

COUNTRY REPORT

WHISTLEBLOWERS IN MOROCCO:

Overview of the Legal
Framework and Practices



P P L A A F

A woman wearing a dark hijab is shown in profile, looking down at a laptop screen. The background is a solid blue color with a subtle, textured pattern that resembles crumpled paper or fabric. The lighting is soft, highlighting the contours of her face and the texture of her clothing.

Morocco Country Report

Overview of the Legal Framework and Practices
September 2026

About the Platform to Protect Whistleblowers in Africa

The Platform to Protect Whistleblowers in Africa (PPLAAF) is a non-governmental organisation established in 2017 to protect whistleblowers, as well as to advocate and engage in strategic litigation on their behalf when their revelations deal with the general interests of African citizens.

PLATFORM TO PROTECT WHISTLEBLOWERS IN AFRICA (PPLAAF)

CONTENT

I. INTRODUCTION AND CONTEXT	04
II. WHISTLEBLOWER LAWS AND POLICIES	06
1. Who is a whistleblower	07
2. Types of reportable wrongdoing	08
3. Exemptions and limitations	09
4. Reporting channels and procedures	10
5. Protection measures and support mechanisms	11
III. RELEVANT COMPLEMENTARY LEGISLATION	13
1. Freedom of Expression and Related Freedoms	14
• Constitutional and Legal Protection	14
• Media Freedom	15
• Access to Information Laws	16
• Data Protection and Cybercrime Laws	17
2. Anti-corruption Legislation	17
3. Other Relevant Legislation	18
• Labour and Employment Law	18
• Criminal Law and Procedure	19
• National Security and Official Secrets	19
IV. RESOURCE, KNOWLEDGE, AND ADVICE CENTRES	23

01

INTRODUCTION & CONTEXT



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PLATFORM TO PROTECT WHISTLEBLOWERS IN AFRICA (PPLAAF) / COUNTRY REPORT - MOROCCO

Captain Mustapha Adib is one of Morocco's most prominent whistleblowers. In 1998, he reported the illegal sale of fuel allocated to his air base by his superiors. His disclosure led to the discharge of the officers involved. As a consequence, he was ostracised and subjected to disciplinary measures.^[1] In 2000, Adib received the Transparency International Integrity Award in 2000, and Morocco's Prime Minister publicly praised his courage - acknowledging that Moroccans were not coming forward to report corruption and pledging legislative protections to change that.^[2] Over two decades later, despite some timid progress, the legislation remains weak.

Adopted against the backdrop of the Arab Spring and the February 20 Movement, a series of pro-democracy movements and uprisings that swept across the Middle East and North Africa in 2010 and 2011, the 2011 Constitution enshrined anti-corruption as a constitutional imperative. It further created a dedicated authority, the National Authority for Integrity, Prevention and the Fight against Corruption (INPPLC) under Articles 36 and 167, and guaranteed freedom of expression and access to information.

In practice, however, the gap between constitutional promises and institutional reality has proven wide. Despite scoring above the Organisation for Economic Cooperation and Development (OECD) average on the quality of its anti-corruption strategic framework, significant portions of the National Anti-Corruption Strategy's 2015–2025 action plan remain undelivered.^[3] In February 2019, the Moroccan government announced a draft law to protect *dénonciateurs*, interpreted here as whistleblowers or informants, in public service, intended to fulfill its obligations as a signatory to the United Nations Convention against Corruption (UNCAC) that has yet to come to fruition.^[4] In its 2018-2020 report, the Open Government Partnership (OGP) Independent Reporting Mechanism (IRM) further recommended that future commitments focus on strengthening and implementing the legal and regulatory framework for corruption whistleblowers.^[5]

The restrictive civic environment has further complicated reform. In 2018, leaders of the Hirak El Rif movement, a mass protest movement in the historically marginalised Berber Rif region, were sentenced in flawed trials.^[6] From late September to mid-October 2025, the leaderless youth coalition GenZ 212 organised nationwide protests against corruption and deteriorating public services, triggered by public outrage over the deaths of eight women from failed caesarean sections in a public hospital in Agadir. At least 2,400 people faced prosecution in the crackdown that followed.^[7]

Morocco has developed a substantial institutional architecture for fighting corruption, yet these foundations ring hollow so long as whistleblowers remain systematically exposed and the press operates under increasing constraint.

02

WHISTLEBLOWER LAWS AND POLICIES



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In 2007, Morocco ratified both the United Nations Convention against Corruption and the African Union Convention on Preventing and Combating Corruption in 2022. Despite these commitments, the country still faces endemic corruption, ranking 91th out of 182 on Transparency International's 2025 Corruption Perception Index.^[8] The country relies on a patchwork of legislative instruments to protect those who report wrongdoing. This framework is partial and fragmented: at best, it offers imperfect protections to whistleblowers; at worst, it fails to encourage whistleblowing behaviour altogether.

The principal texts are Law No. 37-10 amending and supplementing Law No. 22-01 on criminal procedure regarding the protection of victims, witnesses, experts, and *dénonciateurs* in cases involving corruption, embezzlement, influence peddling, and other offences (2011), and Law No. 46-19 establishing the INPPLC (2021). Each addresses a specific legal context - criminal procedure, institutional anti-corruption, and financial compliance, respectively - and none was designed with the workplace whistleblower as its primary subject. Draft bill No. 61-20 concerning the protection of public officials who report acts of corruption within public administrations has stalled since 2019, despite comments submitted by the INPPLC on the text.

