

Code of Criminal Procedure, Law No. 22-01

Reference: Dahir No. 1-02-255 of 25 Rejeb 1423 (3 October 2002) promulgating Law No. 22-01 on criminal procedure, as amended in particular by Law No. 35-11 and Law No. 03-23

Official Bulletin: Official Bulletin (B.O.) No. 5078 of 30 January 2003

Practice areas: Criminal law and business crime

The Code of Criminal Procedure governs judicial police investigations, police custody, public prosecution and civil claims, judicial investigation, trial before the criminal courts, means of recourse and the enforcement of sentences. The recent reform strengthens the rights of the defence and alternatives to prosecution.

Police custody and rights of the defence

- Duration of 48 hours, renewable once with the authorisation of the public prosecutor (special time limits apply for state security and terrorism) (Arts. 66 and 80).
- Right to inform one's family, to be assisted by a lawyer and to consult that lawyer, subject to conditions, from the first hour of police custody.
- Presumption of innocence (Art. 1); acts carried out in breach of the rights of the defence are null and void.

Prosecution and trial

- Simple complaint, complaint with civil-party application before the investigating judge (Art. 92), or direct summons.
- The public prosecutor decides whether to prosecute; conciliation and settlement are possible for certain misdemeanours (Art. 41).
- The Court of First Instance hears misdemeanours, the criminal chamber of the Court of Appeal hears felonies; appeal within ten days (Art. 400).

2025 reform

Law No. 03-23 amended the Code of Criminal Procedure to strengthen assistance by a lawyer, regulate pre-trial detention, expand alternative sentences and modernise digital procedure. The firm applies these new safeguards from the police custody stage.

Key articles

ART. 1

Every person accused or suspected of having committed an offence is presumed innocent until his guilt has been legally established by a decision that has acquired the force of res judicata, following a fair trial affording all legal guarantees. Any doubt benefits the accused.

Points to watch

- Contact a lawyer as soon as you are summoned by the police: statements taken in police custody weigh heavily on what follows.
- The time limit for a criminal appeal (ten days) is very short.
- The victim must join the proceedings as a civil party to obtain compensation before the criminal court.

Sheet prepared by Maître Mouad Lahfaia, lawyer at the Rabat Bar. 69 Rue Tansift, Apt 6, Agdal, Rabat 10090, Morocco · +212 808-507367 · cabinetlahfaia@gmail.com

General information document and unofficial English translation. Only the version published in the Official Bulletin of the Kingdom of Morocco is authoritative; the articles cited may have been amended since this sheet was written. Last updated : 13 October 2026.