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2024 Country Reports on Human Rights Practices: Morocco

EXECUTIVE SUMMARY

There were no significant changes in the human rights situation in Morocco during the year.

Significant human rights issues included credible reports of: torture or cruel, inhuman, or degrading treatment or punishment; arbitrary arrest or detention; and serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists and censorship.

The government took credible steps to identify and punish officials who committed human rights abuses, but official investigations into police and security force abuses lacked transparency and frequently encountered long delays and procedural obstacles that contributed to impunity.

Section 1.

Life

a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

Liberty

a. Freedom of the Press

The constitution generally provided for freedom of expression, including for the press and other media, although speech considered critical of Islam, the monarchy, or the government's positions regarding territorial integrity and Western Sahara was criminalized and could result in punishments ranging from fines to imprisonment. The official press code, which provided for freedom of expression, applied only to journalists accredited by the Department of Communication under the Ministry of Culture, Youth, and Sports, and only for speech or publications in the line of work. Private speech or publications by accredited journalists that violated the law were punishable under the penal code, as was journalistic work by individuals to whom the government did not grant accreditation.

According to the international nongovernmental organization (NGO) Freedom House, the press enjoyed a significant degree of free speech when reporting on economic and social policies, but authorities used an array of financial, legal, and social mechanisms to punish journalists who criticized the government.

The government enforced strict procedures limiting journalists' meetings with NGO representatives and political activists. Foreign journalists were required to request approval from the Ministry of Culture, Youth, and Sports before meeting with political activists. Approval was not always given.

The law criminalized any criticism of Islam, the legitimacy of the monarchy, state institutions, government and military officials, and the government's positions regarding territorial integrity and Western Sahara. Violators were sometimes prosecuted. Amnesty International and Human Rights Watch highlighted numerous cases in which freedom of expression was restricted.

The press code stipulated that online journalism was equivalent to print journalism, but authorities did not observe press protections for online journalists. The government repeatedly warned online journalists to obey the law, leading to self-censorship. Freedom House reported the government also increased its deployment of surveillance technologies and the proliferation of progovernment trolls, which drove many to self-censor. According to Freedom House, internet freedom in the country was tenuous, with online users subject to surveillance, arrests, and harassment for their online activities. "Self-censorship around Western Sahara, the royal family, and religion remain pervasive," alleged Freedom House, and the rapid expansion of state-sponsored progovernment outlets suppressed critical voices online.

In November, economist and human rights activist Fouad Abdelmoumni was charged with "spreading false facts and allegations, contempt of court decisions, and contempt of a body regulated by law" following a post on Facebook in which he claimed the country used migration and security issues to "blackmail" France to secure President Macron's October 28-30 state visit. The government contended that although the constitution guaranteed freedom of opinion and expression, this right could be restricted to ensure "respect of the rights and reputations of others, as well as of the protection of national security, of public order, and of the health of public morality." Abdelmoumni's legal proceedings continued at year's end.

Physical Attacks, Imprisonment, and Pressure

Authorities and other actors subjected some journalists to harassment and intimidation, including attempts to discredit them through harmful rumors about their personal lives. Journalists also reported selective prosecutions served as a mechanism for intimidation and harassment. According to human rights and press freedom advocates, several of the journalists the king pardoned on July 29 on the occasion of Throne Day – whose criminal convictions the groups had criticized as politically motivated – faced online and print defamation, stalking, and harassment after their release and risked being unable to restore their press accreditations if their criminal records were not expunged. The Committee to Protect Journalists reported "intense harassment" of Taoufik Bouachrine, Hicham Raissouni, and Omar Radi, much of it in progovernment media.

Censorship by Governments, Military, Intelligence, or Police Forces, Criminal Groups, or Armed Extremist or Rebel Groups

Self-censorship and government restrictions on sensitive topics remained serious hurdles to the development of a free, independent, and investigative press. Publications and broadcast media required government accreditation, and the government could deny and revoke accreditation as well as suspend or confiscate publications that breached public order or criticized Islam, the institution of the monarchy, or the government's positions on territorial integrity. While the government rarely censored the domestic press, it exerted pressure through written and verbal warnings and by pursuing legal cases that resulted in heavy fines, suspended publication, and imprisonment.

b. Worker Rights

Freedom of Association and Collective Bargaining

The constitution provided for the right of workers to form and join unions, strike, and bargain collectively, but with some restrictions. The law prohibited certain categories of government employees, including members of the armed forces, police, and some members of the judiciary, from forming and joining unions and from conducting strikes. The law excluded migrant workers from assuming leadership positions in unions. The labor code did not fully cover domestic workers or agricultural workers.

The law prohibited antiunion discrimination and prohibited companies from dismissing workers for participating in legitimate union-organizing activities. Courts had the authority to reinstate workers dismissed arbitrarily and could enforce rulings that compel employers to pay damages and back pay. Trade unions complained that the government at times used the penal code to prosecute workers for striking and to suppress strikes. The law gave the government power to unilaterally dissolve or deregister unions.

