



# International Covenant on Civil and Political Rights

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## Human Rights Committee

### List of issues prior to submission of the seventh periodic report of Morocco\*

#### A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please report on any significant developments, particularly in the legal and institutional framework within which human rights are promoted and protected, that have taken place since the adoption of the Committee's previous concluding observations.<sup>1</sup> Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations, including information on the mechanisms for monitoring their implementation, and provide the information requested by the Committee in its report on follow-up to the concluding observations.<sup>2</sup> Please describe the role played by civil society organizations in the implementation of the Committee's previous concluding observations.

#### B. Specific information on the implementation of articles 1–27 of the Covenant, including with regard to the previous recommendations of the Committee

##### Right to self-determination (art. 1)

2. In the light of the Committee's previous concluding observations (paras. 9 and 10),<sup>3</sup> please indicate what measures have been taken to: (a) continue and increase the efforts undertaken within the framework of negotiations concerning the status of Western Sahara under the auspices of the Secretary-General of the United Nations so that the people of Western Sahara may enjoy self-determination; (b) enhance the consultation process with the people of Western Sahara with a view to securing their prior, free and informed consent for development and natural resource exploitation projects; and (c) permit the people of Western Sahara to move about freely and safely on both sides of the berm, continue implementation of the demining programme along the berm and compensate victims of explosive ordnance. Please comment on reports of restrictions on the exercise by Saharans of their rights to freedom of expression and association and their right to peaceful assembly, including the repression of demonstrations and events in support of self-determination as well as restrictions on the freedom of movement of human rights defenders, journalists and international observers.

\* Adopted by the Committee at its 144th session (23 June–17 July 2025).

<sup>1</sup> CCPR/C/MAR/CO/6.

<sup>2</sup> CCPR/C/127/2/Add.4.

<sup>3</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to CCPR/C/MAR/CO/6.



**Constitutional and legal framework within which the Covenant is implemented  
(art. 2)**

3. With reference to the Committee's previous concluding observations (paras. 5 and 6), please provide information on the measures taken to ensure that domestic law is in full conformity with the provisions of the Covenant. Please describe the measures taken to raise awareness of the provisions of the Covenant and the two Optional Protocols thereto among judges, lawyers, prosecutors, members of the law enforcement and security forces and the general public. Please provide examples of cases in which the provisions of the Covenant have been invoked by national courts.

**National human rights institution (art. 2)**

4. Please provide information on measures taken to enhance the effectiveness and independence of the National Human Rights Council in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please indicate what measures have been taken to ensure a fully participatory and transparent selection process for filling vacancies on the Council.

**Anti-corruption measures (arts. 2 and 25)**

5. Please describe the measures taken to improve the procedure for reporting cases of corruption to the relevant institutions and to set up effective mechanisms to protect whistleblowers, journalists, judges and prosecutors and rights defenders who report corruption. Please provide information on the measures taken to prevent and combat corruption in all sectors, including statistical data on the number of awareness-raising campaigns carried out and the number of investigations, prosecutions and convictions in corruption cases during the reporting period. Please indicate what measures have been taken to strengthen the independence of the National Integrity and Anti-Bribery Authority and its ability to fight corruption effectively.

**State of emergency (art. 4)**

6. In the light of the Committee's previous concluding observations (paras. 7 and 8), please describe the measures taken to ensure that the State Party's laws on states of emergency fully comply with the provisions of the Covenant and general comment No. 29 (2001). Please indicate what oversight mechanisms are in place to ensure that any measures that restrict human rights in the context of a state of emergency are exceptional, temporary, non-discriminatory, proportionate and strictly necessary and are subject to independent judicial review.