2.1

WHO IS A WHISTLEBLOWER

Morocco's existing legislation covers a fragmented and inconsistent set of potential reporters, with no unified definition of who qualifies for protection.

Under Article 21 of Law No. 46-19, any natural or legal person, any head of a public administration, and any civil servant who holds data, reliable information, suspicions, or evidence indicating a case of corruption may report it to the INPPLC. The article also allows any individual or legal entity that has suffered harm, or is at risk of suffering harm, as a result of a corruption case to submit a formal complaint.

Law No. 37-10 of 2011, the most directly relevant instrument to date, applies to victims, witnesses, experts, and *dénonciateurs* involved in exposing corruption and other financial crimes (Art. 82-9).

*According to the law, a *dénonciateur* is a person who “in good faith and for justifiable reasons, reports to the competent authorities one of the offences listed in Article 82-7.”*

The law covers persons across both the public and private sectors, making it the broadest of the instruments in terms of personal scope. However, a *dénonciateur* is not equivalent to a whistleblower in the broader sense, as the category describes individuals who report wrongdoing to judicial authorities - alongside victims and witnesses - and protections apply exclusively within the criminal procedure context.^[9] Disclosures made to government bodies, the media, or civil society fall entirely outside its scope.

The result is a framework in which protection depends on the reporter's professional status and the nature of the offence, rather than on the act of disclosure itself. This gap is most pronounced in the private sector.

In its opinion on draft Bill No. 61-20 on the protection of public officials who report acts of corruption, the INPPLC recommended adopting a broader definition of “public official” consistent with UNCAC and international standards - but even this expanded definition would include only public servants and government contractors. Private sector employees would remain largely unprotected under the revised bill.

2.2

TYPES OF REPORTABLE WRONGDOING

The laws mentioned above cover together a significant but ultimately narrow range of wrongdoing, limited almost entirely to financial crimes and corruption.

Article 82-7 of Law No. 37-10 covers active and passive corruption, influence peddling, embezzlement, misappropriation of funds, extortion by a public official, money laundering, and the serious crimes listed under Article 108 of the Code of Criminal Procedure. Law No. 46-19 is limited to corruption under Article 3, including administrative and financial offences related to conflicts of interest, insider trading, influence peddling and abuse of privilege, abuse of dominant position and monopoly, as well as the awarding and management of public contracts. Law No. 43-05 covers money laundering and terrorist financing.

Together, these instruments provide multiple legal tools to address financial crimes and integrity offences. However, they leave an extensive range of wrongdoing entirely unaddressed. No law currently covers human rights abuses, environmental crimes, health and safety violations, or labour law infractions.

2.3

EXEMPTIONS & LIMITATIONS

Good faith is an explicit condition of protection in the laws, limiting reporting. Article 82-9 of Law No. 37-10 requires that a *dénonciateur* act in good faith and for legitimate reasons; people who report and are found to have acted in bad faith face criminal liability for malicious denunciation under Article 445 of the Penal Code.^[10]

This approach is at odds with internationally recognised standards. The “good faith” condition introduces challenging subjective interpretations. International best practices recommend avoiding adding a good faith test to the law. Instead, they recommend using the term “reasonable belief” as this term provides a more objective standard for assessing the validity of the whistleblower’s disclosure. It ensures that the disclosures are protected if the whistleblower truly believes the information is authentic and significant. In contrast, “good faith” can introduce subjective interpretations of the whistleblower’s intentions, potentially complicating legal assessments and protections.

Furthermore, Article 21 of Law 46-19 provides that a report or complaint must not contain any insulting or defamatory expressions against a person or party.

It should be noted that in the INPPLC recommendations on draft law No. 61-20, the INPPLC suggests that whistleblowers be presumed to act in good faith unless proven otherwise - consistent with the Organization of American States (OAS) model and the Council of Europe recommendations - and that they be required only to demonstrate reasonable grounds for their belief in the truth of the information disclosed.^{[11],[12]}

The burden of proving malicious intent would fall on the receiving body. These recommendations reflect international best practice and would represent a significant improvement on the current standard; they have not yet been adopted.

2.4

REPORTING CHANNELS & PROCEDURES

Critically, none of the existing instruments require organisations - whether public or private - to establish formal internal reporting mechanisms.

However, draft Bill No. 61-20 on the protection of public officials who report acts of corruption in public administrations does envisage the creation of an internal reporting system within public administrations.^[13] This would represent a meaningful step, but the bill remains pending and applies only to the public sector. No equivalent obligation for the private sector has been proposed in any currently circulating draft.

Morocco has designated the INPPLC as the primary institutional authority in the fight against corruption. Established under Articles 36 and 167 of the 2011 Constitution, its missions were further defined by Law No. 46-19. It is responsible for initiating, coordinating, and overseeing the implementation of anti-corruption policies; collecting and disseminating information in this field; contributing to the ethical conduct of public life; and consolidating the principles of good governance, a culture of public service, and responsible citizenship in Morocco.

Article 21 of the law establishes two distinct mechanisms: a complaint procedure for victims and a disclosing procedure for whistleblowers. For the latter, reports may be submitted by physical deposit at INPPLC headquarters in Rabat, by ordinary or registered post, by electronic mail, orally at the Bureau d'Ordre of the investigators' corps with a signed verbal disclosure report, or via the online platform tabligh-fassad.inpplc.ma.