The government generally respected freedom of association for labor unions and the right to collective bargaining. Employers limited the scope of collective bargaining, frequently setting wages unilaterally for most unionized and nonunionized workers. The law allowed independent unions to exist but limited collective bargaining rights to those representing 35 percent or more of the workforce within an enterprise. Unions could legally negotiate with the government on national-level labor issues. At the sectoral level, trade unions negotiated with private employers concerning minimum wage, compensation, and other concerns. Labor disputes were common and, in some cases, resulted from employers failing to implement collective bargaining agreements and withholding wages. Penalties were sometimes applied against violators.

The law concerning strikes required compulsory arbitration of disputes, prohibited sit-ins, and called for a 10-day notice of a strike. The government could intervene in strikes by choosing to criminalize them. A strike could not occur regarding matters covered in a collective contract for one year after the contract commenced. The government had the authority to disperse strikers in public areas not authorized for demonstrations and to prevent the unauthorized occupancy of private space.

Most union federations were affiliated with political parties, but unions were generally free from government interference.

Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Acceptable Work Conditions

Wage and Hour Laws

The minimum wage was above the official poverty line. The law provided for a 44- to 48-hour maximum workweek with no more than 10 hours' work in a single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including limitations on night work for women and minors. The law prohibited excessive overtime, but many employers did not observe the legal provisions regulating conditions of work.

The domestic worker law outlined rights and working conditions for such workers, including limits on working hours and a minimum wage. The law established a conciliation process for labor inspectors to handle disputes between domestic workers and their employers, but the law lacked time limits for a resolution.

Occupational Safety and Health

The Ministry of Employment and Vocational Integration set and enforced rudimentary occupational safety and health (OSH) standards. In the formal sector, workers could remove themselves from situations that endangered health or safety without jeopardy to their employment, and authorities effectively protected employees in such situations. In the event of a violation of regulatory provisions relating to health and safety at work, labor inspectors referred the matter to the court of first instance. The government was responsive to workers' OSH complaints; however, concerns were sometimes inconsistently addressed.

The labor code prohibited any employee to use a machine without its associated protective devices being in place and also prohibited asking an employee to use such a machine. The code also had specific provisions relative to certain activities that used certain chemicals likely to pose a health threat, such as benzene or asbestos. There were also texts that governed protection measures in certain sectors, notably construction and mining.

Wage, Hour, and OSH Enforcement

The Ministry of Labor did not effectively enforce basic provisions of the labor code, such as payment of the minimum wage and other basic benefits under the National Social Security Fund, or OSH regulations. The number of labor inspectors, 500 in total, was unchanged since 2002 and insufficient to enforce compliance. Labor inspectors visited companies of all sizes, including companies that employed fewer than five employees, and were authorized to conduct unannounced inspections. Inspectors could not independently levy fines or other punishment. Only action by the public prosecutor that resulted in a judicial decree could force an employer to take remedial actions. Enforcement procedures were subject to lengthy delays and appeals. The law sanctioned employers who hired employees who did not meet the minimum age, ranging from a fine to up to three months of imprisonment.

Penalties for violations were not commensurate with those for similar crimes, such as fraud, and were sometimes applied against violators. Penalties for violating the Domestic Worker Law ranged from fines to one to three months of imprisonment in cases of repeated offenses. Penalties under the domestic worker law were sometimes applied against violators.

The Higher Commission for Planning reported in June 2023 that informal employment represented 67.6 percent of the overall workforce. The largest informal sectors were agriculture, textiles, and temp agencies. Employees in the informal sector were protected by the labor code.

c. Disappearance and Abduction

Disappearance

There were no reports of enforced disappearances by or on behalf of government authorities during the year.

Prolonged Detention without Charges

The law prohibited arbitrary arrest and detention and provided for the right of any person to challenge in court the lawfulness of their arrest or detention and request compensation by submitting a complaint to the court. The UN Working Group on Arbitrary Detention (WGAD) identified several cases of arbitrary detention in the country, including the detention of 18 Sahrawi individuals in connection with the 2010 dismantling of the Gdeim Izik camp in Western Sahara, during which 11 security officials and more than 30 protesters were killed. The WGAD recommended that the individuals be freed immediately.

The law permitted police to conduct arrests without warrants under certain circumstances but required that evidence of the alleged crime be presented to a prosecutor immediately.

The law permitted authorities to deny defendants' access to counsel or family members during the initial 96 hours of detention under terrorism-related laws or during the initial 24 hours of detention for all other charges, which could be extended by 12 hours with approval of the Prosecutor's Office. Authorities did not consistently respect these limits. Reports of abuse were more likely to occur during police interrogations in these initial detention periods when detainees did not have access to counsel.