**Non-discrimination on grounds of gender (arts. 2, 3, 9, 20, 24, 26 and 27)**

7. With reference to the Committee's previous concluding observations (paras. 11 and 12), please provide updated information on the measures taken to ensure full and effective protection against all forms of discrimination, including discrimination against women, children born out of wedlock, migrants, Saharans and Amazighs and discrimination based on race, sexual orientation or gender identity. In particular, please specify the legislative measures adopted, the training programmes conducted for law enforcement officials and other public servants and the awareness-raising campaigns held to promote tolerance and respect for diversity. In this regard, please indicate what measures have been taken to: (a) decriminalize homosexuality and sexual relations between consenting adults of the same sex; (b) ensure full and effective protection against any act of harassment or violence and any arbitrary detention motivated by their actual or perceived sexual orientation or gender identity; and (c) put an end to incitement to hatred and the social stigmatization of homosexuality.

**Equality between men and women and harmful practices (arts. 3, 25 and 26)**

8. In light of the Committee's previous concluding observations (paras. 13 and 14), please provide information on the steps taken to ensure equal rights for women and men, particularly with regard to amending or repealing legislative provisions that discriminate against women, including those in the Family Code (concerning the matrimonial regime,

divorce, child custody, legal guardianship and inheritance) and those concerning the transmission of nationality to foreign spouses. Please describe the measures taken to: (a) increase the presence of women in the labour market, both in the public and private sectors, and in political and government institutions, including in decision-making positions; and (b) combat stereotypes concerning the role of women in the family and society, particularly through awareness-raising programmes and campaigns. Please indicate what steps have been taken to eliminate practices that are harmful to women, including polygamy and early marriage.

#### **Violence against women (arts. 2, 3, 6, 7 and 26)**

9. With reference to the Committee's previous concluding observations (paras. 15 and 16), please provide information on the measures taken in law and in practice, including with regard to explicitly criminalizing marital rape, to prevent and combat violence against women and to ensure that women are effectively protected against violence and sexual harassment. Please indicate the number of investigations, prosecutions and convictions for the period under review, as well as the nature of the sentences imposed on those convicted of acts of violence against women, including domestic violence and marital rape, and the reparation provided to victims. Please describe the measures taken to facilitate and encourage the reporting of cases of violence, including with regard to the non-criminalization of women victims of rape who report the assaults that they have suffered, and the measures and means of redress, protection and assistance (particularly legal, medical, social and psychological assistance) available to victims, including shelters.

#### **Right to life (art. 6)**

10. In the light of the Committee's previous concluding observations (paras. 19 and 20), please provide updated information on the steps taken towards the abolition of the death penalty and indicate what measures have been taken, pending abolition, to establish a formal moratorium on executions. Please provide disaggregated data on the categories of crimes punishable by the death penalty, the number of death sentences handed down since 2016, the number of persons currently affected and any commutations or pardons granted. Please indicate whether the State Party intends to ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

11. With reference to paragraph 26 of general comment No. 36 (2018) on the right to life, please provide information on the measures taken to develop contingency and disaster management plans designed to increase preparedness and address man-made and natural disasters, such as earthquakes, that may adversely affect enjoyment of the right to life. In the light of paragraph 62 of the aforementioned general comment, please provide information on the measures taken to prevent and mitigate the adverse effects of climate change, environmental degradation and natural disasters, including with regard to the right to life.

#### **Voluntary termination of pregnancy and sexual and reproductive rights (arts. 6–8)**

12. With reference to the Committee's previous concluding observations (paras. 21 and 22) and paragraph 8 of general comment No. 36 (2018), please provide updated information on the measures taken to ensure safe, legal and effective access to abortion when the life or health of the pregnant woman or girl is at risk and where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably when the pregnancy is the result of rape or incest or is not viable. Please provide disaggregated statistical information on the impact of restrictions on the voluntary termination of pregnancy on the lives and health of women and girls. Please also provide disaggregated statistical information on the judicial proceedings undertaken in respect of the offence of abortion and the penalties imposed on women who show signs of having undergone or who have undergone voluntary terminations of pregnancy and the medical providers who assisted them in doing so. Please elaborate on measures taken to ensure full access to sexual and reproductive health services and on sexual and reproductive health education programmes carried out to raise awareness of the subject among men, women and adolescents.

