



Public Statement

The Law Society of Upper Canada expresses grave concern about the charges brought against lawyer Abdessadeq El Bouchtaoui in Morocco

Toronto, ON — The Law Society of Upper Canada expresses grave concern about the charges brought against lawyer Abdessadeq El Bouchtaoui in Morocco.

It is the Law Society's information that on September 7, 2017, Abdessadeq El Bouchtaoui was told he was being investigated in relation to his legal representation of the Al-Hoceima activists. Al-Hoceima has become the centre of a protest movement calling for job opportunities and an end to corruption. Abdessadeq El Bouchtaoui is now facing charges of "insulting public officials and members of the public forces to obstruct their work", "threatening and insulting public bodies", "contempt of judicial decisions", "incitement to commit misdemeanors and felonies", "contributing to the organization of an unauthorized and prohibited demonstration" and "inviting people to participate in a prohibited demonstration".

On 26 September 2017, Abdessadeq El Bouchtaoui was notified that the public prosecution would cite over 150 of his Facebook posts as evidence, many of which were critical of the government due to police violently suppressing demonstrations.

In addition to representing activists in Al-Hoceima, Abdessadeq El Bouchtaoui is also the attorney for the family of Emad El-Attabi, who died as a result of clashes between police and protestors in July 2017 during which over 80 people were injured. Abdessadeq El Bouchtaoui has denounced excessive use of force by Moroccan forces against non-violent protestors and restrictions on freedom of expression and assembly. He is also the co-founder of the National Association for Human Rights in Morocco.

The Law Society is deeply concerned about Abdessadeq El Bouchtaoui's situation and urges Your Excellency to comply with Morocco's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of Morocco to:

- a. withdraw the charges against Abdessadeq El Bouchtaoui immediately and unconditionally;
- b. guarantee all of the procedural rights that should be accorded to Abdessadeq El Bouchtaoui in accordance with his right to a fair trial;
- c. guarantee that adequate reparation will be provided to Abdessadeq El Bouchtaoui if he is found to be a victim of human rights abuses;
- d. ensure that all people in Morocco, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression, including when such expression is critical of government institutions and actions; and
- e. ensure that all lawyers and judges in Morocco are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.