The INPPLC benefits from meaningful institutional independence, holding legal personality and financial and administrative autonomy from the executive. The INPPLC has played an active role in pushing for reform. It has engaged directly with the legislative process for draft law No. 61-20 and issued detailed recommendations. However, the INPPLC has also faced resistance from the government in implementing its mandate: in March 2025, its President resigned over disagreements with the administration.^[14]

Additionally, the Ministry of Justice launched a toll-free “Green Line” hotline in 2015 to facilitate the reporting of corruption. Public awareness of the mechanism remains low, and few resources have been dedicated to implementation, training, or employer compliance.^[15] It does not constitute a protected reporting channel and offers no protection against retaliation. In May 2025, however, INPPLC launched its secure [online reporting platform](#) for whistleblowers to “easily submit complaints, reports, and information” and maintain the confidentiality of their personal data” - the state's first concrete step toward operationalising whistleblower protections under the 2015-2025 National Strategy for the Fight against Corruption (SNLCC).^[16]

Finally, Moroccan law doesn't allow for disclosure of information to non-governmental organisations (NGOs) and the media. This hinders transparency and accountability, considering that it reduces public scrutiny of government actions, limits independent monitoring of human rights and governance issues, and constrains informed public debate.

2.5

PROTECTION MEASURES & SUPPORT MECHANISMS

The protection measures available under Morocco's existing framework are narrowly targeted, contingent on judicial discretion, and entirely silent on the most common form of retaliation a whistleblower faces: dismissal or professional harm.

The most advanced set of protections is listed in Article 82-7 of Law No. 37-10 which provides a range of procedural protections, including concealment of the *dénonciateur's* identity through the use of a pseudonym or fictitious identity; non-disclosure of the home address; access to a dedicated police hotline; telephone surveillance with the *dénonciateur's* written consent; and physical protection by law enforcement for the whistleblower, their family members, and close associates. These measures may be ordered by the competent judicial authority on application or ex officio, and may be maintained after the final judgment. Under Article 82-9, *dénonciateurs* are also exempt from prosecution for breach of professional secrecy where the reported offence was discovered in the course of their duties - a meaningful derogation from the general prohibition in Article 445 of the Penal Code.

However, these protections are restricted to judicial procedures, thereby limiting both their scope and practical effectiveness. They become available only once formal legal proceedings have been initiated, leaving individuals without equivalent safeguards during earlier stages, such as administrative processes, investigations, or informal dispute-resolution mechanisms. As a result, significant periods during which rights may be affected can fall outside the reach of these protections.

Furthermore, these protections carry two critical structural limitations. First, all measures are discretionary: the judicial authority may order them, but is not required to, leaving the whistleblower dependent on judicial discretion. Second, where identity concealment is chosen, the disclosure is treated solely as information and carries no probative value on its own (Art. 82-8), significantly limiting its legal impact.

More fundamentally, the current Moroccan legal framework does not provide a comprehensive approach to addressing retaliation against whistleblowers, including personal protection, the possibility of making anonymous disclosures, and access to remedies and, while certain forms of adverse treatment may be challenged under Law 37-10, this law is limited in its scope of application.

In its recommendations relating to draft Law No. 61.20, the INPPLC has proposed strengthening this protection by broadening the definition of “unjustified treatment” to cover a wide range of retaliatory measures (including coercion, harassment, intimidation, suspension, dismissal, demotion, pay cuts, disciplinary sanctions, and retaliatory legal action), as well as introducing a shift in the burden of proof to require employers to demonstrate that adverse measures were not retaliatory. However, these proposals have not yet been fully enacted into binding law.

The Abderrahim El Idrissi Case

The consequences of this gap are tangible. The case of Abderrahim El Idrissi, former general director of EMS Chronopost - a courier company jointly owned by Morocco's Barid Al-Maghrib and France's La Poste - illustrates the personal cost of reporting in the absence of legal protection. Between 2017 and 2021, El Idrissi uncovered a multimillion-euro embezzlement scheme involving internal staff and organised criminal elements and initiated internal investigations. Rather than being protected, he faced an assassination attempt, harassment, and was ultimately imprisoned for alleged negligence.^[17]

03

RELEVANT COMPLEMENTARY LEGISLATION



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The safety of whistleblowers extends well beyond the formal protections they are afforded by law; it also depends on the broader environment in which disclosures are made. In Morocco, while constitutional protections for freedom of expression are nominally guaranteed, the actual environment for press freedom and independent media has deteriorated markedly in recent years, as many journalists have been imprisoned and independent media outlets have been shut down. Against this backdrop, complementary legislation covering access to information, data protection, and labour disputes presents a similarly mixed picture: reforms that appear progressive on paper are routinely undermined by broad exemptions, weak enforcement, and a pattern of politically motivated prosecution that has a direct chilling effect on whistleblowing behaviour.

3.1

FREEDOM OF EXPRESSION AND RELATED FREEDOMS

Freedom of expression in Morocco is under sustained strain. Constitutional guarantees exist on paper, but a pattern of state repression, including criminal prosecution, digital surveillance, and institutional pressure on independent media, has created an environment in which speaking out carries serious personal risk. This trend is particularly concerning for whistleblowing as a free and independent press plays a crucial role in amplifying and investigating disclosures, ensuring accountability within public institutions, and sustaining public awareness of wrongdoing that affects society as a whole.

