



Source: Morocco World News

PRE-TRIAL PROCEEDINGS AGAINST MAÂTI MONJIB IN MOROCCO RAISE CONCERNS

This statement can be attributed to a spokesperson for the Clooney Foundation for Justice. For further inquiries, please contact media@cfj.org.

CHARGES

Money Laundering

MAXIMUM SENTENCE

10 years imprisonment

TRIALWATCH MONITOR

USC Law International
Human Rights Clinic

April 6, 2021

The Clooney Foundation for Justice and the [USC Law International Human Rights Clinic](#) announced today that the Clinic intends to monitor criminal proceedings against academic and activist Maâti Monjib in Morocco as part of CFJ's TrialWatch initiative. Mr. Monjib was arrested late last year on suspicion of money laundering based on allegations that he received funding from foreign sources that he then diverted for his own use. The charges carry a potential sentence of up to 10 years.

While Mr. Monjib was recently [released](#) from pre-trial detention, the pre-trial process has been marred by irregularities—and has taken a considerable toll, with Mr. Monjib having [lost 25 pounds on a hunger strike](#). For instance, after his arrest, Mr. Monjib was taken to the Rabat Prosecutor's office and interrogated [without a lawyer present](#). Then, a pre-trial judge ordered his detention (which lasted three months) "[with a view to continuing the investigation](#)," despite the fact that this is [not, standing alone, a legitimate basis for pre-trial detention](#). More recently, although it is [customary](#) for the defense to be able to make copies of the case file, Mr. Monjib's team has been denied this opportunity based on a cramped interpretation of the Moroccan Code of Criminal Procedure. As a result, Mr. Monjib has been unable to review the full details of the charges levied against him.

These proceedings come against the backdrop of an escalating crackdown in Morocco. For instance, in March 2020, Moroccan journalist Omar Radi was given a [four-month suspended sentence](#) for a tweet criticizing the judiciary. Mr. Monjib himself was also recently sentenced to one year in prison for fraud and endangering state security based on a case dating back to late 2015, which was suddenly expedited. That case, too, relates to alleged receipt of foreign funds.

Professor Hannah Garry, Director of the [USC Law International Human Rights Clinic](#), said, "**Mr. Monjib's case is far from the first instance of a human rights activist in Morocco being denied basic rights and liberties. Our Clinic is monitoring Mr. Monjib's situation closely to determine whether Moroccan authorities adhere to fundamental international fair trial standards. Specifically, we intend to evaluate the extent to which the charges against Mr. Monjib are based on his history of activism, the relationship between his conviction in the 2015 case and the current charges, and whether his right to sufficiently prepare a defense is respected.**"

BACKGROUND

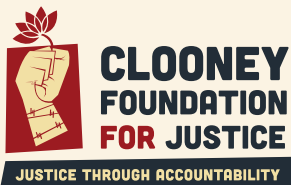
Mr. Monjib is the co-founder of Freedom Now, an organization of journalists that works to protect and promote freedom of expression in Morocco. He was convicted on January 27, 2021 of 'undermining internal state security' and fraud in a 2015 case. The judgment concluded that Mr. Monjib and other defendants improperly solicited and used funds from international organizations, which "damage[d] the internal peace of the kingdom and destabilize[d] the allegiance of citizens to the Moroccan state and its institutions."

For over five years, the Moroccan authorities had systematically prolonged this case until suddenly, in late January 2021, the authorities proceeded to hold a hearing with such speed that, according to defense counsel, they failed to notify Mr. Monjib or his defense team that the hearing was taking place despite the fact that Mr. Monjib was in the very same building for a hearing in the money laundering case. As a result, Mr. Monjib did not attend. The Moroccan authorities have since explained that they considered him on bail in the 2015 case—despite the fact that he was in custody on the money laundering charges—and were therefore "[waiting for him to express his will to attend the hearing.](#)" An appeal of this conviction is scheduled for April 8, 2021.

With respect to the money laundering case, the Moroccan authorities have asserted that Moroccan law [does not require](#) the presence of a lawyer during interrogation by prosecutors. This is inconsistent with [international standards](#). Later, the pre-trial judge limited Mr. Monjib's lawyers' access to the case file, relying on Article 139 of the Moroccan Penal Code, which provides that "the case file must be placed at the disposal of the defendant's lawyer at least one day before each interrogation." The pre-trial judge has given a narrow interpretation of the phrase "at the disposal" to find that "lawyers of the accused only have the right to view the case file in the clerk's office."

On March 4, 2021, Mr. Monjib began [a hunger strike](#) to protest his ongoing detention. On March 23, 2021, Moroccan authorities provisionally released Mr. Monjib, but with restrictions on his travel.

ABOUT THE CLOONEY FOUNDATION FOR JUSTICE'S TRIALWATCH INITIATIVE



The Clooney Foundation for Justice's [TrialWatch](#) initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, minorities, LGBTQ+ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.