Code of Criminal Procedure, Law No. 22-01

Reference: Law No. 22-01 enacted by Dahir No. 1-02-255 of 3 October 2002

Practice areas: Criminal law

> The Code of Criminal Procedure sets out the path of a criminal case: police investigation, the prosecutor's decision, any judicial investigation, trial and appeals. It also sets out the rights of the suspect and of the victim at each stage. This is an unofficial explanatory note; only the Arabic text published in the Official Bulletin is authoritative.

Who this law applies to

The Code concerns anyone involved in a criminal case: suspects and defendants, victims and witnesses, as well as the judges, judicial police officers and lawyers who take part in the proceedings.

The key rules

- Investigations are carried out by the judicial police under the direction of the public prosecutor (King's Prosecutor or Crown Prosecutor General).
- A person held in police custody must be told the reasons for the arrest and their rights, including the right to remain silent and to contact a lawyer.
- The prosecutor decides whether to prosecute: drop the case, refer it to the court or open a judicial investigation led by an investigating judge.
- Pre-trial detention is an exceptional measure; liberty remains the rule.
- The victim may file a complaint, join the proceedings as a civil party and seek compensation before the criminal court.

Key deadlines and figures

- Ordinary police custody: 48 hours, renewable once for 24 hours with the prosecutor's authorisation.
- Longer periods apply to certain serious offences (state security, terrorism).
- Limitation periods for prosecution differ depending on whether the offence is a felony, a misdemeanour or a petty offence.
- Criminal appeal deadlines are short and should be checked as soon as judgment is given.

What it means in practice

What is said and signed during the investigation (police reports) carries significant weight in court. It is therefore essential to know your rights before making any statement and to read every report carefully.

For victims, a precise complaint supported by documents (medical certificate, witness statements, records) makes the investigation and the compensation claim easier.

Reforms and recent developments

The Code came into force in October 2003 and has been amended several times. A major reform, Law No. 03-23 amending and supplementing the Code of Criminal Procedure, was passed by Parliament in 2025 to strengthen the rights of the defence and modernise procedure. The provisions in force at the date of the facts and of the proceedings should always be checked.

When to consult a lawyer

As early as possible: on receiving a summons, in police custody, when brought before the prosecutor or the investigating judge, or when you wish to file a complaint. A lawyer can apply for provisional release, access the case file and prepare the defence or the compensation claim.

Sheet prepared by the office of Maître Malak Elimani, lawyer at the Rabat Bar. Building 13, Rue Al Ijas, Apartment No. 1, ground floor, Hay Riad, Rabat, Morocco · 05 37 56 53 58 · contact@elimaniavocats.com

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