Constitutional and Legal Protection

The 2011 Constitution is the foundational text. Article 25 guarantees freedom of thought, opinion, and expression in all its forms, while Article 28 stipulates that freedom of the press is guaranteed and may not be limited by any form of prior censorship, and that everyone has the right to free expression and dissemination of information, ideas and opinions. However, the right to free expression applies only “to the extent expressly provided for by law,” leaving the legislature broad discretion to define its limits. In practice, constitutional guarantees have not prevented the prosecution of journalists and activists for speech offences, generating a chilling effect that directly deters potential whistleblowers.

The Hamid El Mahdaoui Case

The case of **Hamid El Mahdaoui**, editor-in-chief of the independent news website *Badil.info*, illustrates the gap between constitutional guarantees and practice. In November 2024, he was sentenced to eighteen months in prison and ordered to pay USD 150,000 in civil compensation to Morocco's Minister of Justice after publishing a video alleging ministerial misconduct. Crucially, he was charged with defamation under the Penal Code, not the Press Law, which carries no prison penalty. The conviction was upheld on appeal in June 2025.^[18]



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Media Freedom

Press freedom remains highly contested in Morocco. Freedom House categorises the country as “partly free,” and Reporters Without Borders ranked it 120th in its 2025 World Press Freedom Index.^{[19],[20]}

The media environment deteriorated sharply following the Hirak Rif protests of 2016-2017, a grassroots movement sparked by the death of fish vendor Mouhcine Fikri and driven by demands for economic justice, social services, and an end to state repression in the historically marginalised Rif region.^[21] Authorities responded with arbitrary arrests, censorship, digital surveillance, including the deployment of Pegasus spyware, and the judicial harassment of independent journalists.^{[22][23]}

The 2016 Press and Publishing Law (Law No. 88-13) eliminated prison sentences for journalists but retained steep fines for vaguely defined offences, including insulting the monarchy, religion, or the country's territorial integrity. The Penal Code and the Law on Combating Terrorism (Law No. 03-03), which sets forth a broad definition of terrorism, have both been deployed to criminalise journalism and peaceful dissent, circumventing the press law's nominal protections.

High-profile cases such as those of **Omar Radi**, **Taoufik Bouachrine**, and **Soulaimane Raissouni** illustrate this pattern: all three were arrested between 2018 and 2020, convicted on serious charges including sexual offences and espionage, and sentenced to long prison terms in trials that organisations such as Human Rights Watch and the Committee to Protect Journalists have criticised as unfair and potentially linked to their journalistic work.^{[24][25]} They were later released in 2024 through a royal pardon, not judicial acquittals, meaning their convictions formally remain.^[26] Similarly, investigative journalist and editor **Ali Anouzla** faced terrorism charges which were never formally dropped. In September 2013, Anouzla was charged with “advocacy amounting to terrorism offences” and “providing assistance to perpetrators or accomplices of acts of terrorism” under Law n°03-03, which carry respectively up to six and twenty years’ imprisonment. The charges arose from an article he published on his news website Lakome linking to a Spanish newspaper's report, which itself contained a video by the armed group al-Qaeda in the Islamic Maghreb - a video Anouzla explicitly characterised as propaganda and criticised.^[27] Both the French and Arabic versions of his website were blocked, and he spent five weeks in pre-trial detention. Following his release, he faced repeated summons before investigating judges, with his hearings being consistently postponed throughout 2014 and 2015.^[28] Human rights groups argue that their cases reflect a broader “ecosystem of repression” involving surveillance, smear campaigns, and the use of criminal law especially morality-related or security-related offences - to deter critical reporting. As a result, despite a functioning press sector, journalists who investigate sensitive topics such as corruption or governance may face significant legal and professional risks, reinforcing concerns about the safety and independence of journalism in Morocco.

In 2020, the government introduced Draft Law No. 22-20, which sought to regulate social media under the pretext of combating "fake news," suggesting prison terms and fines for online content deemed harmful to public order. The bill was shelved following public backlash. However, in 2023, the Minister of Justice announced a separate proposal to introduce similar penalties by embedding them directly into the Penal Code.^[29] This attempt failed due to fear of unrest but existing laws, particularly Penal Code articles on defamation and defamation of public officials, have been increasingly interpreted in a draconian manner.^[30] Additionally, the authorities have expanded the powers of the High Authority of Audiovisual Communication (HACA, Haute Autorité de la Communication Audiovisuelle). Once a traditional media regulator, the institution now has regulatory authority over digital platforms.^[31] Meanwhile, Morocco's last independent daily newspaper, Akhbar Al Yaoum, shut down in 2021.^[32]

Access to Information Laws

The adoption of Law No. 31-13 on the Right of Access to Information is a nominally positive development. The law grants all Moroccan citizens and foreign legal residents the right to obtain data and documents held by public administrations, elected institutions, and public service bodies, operationalising the right first enshrined in Article 27 of the 2011 Constitution.

In practice, the potential of this law is severely limited. Article 7 lists several exemptions, including national defence, state security, foreign relations, monetary policy, and the confidentiality of Council of Ministers deliberations, as well as information whose disclosure would be prejudicial to the rights and interests of victims, witnesses, experts, and *dénonciateurs* concerning offences of corruption, embezzlement, influence peddling, and others. None of these exemptions requires the administration to meet a concrete, verifiable harm test: even where the text invokes a "prejudicial" nature (as with victims, witnesses, and *dénonciateurs*), that harm is presumed by the category itself rather than demonstrated, allowing authorities to invoke these exemptions without having to prove actual damage.

