide imams and religious leaders with training and more advantageous conditions, etc.

214. Lastly, the country's approach to terrorism also entails a focus on development. This is undergirded by contributions from the National Initiative for Human Development, which seeks to empower groups whose experience of marginalization and social exclusion has left them more vulnerable to recruitment by extremist groups. The Initiative enables them to benefit from employment opportunities, income-generating projects and socioeconomic integration.

215. Efforts towards development have been further strengthened by new social programmes. These began by expanding healthcare coverage, encouraging school enrolment and supporting vulnerable groups, then culminated in initiatives to extend social protection to all segments of Moroccan society with the aim of improving living conditions for citizens, conserving their dignity, protecting vulnerable groups and achieving balanced development and social and regional justice. This is being achieved by rolling out mandatory basic health insurance, increasing the base of contributors to pension schemes and broadening access to direct social support and unemployment benefits.

216. In addition to these three basic components, there is also international cooperation, in which regard Morocco participates in multilateral and bilateral efforts to combat terrorism in all its forms. In particular, this entails the exchange of information with European and African countries at risk from terrorism and the development of international partnerships in the field of education and training.

217. As for the remedies available to persons who have been the subject of counter-terrorism measures, it should be noted that many institutions are competent to consider such cases, such as the Office of the Public Prosecution, the office of the prosecutor at the competent court and the National Human Rights Council. According to available data, between 2011 and 2017, just four complaints were filed with the judicial authorities regarding procedural violations in cases involving terrorist crimes.

218. Morocco, moreover, is committed to providing domestic avenues for grievance and redress, and it engages in constructive interaction with United Nations mechanisms regarding all individual complaints, including those that involve counter-terrorism proceedings. The table below contains statistical data on legal proceedings in cases involving terrorist crimes between 2019 and 2023:

Type of offence	*2019*	*2020*	*2021*	*2022*	*2023*	*2024*
Glorification of terrorism	285	107	102	87	108	86
Membership of a terrorist group	241	82	57	58	79	69
Incitement of acts of terrorism	192	87	77	78	83	75
Concealment of acts of terrorism	51	9	7	5	18	00
Financing terrorism	43	15	13	3	7	03
Joining or attempting to join a terrorist organization	38	9	1	4	6	05
Attacks endangering the life or safety of persons	16	6	6	5	5	00
Aiding a terrorist	8	3	1	0	1	00
Recruitment to join a terrorist organization	2	0	3	0	0	01
Receiving instructions or training to commit terrorist acts	22	7	6	2	1	01
Theft, extortion, embezzlement and concealment of assets	18	1	8	3	7	01
Attacks on data processing systems and applications	1	1	0	1	0	00

Reply concerning paragraph 48

219. Morocco wishes to reaffirm its commitment to ending gross human rights violations and to engaging with the international human rights system, particularly as regards the fight against torture. This commitment culminated in its accession to the Optional Protocol to the Convention in 2014. Since 2013, the country has been a partner in the international initiative for the ratification of the Convention.

220. With the same determination, Morocco has engaged in regional efforts to prevent torture. This emerged clearly in 2023, when the country participated in regional consultations for the Middle East and North Africa regarding accession to the Optional Protocol to the Convention against Torture, organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR). In the same year, Morocco hosted a conference for countries in the region, also organized in cooperation with OHCHR, on the topic of torture prevention within security institutions. The purpose was, once again, to encourage other States to accede to the Optional Protocol, and Morocco was able to share its own experience in that regard.

221. These initiatives serve to underscore the country's determination to strengthen constitutional safeguards, uphold human rights, protect against gross violations and prohibit torture. This is the backdrop to the comprehensive reform of the justice system that has been in train since 2013 and that has led to more robust judicial independence, thanks in particular to the creation of the Supreme Council of the Judiciary and the Office of the Public Prosecution. The process has also enhanced legal safeguards for judges and acted as a springboard for reforms of the criminal justice system through revised drafts of the Criminal Code and the Code of Criminal Procedure, both of which are making progress through the legislature.

222. The State's involvement in this field also emerges strongly in its development of an institutional framework for the protection of human rights, notably in the restructuring of the National Human Rights Council and the establishment of the national torture prevention mechanism. The mechanism was launched in 2019 and began carrying out its preventive role by conducting visits to places of deprivation of liberty then making recommendations. Those recommendations are duly taken into consideration by the competent institutions.

223. In addition to this, human rights education and training programmes are being run by a number of stakeholders, notably the judiciary, which has implemented a major programme for staff, both centrally and at the local level. Important programmes are also being rolled out

by security agencies, in partnership with human rights institutions, in particular a programme on security and human rights in the southern provinces, which ran from 2014 to 2016, and a capacity-building programme for security personnel which was launched in 2020.

224. Since 2023, these various initiatives have been complemented by specialized training programmes on torture prevention. The programmes are targeted at law enforcement officials, notably judges, police officers and prison staff. In particular, training courses have been run on how to engage with the individual communications mechanism envisaged under the Convention against Torture. The training courses, which are led by experts from the Committee against Torture and OHCHR, are supplemented by other initiatives aimed at developing manuals, reference materials and guidelines on how to prevent and combat torture.