**Counter-terrorism (arts. 6, 7, 9 and 14)**

13. In the light of the Committee's previous concluding observations (paras. 17 and 18) and the report on follow-up to the Committee's concluding observations, please describe the steps taken to revise the provisions of the Criminal Code relating to the fight against terrorism with a view to defining terrorism-related offences on the basis of their objective, clearly specifying the nature of the acts concerned and ensuring that such legislation does not unjustifiably restrict the enjoyment of the rights enshrined in the Covenant. Please indicate what measures have been taken to reduce the initial period of police custody, including for terrorism-related cases, and to ensure that all arrested persons have access to a lawyer of their choice from the outset of their detention.

**Prohibition of torture and of cruel, inhuman or degrading treatment (art. 7)**

14. With reference to the Committee's previous concluding observations (paras. 23 and 24) and the report on follow-up to the Committee's concluding observations, please describe the measures taken during the reporting period to prevent and eradicate torture and cruel, inhuman or degrading treatment, including in Western Sahara. Please provide information on the number of complaints, cases investigated in depth, disciplinary measures, prosecutions and convictions or acquittals, the nature of sentences handed down and the reparation provided to victims. Please indicate what measures have been taken to ensure that confessions obtained under torture or ill-treatment are not accepted by courts under any circumstances and that allegations of torture or confessions obtained under duress are followed up with medical examinations. Please also indicate what measures have been taken to ensure that complainants are protected against reprisals. Please provide information on the measures taken to ensure the independence of the national preventive mechanism, the implementation of and follow-up to its recommendations and the ability to carry out unannounced visits to all places of detention.

**Liberty and security of person and conditions of detention (arts. 9, 10 and 14)**

15. In the light of the Committee's previous concluding observations (paras. 25, 26, 29 and 30) and general comment No. 35 (2014) on liberty and security of person, please describe the steps taken to ensure that all persons deprived of their liberty enjoy all fundamental legal safeguards from the outset of their deprivation of liberty, including with regard to reducing the maximum period of police custody and pretrial detention. Please describe the measures taken to improve the living conditions and treatment of persons in prisons in Morocco and Western Sahara in accordance with the provisions of the Covenant and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), including with regard to prison overcrowding, and provide statistical information in this respect. Please also describe the steps taken to promote the use of alternative measures to incarceration in accordance with the provisions of the Covenant and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules). Please provide, for the period under review, statistical information on the number of complaints received concerning arbitrary detentions, investigations carried out, prosecutions initiated and convictions secured, as well as information on the reparation provided to victims.

**Imprisonment for non-performance of a contractual obligation (art. 11)**

16. With reference to the Committee's previous concluding observations (paras. 31 and 32), please specify the measures taken by the State Party to review its legislation, including Act No. 15-97 on the code on the recovery of public revenue and the circular issued by the Minister of Justice and Freedoms on 21 October 2015 providing for enforcement by committal of debtors who do not fulfil their contractual obligations and who have not provided a certificate of indigence or a document that certifies that they are not liable to pay taxes, with a view to ensuring that individuals cannot be imprisoned owing to their inability to repay a debt and that alternative measures of debt recovery can be used. In this respect, please provide disaggregated data for the period under review on the number of persons imprisoned for inability to repay a debt and indicate the length of their imprisonment. Please indicate what measures are envisaged to release all persons currently imprisoned for inability to repay a debt and to amend all rulings imposing imprisonment in such cases.