Article 16 imposes processing delays, and Article 5's ambiguous fee provisions create a potential financial deterrent for individuals of limited means. Although the service is free except for services provided for a fee under the regulations, the article states that requesters may be responsible for processing, reproduction, and mailing costs.

Oversight is also inadequate: the Commission for the Right to Access Information (CDAI), responsible under Article 22 for adjudicating requests and publishing annual activity reports, has been insufficiently staffed and has published no activity reports since the law came into force in 2020.^[33] As the NGO the Centre for Law and Democracy has noted, the CDAI cannot issue binding decisions or compel administrations to comply.^[34] Most critically for whistleblowing purposes, the law introduces criminal penalties for officials who disclose information deemed confidential, directly criminalising the very act of disclosure it is nominally designed to facilitate.

Data Protection and Cybercrime Laws

Data protection and cybercrime laws can also pose risks for whistleblowers. Law No. 09-08 on Personal Data Protection (2009) created the National Personal Data Protection Commission (CNDP) (Art. 27). On 31 May 2013, the CNDP issued Resolution No. 351-2013 on the conditions for the implementation of whistleblower hotlines which allows an organisation's employees to report inappropriate behaviour by their colleagues. The resolution provides that such hotlines should be limited to reporting violations of competition rules, conflicts of interest, insider trading, falsification of accounts, theft or fraud, corruption, discrimination, and sexual harassment.^[35] The resolution specifies that reports must be handled by a dedicated service or body subject to confidentiality rules, and that the rights of the reported person - including access, rectification, and deletion - must be respected.

This resolution is the closest Morocco currently has to a dedicated regulatory instrument for internal whistleblowing mechanisms. However, it is a regulatory resolution rather than a law and creates no enforceable rights for whistleblowers. Its scope is limited to organisations that have voluntarily established reporting hotlines, leaving the vast majority of potential reporters entirely outside its remit.

Law No. 07-03 supplementing the Penal Code with regard to offences relating to automated data processing systems completes Articles 607-3 to 607-11 of the Penal Code, criminalising unauthorised access to automated data processing systems, fraudulent introduction of data, and obstruction of system operations - with aggravated penalties where systems contain information relating to state security or national economic secrets. There is no public interest defence. A whistleblower who accesses, copies, or transmits digital documents without explicit authorisation to support their disclosure therefore faces criminal exposure, even where the purpose is to expose serious wrongdoing. Combined with the broad national security exceptions in Law 31-13 and the Penal Code's state security provisions, this creates a significant legal trap: the most probative evidence of institutional corruption is also the most legally dangerous to obtain and disclose.

3.2

ANTI-CORRUPTION LEGISLATION

Although it does not establish a whistleblowing mechanism, the closest equivalent to a reporting obligation in the private financial sector is Law No. 43-05 on the Fight Against Money Laundering (2007, as amended by Law No. 12-18 in 2021) as it establishes a mandatory suspicious transaction reporting obligation applicable to a defined set of entities and professionals: offshore banks and holding companies, financial institutions, insurance companies, auditors, external accountants, and tax advisors. It also covers independent legal professionals acting on behalf of clients in financial or real estate transactions, or when assisting clients in preparing or executing such transactions.

As such reports must be filed with the National Financial Intelligence Authority (ANRF, formerly the UTRF). Suspicious transaction reports must be made in writing; however, in an emergency, they may be made orally, subject to written confirmation. The ANRF acknowledges receipt in writing. The law provides a liability safe harbour for obligated persons who file reports in good faith, shielding them from civil, criminal, or disciplinary consequences arising from the disclosure.

3.3

OTHER RELEVANT LEGISLATION

Labour and Employment Law

Morocco's Labour Code (Law No. 65-99) governs employment relations in the private sector; the Civil Service Statute (Dahir of 24 February 1958) governs public servants. Together, they define the employment law landscape for the two categories of workers most likely to encounter and report wrongdoing, and neither offers meaningful protection to whistleblowers.

The Labour Code is the only instrument that a private sector whistleblower can currently rely on. Under Article 62 et seq., an employer may not dismiss an employee on an indefinite-term contract without a valid reason and must follow the prescribed procedure; courts treat non-compliant dismissals as automatically unfair, entitling the employee to statutory severance. One partial protection exists: Article 36(4) provides that filing a complaint or participating in judicial proceedings against an employer under the Labour Code is not a valid ground for dismissal. However, this applies only to labour law violations - disclosures of corruption, financial crime, or maladministration receive no equivalent protection.

The Labour Code simultaneously contains a provision that can be directly weaponised against whistleblowers. Article 39(2) lists the disclosure of a professional secret causing harm to the company among the serious misconducts justifying dismissal without notice. An employer can invoke this provision to frame a whistleblower's disclosure as a breach of professional secrecy, neutralising any unfair dismissal claim. When a whistleblower succeeds in court, they can either be reinstated or receive financial compensation. However, the statutory award does not account for reputational harm, career damage, or psychological costs.

The Civil Service Statute imposes unconditional duties of professional loyalty, discretion, and reserve on all public servants (Art. 18). However, Article 82-9 of Law 37-10 provides a waiver from these duties under cumulative conditions: the disclosure must relate to offences as defined in Law 37-10, which are limited to corrupt practices, and the offence must have been discovered in the course of carrying out one's official duties. Information obtained outside the scope of one's functions therefore likely falls outside the protection.

