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country summary

Morocco/Western Sahara

Morocco continues to present a mixed picture on human rights. It has made great strides in addressing past abuses, allowed considerable space for public dissent and protest, and reduced gender inequality in the family code. But authorities, aided by complaisant courts, continue to use repressive legislation to punish peaceful opponents, especially those who violate the taboos against criticizing the king or the monarchy, questioning the “Moroccanness” of the Western Sahara, or “denigrating” Islam. The police continue to use excessive force to break up demonstrations, especially in outlying areas.

Controls are particularly tight in the restive and disputed Western Sahara region, which Morocco administers as if it were part of its national territory. A pro-independence movement known as the Polisario Front (Popular Front for the Liberation of the Saguia al-Hamra and Rio de Oro) contests Moroccan sovereignty and demands a referendum on self-determination for the Sahrawi people. The Polisario rejected a Moroccan proposal, presented in April 2007, for enhanced autonomy for the region, mainly because that proposal nowhere mentions a referendum in which independence would be an option.

International observers pronounced Morocco’s multiparty legislative elections in September 2007 to be generally clean, but many attributed the 63 percent abstention rate to a prevailing sense that parliament wields little power relative to the king and the executive branch.

Terrorism and Counterterrorism

Hundreds of suspected Islamist extremists arrested since the Casablanca bombings of May 2003 continue to serve prison terms, despite a series of royal pardons that freed a few hundred of them. The remaining prisoners staged hunger strikes during 2007 to demand their freedom or a review of their convictions, and improvements in

prison conditions. At least 20 of the suspected militants were among the more than 100 prisoners facing death sentences. Many of those rounded up in 2003 were held that year in secret detention for days or weeks, subjected to mistreatment and sometimes torture while under interrogation, and convicted in unfair trials.

Since August 2006, police have arrested at least 500 additional suspected Islamist militants. The intelligence agencies continue to use an unacknowledged detention center at Temara to interrogate some of those suspected of serious offenses, according to numerous reports from detainees and their lawyers. Suspects continue to allege that they have been tortured while under interrogation, although there were fewer complaints of torture and excessive incommunicado pre-arraignment detention in 2007 than in the immediate aftermath of the 2003 Casablanca bombings.

Morocco was on edge after three incidents in March and April 2007 in which would-be suicide bombers in Casablanca narrowly missed inflicting heavy casualties.

The Justice System and Legal Reforms

Police are rarely held accountable for human rights violations. However, in June 2007 a court in al-Ayoun sentenced two policemen to ten years in prison for their role in the beating death of Hamdi Lembarki, a Sahrawi, during political unrest in al-Ayoun in October 2005.

In cases with political overtones, courts routinely deny defendants fair trials, ignoring requests for medical examinations lodged by defendants who claim to have been tortured, refusing to summon exculpatory witnesses, and convicting defendants solely on the basis of apparently coerced confessions. Courts in the cities of Agadir and Ksar al-Kbir convicted and imprisoned seven members of the Moroccan Human Rights Association (Association Marocaine des Droits de l'Homme, AMDH) for "attacking sacred values" by allegedly chanting slogans against the king during May Day marches. Agadir defendants Abderrahim Kerrad and Mehdi Berbouchi attempted unsuccessfully to challenge their own incriminating statements, claiming the police had beaten and threatened them into signing. The court also denied them the opportunity to confront the policeman whose testimony helped to

convict them. The appeals court confirmed their sentence of two years in prison. The court in Ksar al-Kbir sentenced five other AMDH members to three years in prison on the same charges, increased to four years on appeal.

Freedom of Association, Assembly, and Movement

Authorities generally tolerate the work of the many human rights organizations active in Rabat and Casablanca. They also do not hamper foreign human rights organizations visiting Morocco, and often respond to their letters of concern. However, in the Western Sahara, surveillance is tighter, and harassment of rights defenders more common.

Most types of public assemblies require authorization from the Interior Ministry, which can refuse permission if it deems them liable to “disturb the public order.” This discretion is exercised more often when the demonstrators’ agenda is critical of government policies. Although many of the frequent public protests in Rabat run their course undisturbed, baton-wielding police have broken up others with brutality. For example, they forcibly dispersed a small demonstration on June 15, 2007, in front of parliament in Rabat called to demand the release of the imprisoned AMDH members (see above). Police violently dispersed demonstrations in various cities in May by pro-independence Sahrawi students, and courts later sentenced some of them to prison terms on trumped-up charges of engaging in violence.

Repression of public protests was fiercer in the Western Sahara than elsewhere. Police regularly used force to disperse peaceful sit-ins in favor of self-determination, and often used excessive force in responding to incidents when demonstrators lay stones across streets or threw rocks or, very occasionally, threw Molotov cocktails.

Authorities continue to restrict foreign travel for some Sahrawi activists, although such measures have decreased in recent years. Authorities have refused to grant legal recognition to any Sahrawi human rights organization dedicated to exposing Moroccan abuses, and prevented one such group, the Coalition of Sahrawi Human Rights Defenders, from holding its constitutive assembly in al-Ayoun on October 7.

