



## Ratification Kit

# Morocco

### **Why is it important for Morocco to ratify 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) provides in Article 20 that “the right to life is the first right of every human being.”

As the Constitution is the legislative reflection of a country’s supreme values, those which protect the right to life in their Constitutions demonstrate the importance they attach to this issue.

Ratification of 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.

Ratifying 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 ratify this Protocol.**

### **What are the international commitments already taken by Morocco to ratify 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 in the **Universal Periodic Review** of the **Human Rights Council** in 2017 and noted the recommendations to abolish the death penalty and ratify the the Second Optional Protocol to the International Covenant on Civil and Political Rights. However, Morocco accepted recommendations inviting it to “consider” the

ratification of the Protocol. The **Human Rights Council** would inevitably commend Morocco if it ratified the Protocol.

In his Concluding Observations in **2011**, the **Committee Against Torture** recommended Morocco to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights.

In his Concluding Observations in **2016**, the **Human Rights Committee** also recommended Morocco to ratify Second Optional Protocol to the ICCPR.

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

According to Article 7.2 of the Protocol, it “is subject to ratification 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 ratify this Protocol.

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

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

The instrument of ratification must then be deposited with the UN Secretary General (Article 7.2 of the Protocol).

### **What are the legal obstacles to ratification?**

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 ratify the Protocol as soon as possible.

### **How can ratification of the Protocol be implemented?**

The Protocol shall come into force three months after the instruments of ratification 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 and to support the adoption of an **African Protocol** on the abolition of the death penalty.

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