Criminal Law and Procedure

The Penal Code contains several provisions that function as legal risks rather than protections for whistleblowers. Articles 263, 264, and 445 should be read together. Article 263 criminalises false denunciation of a public official; Article 264 criminalises false reporting of an offence more broadly; and Article 445, the main provision on malicious denunciation, provides that anyone who makes a false report against an individual to judicial officers, police, or to the subject's hierarchical superiors or employer, is liable to between six months and five years' imprisonment and a fine of 200 to 1,000 dirhams (approximately USD 21 to 108). Neither the articles nor case law clearly allocates the burden of proving bad faith, meaning a whistleblower may in practice, be required to affirmatively demonstrate their good faith rather than the prosecution demonstrating its absence - a reversal of the burden of proof that compounds the deterrent effect of these provisions.

The Wafae Charaf Case

The case of **Wafae Charaf** illustrates how these provisions can be turned against those who report wrongdoing. In April 2014, Charaf, a political activist and member of the Moroccan Association of Human Rights, reported being abducted and tortured after leaving a workers' protest in Tangiers. She then filed a complaint with judicial authorities. Before the investigation had concluded, she was arrested and charged with false denunciation of a public official, false reporting, and malicious denunciation (articles 263, 264, and 445). She was convicted, sentenced to two years in prison, and ordered to pay 50,000 MAD (around USD 5400) in compensation to Morocco's police force - despite having only described her abductors as unidentified men. Key witnesses were not summoned and phone-tapping evidence was not disclosed. Weeks earlier, activist Oussama Housne had been sentenced to three years for a similar false torture report charge in Casablanca. Both cases were condemned by Amnesty International as part of a pattern of using false-reporting charges to suppress disclosures of state abuse, demonstrating that the provisions nominally designed to prevent false reports can be deployed against complainants before any finding as to the truth of their allegations has been made.^{[36][37]}

National Security and Official Secrets

Morocco has no standalone official secrets act. Instead, secrecy obligations are distributed across multiple instruments: Penal Code Articles 187–206 on state security, which penalise sharing intelligence with foreign agents or receiving foreign support for activities aimed at undermining citizen loyalty to the state; Law 31-13's criminal penalties for disclosing confidential information; Law 07-03's aggravated cybercrime penalties for offences against systems containing state security or national economic data; and the Civil Service Statute's general duty of discretion. These laws form a network of broad secrecy obligations that impede whistleblowing behaviour.



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RELEVANT LEGISLATION

INTERNATIONAL AND REGIONAL CONVENTIONS

- United Nations Convention against Corruption (ratified in 2007)
- African Union Convention on Preventing and Combating Corruption (ratified in 2022)
- Arab Convention against Corruption (ratified in 2012)

LEGISLATION

- 2011 Constitution
 - Article 25 guarantees freedom of expression and opinion
 - Article 27 guarantees the right to access to information
- Penal Code
- Law No. 65-99 on the Labor Code - Dahir No. 1-03-194 of 14 Rejeb 1424 (September 11, 2003)
- General Civil Service Statute - Dahir No. 1-58-008 of 4 Chaabane 1377 (February 24, 1958)

WHISTLEBLOWER PROTECTION MEASURES

- Law No. 37-10 amending and supplementing Law No. 22-01 on Criminal Procedure regarding the protection of victims, witnesses, experts, and whistleblowers with respect to offenses of corruption, embezzlement, influence peddling, and others - Dahir No. 1-11-164 of 19 Kaada 1432 (October 17, 2011)

ANTI-CORRUPTION LEGISLATION

- Law No. 43-05 on combating money laundering, as amended and supplemented by Law 12-18

INSTITUTIONS

- Law No. 46-19 on the National Authority for Probity, Prevention, and the Fight against Corruption - Dahir No. 1-21-36 of 8 Ramadan 1442 (April 21, 2021)

MEDIA AND FREEDOM OF EXPRESSION

- Law No. 88-13 on the Press and Publishing - Dahir No. 1-16-122 of 6 Kaada 1437 (August 10, 2016)
- Law No. 31.13 on the right to access to information - Dahir No. 1-18-15 of 5 Joumada II 1439 (February 22, 2018)
- Law No. 09-08 on the protection of individuals with regard to the processing of personal data - Dahir No. 1-09-15 of 22 Safar 1430 (February 18, 2009)
- Law No. 07-03 supplementing the Penal Code with regard to offenses relating to automated data processing systems - Dahir No. 1-03-197 of 16 Ramadan 1424 (November 11, 2003)

PROGRAMS, PROJECTS, AND DRAFT BILLS

- National Anti-Corruption Strategy for the period 2015-2025
- Draft Law No. 61-20 on the protection of public officials who report acts of corruption
- National Commission for the Control of the Protection of Personal Data - Deliberation No. 351-2013 of May 31, 2013 on the conditions for implementing whistleblowing mechanisms