In ordinary criminal cases, the law required police to notify a detainee's next of kin of an arrest immediately after the above-mentioned period of incommunicado detention, unless arresting authorities applied for and received an extension from a prosecutor. Police did not always implement this requirement; in some cases, families and lawyers reported they were not able to monitor compliance with detention limits or treatment of the detainee.

The law allowed initial detention of a terrorism suspect for 96 hours, extendable twice for 96 hours each time, before charges were brought. The suspect had a right to a 30-minute visit by a lawyer, which the public prosecutor could delay for up to 48 hours starting from the end of the initial custody period. In non-terrorism-related cases the lawyer's visit could occur no later than the midpoint of the 48-hour detention period; that detention period could be extended once for 24 hours. The UN Working Group on Arbitrary Detention (WGAD) identified several cases of arbitrary detention in the country, including the detention of political activist Nasser Zefzafi since 2017 and the detention of 18 individuals over the 2010 dismantling of the Gdeim Izik camp in Western Sahara.

At the conclusion of the initial police detention, a prosecutor would decide whether to release the individual for lack of cause, release the individual on bail pending further investigation, or recommend pretrial detention during the investigation. Pretrial detention orders were issued by investigative judges. For misdemeanors, an investigative judge could order a detention period of one month, with two possible one-month extensions. For felonies, an investigative judge could order a two-month detention, with five possible two-month extensions. At the end of this period, the investigative judge had to choose to file charges, drop the case, or release the individual pending additional investigation. Authorities generally respected these timelines. NGO sources stated that some judges were reluctant to use provisional release, bail, or other alternative diversion programs permitted under the law, such as in cases involving drug use. Bail could be requested at any time before the verdict.

d. Violations in Religious Freedom

See the Department of State's annual *International Religious Freedom Report* at https://www.state.gov/religiousfreedomreport/.

e. Trafficking in Persons

See the Department of State's annual *Trafficking in Persons Report* at https://www.state.gov/trafficking-in-persons-report/.

Section 3.

Security of the Person

a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and the law prohibited such practices, but there were credible reports government officials employed them.

Government institutions and NGOs received reports regarding mistreatment of individuals in official custody. The Public Prosecutor's Office received six complaints alleging torture in the first half of the year. Two complaints were closed and four remained under investigation as of October. Four officials were prosecuted for using violence. Two were sentenced to six months in prison and a fine of 5,000 Moroccan dirhams ($500), while the other cases continued at year's end. Two other officials were prosecuted for insults and verbal abuse.

b. Protection of Children

Child Labor

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/ .

Child Marriage

The legal age for marriage was 18, but parents could secure a waiver from a judge for underage marriage. During the first half of the year, 6,685 requests for underage marriages were submitted, with 3,930 of them approved. The government maintained a national awareness-raising campaign against the marriage of minors.

c. Protection to Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, and other persons of concern. The government also provided funding to humanitarian organizations to provide social services to refugees and asylum seekers.

Provision of First Asylum

The law provided for the granting of refugee status. The government recognized asylum status for refugees designated according to the UNHCR statute. As of September, there were approximately 20,000 refugees and asylum seekers registered with UNHCR.

The government deemed UNHCR the sole agency entitled to perform refugee status determinations and verify asylum cases. UNHCR referred recognized refugees to the government's interministerial Commission in Charge of Hearings for Asylum Seekers. Authorities then interviewed UNHCR-recognized refugees and worked with the government to issue them refugee identification cards. Due to large backlogs, most recognized refugees lacked these cards.

The government encouraged the return of Sahrawi refugees from Algeria and elsewhere if they acknowledged the government's sovereignty over Western Sahara. Refugees wishing to return were required to obtain the appropriate travel or identity documents at a Moroccan consulate abroad, often in Mauritania.

Resettlement

The government facilitated voluntary migrant returns with the support of the International Organization for Migration. The government maintained that the return of third-country nationals to their country of origin was coordinated with diplomatic missions that endorsed these departures and issued the appropriate documentation.

d. Acts of Antisemitism and Antisemitic Incitement

Community leaders estimated the size of the Jewish population at 1,500.

The constitution recognized the Jewish community as part of the country's population and guaranteed everyone the freedom to "practice his religious affairs." Jewish citizens stated they lived and worked freely and were able to attend services in synagogues openly and in safety. Nevertheless, some members of the community expressed concern regarding increased antisemitism after the October 2023 Hamas terrorist attack on Israel and the war in the Gaza Strip.

e. Instances of Transnational Repression

There were reports the government engaged in transnational repression.

Threats, Harassment, Surveillance, or Coercion

Human rights organizations reported the government harassed and surveilled human rights activists outside the country. The UN Office of the High Commissioner for Human Rights continued to receive allegations relating to "human rights violations, including intimidation, surveillance and discrimination against Sahrawi individuals particularly when advocating for self-determination."