Press Freedom

Media criticism of the authorities is often quite blunt, but is nevertheless circumscribed by a press law that provides prison terms for libel and for expression deemed critical of “Islam, the institution of the monarchy, or [Morocco’s] territorial integrity.”

Since mid-2005, a series of prosecutions of independent weeklies, the most outspokenly critical sector of the Moroccan news media, showed the continuing limits on press freedom. During 2007, authorities tightened those strictures. In January, a court convicted Driss Ksikes and Sanaa al-Aji, publisher and reporter, respectively, at the popular Arabic weekly *Nichane*, for a December 2006 article on how popular jokes reflected Moroccan attitudes about sex, politics, and religion. The court gave them three-year suspended sentences for “denigrating Islam.” The prime minister temporarily suspended the weekly after that issue appeared, invoking his authority under the 2002 press code. In August, prosecutors charged Ahmed Benchemsi, editor of *Nichane* and its sister French-language weekly *TelQuel*, with disrespect for the king, apparently because of a pre-election editorial questioning the king’s commitment to democracy. The interior minister ordered the police to confiscate copies of both publications from printers and newsstands. Benchemsi was still on trial at this writing.

On July 17 police arrested journalist Moustapha Hormatallah of *al-Watan al-Aan* shortly after that weekly published an article about classified government documents regarding terrorism threats in Morocco, reproducing one of the purportedly secret documents. A Casablanca court on August 15 handed Hormatallah an eight-month sentence and magazine publisher Abderrahim Ariri a six-month suspended sentence for “concealing items derived from a crime.”

Family Law

Reforms to the family law enacted in 2004 have raised the minimum age of marriage for women from fifteen to eighteen, made the family the joint responsibility of both spouses, rescinded the wife’s duty of obedience to her husband, expanded access to divorce for women, and placed the practice of polygamy under strict judicial control. In January 2007, Morocco reformed its nationality code to give women the

right to pass their nationality to their children. Concerns remain that these reforms are being implemented at a slow pace.

Children

Child labor is widespread, despite the Labor Code's ban on children under 15 working. Young girls working as live-in servants in private homes are especially vulnerable to abuse, including sexual abuse, and frequently must work up to 100 hours a week without access to education or adequate food and medical care. Authorities rarely punish employers who abuse child domestics, and labor inspectors are not authorized to enter private homes. At this writing draft legislation to regulate employment conditions for domestic workers was still pending.

Large numbers of unaccompanied Moroccan children continue to attempt dangerous and illegal journeys to Europe. On March 6, 2007, Morocco and Spain concluded a readmission agreement that would allow Spain to repatriate an estimated 3000 unaccompanied Moroccan children (see Spain chapter). The agreement lacks explicit safeguards against abuse and provides no independent monitoring of its implementation, despite a pattern of earlier forced returns that exposed children to police abuse and often failed to reunite them with their parents or guardians.

Acknowledging Past Abuses

In 2005, Morocco's Equity and Reconciliation Commission (ERC) issued its report into grave human rights of the past, stimulating taboo-breaking discussions. The ERC provided an official acknowledgement of past repression, gave a long-overdue voice to victims, and elucidated many individual cases. However, non-cooperation by public officials prevented it from resolving other cases. Despite ERC recommendations, authorities took no steps to bring to trial those implicated in past abuse, including some who continue to hold high government posts. Nor has the government implemented the ERC's recommendation that it ratify the International Criminal Court statute and abolish the death penalty. But during 2007 the state did pay compensation to victims of past abuse, pursuant to guidelines established by the ERC.

Key International Actors

In June 2004, the United States designated Morocco “a major non-NATO ally,” easing restrictions on arms sales. The US government-backed Millennium Challenge Corporation (MCC) approved on August 31, 2007, a five-year US\$697.5 million economic aid package to Morocco—the largest grant made by the MCC since its creation in January 2004—to fight poverty and promote economic growth.

In public comments, US officials in 2007 praised Morocco’s commitment to political and economic reform and counterterrorism cooperation. President George W. Bush saluted Morocco along with six other countries that “have recently taken strides toward liberty” in his address before the U.N. General Assembly on September 25. US officials rarely spoke out about human rights problems in Morocco, but the US embassy engaged in some public advocacy in favor of press freedom and reforming laws that criminalize libel.

Morocco has sought a privileged relation with the EU, which is in turn eager for Morocco’s cooperation in combating terrorism and illegal immigration, among other issues. The EU considers Morocco’s process of democratization and consolidation of the rule of law “as the most advanced in the region,” according to its Morocco “Strategy Paper” for 2007-2013. Public criticism by EU officials of Morocco’s human rights practices was rare. In July, the EU and Morocco signed an agreement for €654 million in EU financial aid for the period 2007-2010. The agreement designates “human rights and governance” as one of its priority areas.

France is Morocco’s leading trade partner and the leading source of public development aid and private investments. President Nicolas Sarkozy made a three-day visit to Morocco in October 2007. Addressing parliament on October 23, he evoked “this democratic Morocco” and the “pluralism and openness that Morocco is experiencing today.” He endorsed Morocco’s autonomy plan for the Western Sahara, but said nothing during his visit publicly about continuing human rights problems in Morocco or the disputed Western Sahara region.