

Morocco: Drop Charges Against Detained Rapper

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Repressive Speech Laws Enforced Despite Rights-Friendly Constitution



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(Casablanca) – Moroccan authorities should drop charges and release a rapper who has spent three weeks in pretrial detention on charges that he insulted the police in his songs and a video set to his music, Human Rights Watch said today. Police arrested Mouad Belghouat, known as “al-Haqed” (the sullen one), on March 29, 2012, because of a YouTube video with a photo of a policeman whose head has been replaced with a donkey’s. The lyrics denounce police corruption.

On April 16, the Casablanca Court of First Instance, located in Aïn Sbaâ, postponed the start of Belghouat’s trial for the second time. The judge, as he had done previously, rejected defense motions to grant the defendant pretrial release.

“This case is about freedom of expression pure and simple,” said [Sarah Leah Whitson](#), Middle East and North Africa director at Human Rights Watch. “Every day that Belghouat spends in prison is a reminder of the distance between Morocco’s laws and practices and the rights guaranteed in its new constitution.”

A Human Rights Watch observer attended the April 16 hearing, at which the court granted a postponement of the trial at the request of the defense until April 25.

On July 1, 2011, Moroccans voted in a referendum to approve a constitution proposed by King Mohammed VI that affirms freedom of expression. Article 25 states: “Freedom of thought, opinion and expression in all its forms are guaranteed. Freedom to create, publish, and display literary and artistic materials and scientific and technical research are guaranteed.”

The court is trying Belghouat for “showing contempt” toward “public servants in the exercise of their duty,” with the intention of “undermining their honor,” under article 263 of the penal code, and “showing contempt” toward state institutions, under article 265. If convicted, he could be sentenced to up to two years in prison.

The “offending” material cited in the case file consists of a rap song Belghouat composed and recorded, entitled “Kilab ed-Dowla” (Dogs of the State), and a YouTube video containing a photo-montage set to the song. The song denounces police corruption with lines like, “You are paid to protect the citizens, not to collect people’s money and take it to your chief.”

The case stems from a complaint filed by the General Directorate of National Security (Direction Générale de la Sûreté Nationale, DGSN), the security agency that includes the judicial police, among other police branches. The complaint, to back up the charges, refers to the photograph in the video in which the policeman’s head has been replaced, with the aid of photo-editing software, by a donkey’s head, and another snapshot of three policemen carrying a person, perhaps a protester, by his limbs, as well as the lyrics that accuse the police of corruption and, according to the complaint, refer to them as dogs.

In his statement to the police, Belghouat denied any connection to the video, saying unknown people made it, set it to Belghouat’s music, and posted it. A separate recording of Belghouat rapping “Kilab ed-Dowla,” but without any of the controversial visuals, is on [YouTube](#).

Belghouat, 24, lives in the low-income Oukacha neighborhood of Casablanca. His rap songs denouncing corruption, injustice, and the gap between royal opulence and poverty in Morocco have won him attention as an artistic voice of the pro-reform “February 20 youth movement,” which began in Morocco shortly after the start of protests in other Arab countries in early 2011. Police have generally allowed the movement to hold protest rallies in cities around the country, but have on several occasions [intervened violently](#) to disperse demonstrators. A number of February 20 movement members are serving prison sentences after being convicted on charges such as destroying public property and assaulting or showing contempt for police agents.

Belghouat attracted wide notice when police arrested him in an earlier case in September 2011 and charged him with beating a pro-government protester in a street altercation. His trial in

Casablanca attracted crowds of supporters, who claimed that the case was a set-up. The defense team contended that there were many inconsistencies in the account provided by Belghouat's alleged victim. In January, the court convicted Belghouat of the assault, sentenced him to the four months he had already served in pretrial detention, and released him.

"If Morocco wants to give substance to the freedoms proclaimed in its new constitution, a good place to start would be abolishing repressive laws that can land you in jail for producing political rap songs and videos," Whitson said.