ENDNOTES

- [1] Jeune Afrique, "Le baroud d'honneur de Mustapha Adib" [Mustapha Adib's Last Battle], 25 August 2008. Available at: <https://www.jeuneafrique.com/73024/politique/le-baroud-d-honneur-de-mustapha-adib/>
- [2] Transparency International, "Moroccan Premier Pledges to Support Whistleblowers in Fight Against Corruption", press release, 4 December 2000. Available at: transparency.org/en/press/moroccan-premier-pledges-to-support-whistleblowers-in-fight-against-corrupt
- [3] Morocco fulfils 73% of criteria on the strength of strategic framework, and 53% on practice, compared to the OECD average of 38% and 32%, respectively. OECD, "Morocco: OECD Anti-Corruption and Integrity Reviews", 2026. Available at: [https://www.oecd.org/en/publications/anti-corruption-and-integrity-outlook-2026_0c8910f8-en/morocco_fd73d0c9-en.html#:~:text=latest%20year%20available.-,Source%3A%20OECD%20Public%20Integrity%20Indicators%20Databas,e%20\(data%20extracted%20on%207,%25%20and%2062%25%2C%20respectively](https://www.oecd.org/en/publications/anti-corruption-and-integrity-outlook-2026_0c8910f8-en/morocco_fd73d0c9-en.html#:~:text=latest%20year%20available.-,Source%3A%20OECD%20Public%20Integrity%20Indicators%20Databas,e%20(data%20extracted%20on%207,%25%20and%2062%25%2C%20respectively)
- [4] Telquel, "Vers une meilleure protection des lanceurs d'alerte dans la fonction publique?" [Towards a better protection of whistleblowers in public service], 19 February 2019. Available at: https://telquel.ma/2019/02/19/vers-une-meilleure-protection-des-lanceurs-dalerte-dans-la-fonction-publique_1628762
- [5] Open Government Partnership, "Morocco Integrity Portal", n.d. Available at: <https://www.opengovpartnership.org/members/morocco/commitments/MO0007/>
- [6] Amnesty International, "Morocco: Hiraq El-Rif Appeal Must Deliver Justice After Deeply Flawed Trial", 17 December 2018. Available at: <https://www.amnesty.org/en/latest/press-release/2018/12/morocco-hirak-el-rif-appeal-must-deliver-justice-after-deeply-flawed-trial/>
- [7] Le Monde, "Morocco Seeks Prosecution of Over 2,400 Protesters After Gen-Z Demonstrations", 29 October 2025. Available at: https://www.lemonde.fr/en/international/article/2025/10/29/morocco-seeks-prosecution-of-over-2-400-protesters-after-genz-demonstrations_6746877_4.html
- [8] Transparency International, "Morocco country page", Accessed 10 September 2026. Available at: <https://www.transparency.org/en/countries/morocco>
- [9] Transparency Maroc, "Analyse du projet de loi relatif à la protection des témoins de la corruption" [Analysis of the draft bill on protection of corruption witnesses], 2019. Available at: https://transparencymaroc.ma/wp-content/uploads/2019/12/Analyse-du-projet-de-loi-relatif-%C3%A0-la-protection-des-t%C3%A9moins-de-la-corruption_0.pdf
- [10] Transparency International, "Morocco: Whistleblowing Overview", 2015. Available at: https://files.transparencycdn.org/images/Morocco_Whistleblowing_overview.pdf
- [11] Organization of American States (OAS), "Draft Model Law on Reporting". Available at: https://www.oas.org/juridico/english/draft_model_reporting.pdf
- [12] Council of Europe, "Ensuring Better Protection for Whistleblowers", 30 août 2024. Available at: <https://rm.coe.int/committee-on-legal-affairs-and-human-rights-ensuring-better-protection/1680b4b696>
- [13] United Nations Office on Drugs and Crime (UNODC), "Questionnaire on Morocco", n.d. Available at: https://track.unodc.org/uploads/documents/UNCAC/WorkingGroups/workinggroup4/2025-June-17-20/Contributions-whistler-blower/Morocco_English.pdf
- [14] Barlamane, "Mohamed Bachir Rachdi, victime de son intégrité et d'un pouvoir exécutif peu ouvert aux avis divergents", [Mohamed Bachir Rachdi, a victim of his own integrity and an executive branch that is not very open to differing opinions], 24 March 2025. Available at: <https://www.barlamane.com/fr/mohamed-bachir-rachdi-victime-de-son-MoroccanorganisationsMoroccanintegrite-et-dun-pouvoir-executif-peu-ouvert-aux-avis-divergents>
- [15] United Nations Office on Drugs and Crime (UNODC), "Leading by Example: Corruption Reporting Mechanisms in the Moroccan Judiciary", 2019. Available at: <https://www.unodc.org/dohadeclaration/en/news/2019/10/leading-by-example-corruption-reporting-mechanisms-in-the-moroccan-judiciary.html>
- [16] Fes News, "Unprecedented Move: Morocco Launches Online Platform to Protect Whistleblowers in Corruption Cases", 27 May 2025. Available at: <https://fesnews.media/307029/2025/05/27/>
- [17] Le Desk, "Affaire Barid Al-Maghrib: l'ex-DG de Chronopost témoigne de son calvaire" ["The Barid Al-Maghrib Case: Chronopost's Former CEO Recounts His Ordeal"], 15 November 2024. Available at: <https://ledesk.ma/grandangle/affaire-barid-al-maghrib-lex-dg-de-chronopost-temoigne-de-son-calvaire/>



