



Ratification Kit

Morocco

Why is it important for Morocco to accede to the United Nations Protocol to abolish the death penalty?

Morocco is an abolitionist country in practice. The last execution in Morocco took place in 1993.

The new Constitution (2011) stipulates in Article 20 that "the right to life is the first right of every human being."

Acceding to the Second Optional Protocol to the International Covenant on Civil and Political Rights is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Acceding to the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman, or degrading treatment. **It is essential that the world's abolitionist**

countries, in law or in practice, ratify this Protocol.

What are the international commitments already taken by Morocco to accede to the Protocol?

Morocco abstained for the seven UN General Assembly resolutions for a **moratorium on the use of the death penalty** in 2007, 2008, 2010, 2012, 2014, 2016 and 2018.

Morocco participated to the **Universal Periodic Review** of the **Human Rights Council** in May 2012 and May 2017. Although it had indicated that it would consider the recommendations to ratify the Second Optional Protocol in 2012, Morocco rejected the recommendations in 2017.

Morocco has submitted its fifth report to the **Committee Against Torture** in 2009 and the report was examined in 2011.

In its Concluding observations, the Committee Against Torture recommended that Morocco

ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Morocco submitted its sixth report to the **Human Rights Committee** in 2015. The Human Rights Committee recommended in 2016 to the government of Morocco to consider acceding the Second Optional Protocol to the ICCPR.

What are the steps to be taken as regards internal law?

According to Article 7.3 of the Protocol, it “shall be open to accession by any State that has ratified the Covenant or acceded to it.”

Morocco ratified the International Covenant on Civil and Political Rights in 1979 and it is therefore competent to accede to this Protocol.

Among the obligations incumbent upon Morocco following accession to the Protocol are the **prohibition of executions and withdrawal of the death penalty from internal criminal law**.

According to Article 55 of the 2011 Constitution, the King shall sign and ratify international treaties. Treaties relating to individual rights and freedoms may only be ratified after having been approved by law.

What are the legal obstacles to accession?

There is **no legal obstacle** as Morocco is an abolitionist country in practice and as the last execution took place in 1993.

We therefore encourage Morocco to accede to the Protocol as soon as possible.

How can accession to the Protocol be applied?

The Protocol shall come into force three months after the instruments of accession have been deposited with the UN Secretary General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Morocco must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Morocco to abolish the death penalty in its legislation as soon as possible.

For more information, contact the World Coalition Against the Death Penalty and visit its website: <http://www.worldcoalition.org/protocol>