**Treatment of aliens, including migrants, refugees and asylum-seekers (arts. 6, 7, 9, 12, 13 and 24)**

17. In the light of the Committee's previous concluding observations (paras. 35 and 36), please indicate what measures have been taken to ensure that the legal framework governing migration and asylum complies with the provisions of the Covenant and other international standards, including respect for the principle of non-refoulement, and indicate what steps have been taken to adopt a new law on the entry and residence of foreign nationals and a law on asylum. Please describe the measures taken to ensure respect for the principle of non-refoulement in practice and to ensure that all persons in need of international protection have unrestricted access to the national territory and to fair and efficient procedures for the individual determination of refugee status or eligibility for international protection, to an independent appeal mechanism with suspensive effect and to legal aid, interpreters and appropriate assistance. Please provide information on the measures taken to protect stateless persons and to prevent and combat statelessness, including through an appropriate legal framework, which entails the revision of the Nationality Code, and indicate whether the State Party intends to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

18. Please indicate what measures have been taken to: (a) put an end to collective arrests of migrants; (b) put an end to mass expulsions of migrants, including expulsions conducted in the vicinity of the autonomous Spanish cities of Ceuta and Melilla; and (c) prevent and combat the excessive use of force by law enforcement officers. In this connection, please indicate the number of investigations conducted, prosecutions initiated and convictions secured, the penalties imposed on perpetrators and the reparation provided to victims in cases of mass arrests and evictions, excessive use of force, death and disappearance. Please comment on reports that migrants and refugees from sub-Saharan countries are subjected to arbitrary detention in urban centres on the basis of racial profiling before being taken either to isolated or desert areas, where they are abandoned without assistance, or to border areas, where they fall victim to traffickers or criminals.

**Access to justice, independence of the judiciary and fair trial (art. 14)**

19. In the light of the Committee's previous concluding observations (paras. 33 and 34), please describe the measures taken to ensure that all judicial proceedings are conducted in accordance with fair trial guarantees, including the rights to be assisted by a lawyer, to receive free legal aid for all persons without sufficient resources, to be tried without undue delay and to be assisted by an interpreter free of charge, and the measures taken to ensure that civilians are not tried in military courts. Please indicate what measures have been taken to: (a) ensure the independence of the judiciary and protect judges and prosecutors from any form of undue pressure or interference, including in cases of a political nature or related to national security; and (b) protect lawyers against any form of undue interference, threat, intimidation or reprisal in connection with the performance of their duties. In this regard, please indicate what measures have been taken to ensure that the members of the Supreme Council of the Judiciary are appointed based on their merits and capacities, without undue influence from the executive.

**Right to privacy (art. 17)**

20. With reference to the Committee's previous concluding observations (paras. 37 and 38), please describe the measures taken to ensure that the legal framework governing the surveillance of communications, including in particular surveillance of journalists or persons critical of the authorities, complies with the obligations under the Covenant and the principles of legality, proportionality and necessity. Please describe the measures taken, both in law and in practice, to make authorization to use personal data subject to strict conditions, to guarantee the protection of the confidentiality of such data and to ensure effective monitoring. Please provide statistical information on the number of complaints of violations of the right to privacy, including in relation to use of spyware such as Pegasus, that have been filed and registered, the investigations conducted, the prosecutions initiated, the convictions secured and the sentences imposed on the perpetrators of such offences, as well as the reparation provided to victims.

### **Freedom of conscience and religious belief (art. 18)**

21. In the light of the Committee's previous concluding observations (paras. 39 and 40), please specify what steps have been taken to ensure that the legal framework complies with article 18 of the Covenant and to eliminate any legislative provision or discriminatory practice that is in violation of the right to freedom of thought, conscience and religion, particularly the provisions of the Criminal Code that criminalize actions contrary to the Muslim religion and the offences in the draft Criminal Code that would further extend the limits imposed on freedom of religion or belief. In this regard, please provide statistical data on the number of persons detained and prosecutions undertaken in connection with the exercise of freedom of conscience during the reporting period, the nature of the acts concerned and the penalties imposed. Please describe the steps taken to recognize the right to conscientious objection to compulsory military service and grant conscientious objectors access to alternative, civilian service of a non-discriminatory and non-punitive nature.