- [18] Reuters, "Moroccan Court Sentences Journalist to 18 Months in Jail for Defamation", 11 November, 2024. Available at: <https://www.reuters.com/world/africa/moroccan-court-sentences-journalist-18-months-jail-defamation-2024-11-11/>
- [19] Freedom House, "Morocco Country Profile", Accessed 14 September 2026. Available at: <https://freedomhouse.org/country/morocco>
- [20] Reporters Without Borders (RSF), "Morocco / Western Sahara", Accessed 14 September 2026. Available at: <https://rsf.org/en/country/morocco-western-sahara>
- [21] Amnesty International, "Morocco: End Intimidation of Hirak Protest Leader Nawal Benaissa", 17 October 2018. Available at: <https://www.amnesty.org/en/latest/press-release/2018/10/morocco-end-intimidation-of-hirak-protest-leader-nawal-benaissa/>
- [22] Forbidden Stories, "Pegasus: The New Global Weapon for Silencing Journalists", 18 July 2021. Available at: <https://forbiddenstories.org/pegasus-the-new-global-weapon-for-silencing-journalists/>
- [23] Human Rights Watch, "World Report 2022: Morocco and Western Sahara", 2022. Available at: <https://www.hrw.org/world-report/2022/country-chapters/morocco-and-western-sahara>
- [24] Human Rights Watch, "World Report 2024: Morocco and Western Sahara - Events of 2023", January 2024. Available at: [hrw.org/world-report/2024/country-chapters/morocco-and-western-sahara](https://www.hrw.org/world-report/2024/country-chapters/morocco-and-western-sahara)
- [25] Committee to Protect Journalists, "CPJ Condemns Moroccan Court's Rejection of Appeals by Jailed Journalists Soulaïman Raïssouni and Omar Radi", 19 July 2023. Available at: cpj.org/2023/07/cpj-condemns-moroccan-courts-rejection-of-appeals-by-jailed-journalists-soulaïman-raïssouni-and-omar-radi/
- [26] Committee to Protect Journalists, "Morocco's Pardoned Journalists Face Smears, Threats After Prison", 21 October 2024. Available at: cpj.org/2024/10/moroccos-pardoned-journalists-face-smears-threats-after-prison/
- [27] Amnesty International, "Morocco: Stop Using 'Terrorism' as a Pretext to Imprison Journalists", 20 May 2014. Available at: [amnesty.org/en/latest/press-release/2014/05/morocco-stop-using-terrorism-pretext-imprison-journalists/](https://www.amnesty.org/en/latest/press-release/2014/05/morocco-stop-using-terrorism-pretext-imprison-journalists/)
- [28] Arabic Network for Human Rights Information et al., "NGOs to Morocco: Drop Charges Against Journalist Ali Anouzla Once and For All", joint statement, 21 January 2016. Available at: [ifex.org/ngos-to-morocco-drop-charges-against-journalist-ali-anouzla-once-and-for-all/](https://www.ifex.org/ngos-to-morocco-drop-charges-against-journalist-ali-anouzla-once-and-for-all/)
- [29] SMEX, "Morocco: A Draft Criminal Law to Penalize Social Media Users", 3 July 2023. Available at: <https://smex.org/morocco-a-draft-criminal-law-to-penalize-social-media-users/>
- [31] Reporters Without Borders (RSF), "Criminal Defamation Charges Against Editor Highlight Repressive Climate in Morocco", 18 October 2023. Available at: [rsf.org/en/criminal-defamation-charges-against-editor-highlight-repressive-climate-morocco](https://www.rsf.org/en/criminal-defamation-charges-against-editor-highlight-repressive-climate-morocco)
- [32] Morocco World News, "Morocco's New Social Media Law: HACA to Expand Authority Under Bensaid's Plan", 16 May 2025. Available at: <https://www.moroccoworldnews.com/2025/05/200662/moroccos-new-social-media-law-haca-to-expand-authority-under-bensaid-s-plan/>
- [33] Le Monde, "Au Maroc, la direction d'Akhbar Al-Yaoum annonce la fermeture du journal", 16 March 2021. Available at: https://www.lemonde.fr/afrique/article/2021/03/16/au-maroc-la-direction-d-akhbar-al-yaoum-annonce-la-fermeture-du-journal_6073289_3212.html
- [34] AfricLaw, "A Decade of Constitutionalised Right to Access Information in Morocco, 2024", 3 July 2024. Available at: <https://www.africlaw.com/2024/07/03/a-decade-of-constitutionalised-right-to-access-information-in-morocco-reflections-on-the-progress-and-challenges/>
- [35] Centre for Law and Democracy, "Morocco: Analysis of Law No. 31-13 on the Right of Access to Information", 19 March 2026. Available at: <https://www.law-democracy.org/resources/morocco-analysis-of-law-no-31-13-on-the-right-of-access-to-information/>
- [36] CNDP, Deliberation n° 351-2013 du 31 mai 2013 on the conditions of application of whistleblowing mechanisms 2013. Available at: <https://www.cndp.ma/wp-content/uploads/2023/01/deliberation-n-351-2013-31-05-2013.pdf>
- [37] Amnesty International, "Morocco: Activists jailed for reporting torture must be released immediately", 14 August 2024. Available at: <https://www.amnesty.org/en/latest/news/2014/08/morocco-activists-jailed-reporting-torture-must-be-released-immediately/>
- [38] Amnesty International Suisse, "Maroc/Sahara occidentale : Lettre pour Wafae Charaf et Oussama Housne", n.d. Available at: <https://www.amnesty.ch/fr/pays/maroc-sahara-occidentale/action-lettre-pour-wafae-charaf-et-oussama-housne>



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RESOURCE, KNOWLEDGE & ADVICE CENTRES

The following trusted organisations provide support, information, or advocacy in relation to whistleblowing and related rights in Morocco:

Transparency Maroc

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