### **Freedom of expression (arts. 9 and 19)**

22. With reference to the Committee's previous concluding observations (paras. 43 and 44) and general comment No. 34 (2011) on the freedoms of opinion and expression, please describe the measures taken to ensure that journalists, bloggers, social media users and defenders of human and minority rights can carry out their activities freely and without fear of harassment, arbitrary detention or criminalization of any kind. In this regard, please describe the measures envisaged to: (a) decriminalize defamation, insulting a public official, attacks on the Muslim religion or the monarchical regime and incitement to undermine territorial integrity, or at least to restrict the application of criminal law to only the most serious cases; and (b) ensure that criminal laws are not applied to suppress the expression of critical and dissenting opinions. Please provide disaggregated data on the number of arrests made and prosecutions undertaken in connection with the exercise of freedom of expression during the reporting period, the nature of the acts concerned and the penalties imposed.

### **Freedom of peaceful assembly (arts. 9 and 21)**

23. In the light of the Committee's previous concluding observations (paras. 45 and 46), please describe the measures taken to ensure that legislation governing peaceful demonstrations, in particular Act No. 76-00 of 23 July 2002, is applied in accordance with the provisions of the Covenant and general comment No. 37 (2020) on the right of peaceful assembly and respects the principles of legality, necessity and proportionality. Please also indicate what measures have been taken to ensure that the exercise of the right of peaceful assembly, including the right of spontaneous assembly and online assembly, is not subject to restrictions other than those permitted by the Covenant. Please provide information on allegations of arbitrary restrictions and bans on gatherings, including those of movements in solidarity with the Palestinian people and gatherings for Western Sahara or the Amazigh. Please indicate what steps have been taken to prevent arbitrary arrests and excessive use of force by law enforcement officials. In this connection, please provide information on: (a) the measures taken and the mechanisms in place to ensure that victims have effective access to justice and full reparation; and (b) the number of complaints of excessive use of force filed and registered, the investigations conducted, the prosecutions initiated, the convictions secured and the sentences imposed on the perpetrators of such offences, as well as the reparation provided to victims.

### **Freedom of association (art. 22)**

24. With reference to the Committee's previous concluding observations (paras. 41 and 42) and the report on follow-up to the Committee's concluding observations, please describe the measures taken to ensure, in law and in practice, the full enjoyment of the right to freedom of association, including with regard to the removal of barriers that restrict the establishment, registration and operation of associations. Please also indicate what measures have been taken to ensure that the restrictions established by Decree No. 1-58-376 regulating the right of association, in particular article 3, are in conformity with the provisions of the Covenant and that the legal framework governing the right of association is not used to repress associations and organizations that are perceived to be critical of the authorities, including

human rights associations, political associations and organizations defending the rights of minorities. Please provide, for the period under review, information on the number of applications to register or renew the registration of associations received, the number of applications rejected or not processed and the number of organizations and associations dissolved, specifying the grounds for any rejections or dissolutions.

#### **Rights of indigenous peoples (art. 27)**

25. In the light of the previous concluding observations (paras. 49 and 50), please specify the measures taken to ensure the effective implementation of Organic Act No. 26-16 on the Amazigh language, in particular with regard to providing Amazighs with greater access to schooling in their language, permitting the use of the Amazigh language in judicial and administrative proceedings, and ensuring the registration of Amazigh first names in civil status records and the issuance of electronic identity cards using their traditional Tifinagh alphabet. Please provide information on measures taken to consult with the Amazigh on the drafting and implementation of Acts Nos. 62-17, 63-17 and 64-17 and ensure that these Acts respect their land rights.

26. Please describe the measures taken to ensure that the status of the indigenous Amazigh people is legally recognized and that the rights of the Amazigh to land and resources are recognized, respected and protected in law and in practice, including in connection with the creation of nature reserves and parks, for example in the western Anti-Atlas. Please describe the mechanisms in place to ensure the participation of representatives of the Amazigh in local and national decision-making on issues that concern them and the measures taken to promote their culture.

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