

Freedom in the World 2014 - Morocco

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2014 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 4.5

Civil Liberties (1 = best, 7 = worst): 4

Political Rights (1 = best, 7 = worst): 5

Explanatory Note:

The numerical ratings and status listed above do not reflect conditions in Western Sahara, which is examined in a separate report.

OVERVIEW

The struggling economy led to several demonstrations and riots including a September 22 protest in Rabat over the rising prices of fuel and foodstuffs. The demonstration consisted of a wide coalition of youth, labor, and Tamazight (Berber) protesters. The government fell in July when the centrist Istiqlal Party pulled out of the governing coalition over the government's handling of the economy. In October, a new government was formed when the National Rally of Independents (RNI) joined a new coalition.

In a particularly embarrassing moment for King Mohammed VI, a convicted child rapist was accidentally released in July as part of broader amnesty of political prisoners. The mistaken release of Daniel Galván Viña, who had been convicted in 2011 of raping 11 children, appeared to be a combination of clerical error and diplomatic bungling with the Spanish foreign ministry. Although the pardon was revoked, widespread and violent protests took place in Casablanca and, especially, Rabat.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 15 / 40 (-1)

A. Electoral Process: 5 / 12

Mohammed VI and his close advisors, often referred to as the *Makhzen*, hold political, social, and economic power in Morocco. The 2011 constitutional referendum was the last in a series of constitutional reforms the palace has engineered since the 1962 constitution. To be sure, the reform was significant. While it preserved the monarch's existing powers, it did nonetheless require him to choose the prime minister from the party that won the most seats in parliamentary elections, and consult the prime minister before dissolving Parliament. Other provisions included giving official status to Tamazight (Berbers), calling for gender equality, and emphasizing respect for human rights.

Even under the 2011 constitution, the monarch can dissolve Parliament, rule by decree, and dismiss or appoint cabinet members. He sets national and foreign policy, commands the armed forces and intelligence services, and presides over the judicial system. One of the king's constitutional titles is "commander of the faithful," giving his authority a claim to religious legitimacy. The king is also the majority stakeholder in a vast array of private and public sector firms; according to *Forbes*, Mohammed VI is worth \$2.5 billion, making him one of the world's wealthiest people.

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve for five-year terms. Sixty of these seats are reserved for women, and 30 for men under age 40. Members of the 270-seat upper house, the Chamber of Counselors, are chosen by an electoral college to serve nine-year terms. Under a rule that took effect in 2009, women are guaranteed 12 percent of the seats in local elections.

Parliamentary elections held in November 2011 resulted in a victory for the Justice and Development Party (PJD), with the Istiqlal placing second, followed by the National Rally of Independents, the Modernity and Authenticity Party, the socialist Social Union of Popular Forces (USFP), the Popular Movement, the Constitutional Union, the Party of Progress and Socialism (PPS) and ten small parties. Prime Minister Abdelilah Benkirane's PJD formed a coalition with the Istiqlal, the Popular Movement, and the PPS in January 2012. The government held office until July 2013, when the Istiqlal withdrew in protest of the PJD's handling of the economy. A new government took office in October, with the previously oppositional RNI joining the coalition.

B. Political Pluralism and Participation: 7 / 16

Morocco exhibits a multi-party system, a system developed by the current king's father, Hassan II. Multi-party politics ran contrary to the single-party rule evident in so many newly independent countries in the 1950s and 60s. Although such pluralism is laudable, the result is that the parties are fragmented and generally unable to assert themselves. The PJD, which won the 2011 parliamentary vote, has long been a vocal opposition Islamist party, even as it remained respectful of the monarchy. The Islamist Justice and Charity Movement, by contrast, is illegal, though it is deftly tolerated by the authorities. Other Islamist groups are harassed by authorities and not permitted to participate in the political process. Parties emerge and disappear periodically, depending on reformation and fractures, as well as individual politician's careerist maneuvers.

C. Functioning of Government: 3 / 12 (-1)

Elected officials of government are duly installed in government, although their power to shape policy is sharply constrained as the king and his advisers control most of the levers of power.

Despite the government's rhetoric on combating widespread corruption, it remains a problem, both in public life and in the business world. In the 2012 book, *Le Roi Prédateur*, journalists Catherine Graciet and Éric Laurent leveled sharp charges of corruption at the palace. Morocco was ranked 91 out of 177 countries and territories surveyed in Transparency International's 2013 Corruption Perceptions Index. In the November 2011 elections, the PJD ran on an anti-corruption platform, although it has found it challenging to root out graft. One of the deepest structural impediments is the king's own role in the economy; the king is the majority stakeholder in a vast array of private and public sector firms.

Civil Liberties: 27 / 60

D. Freedom of Expression and Belief: 8 / 16

Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use restrictive press laws and an array of financial and other, more subtle mechanisms to punish critical journalists, particularly those who focus on the king, his family, the status of the Western Sahara, or Islam. For example, the monarchy has instructed businesses not to buy ads in publications that have criticized the government.

Journalists have also been harassed, including Hamid Naïmi, who has investigated corruption and the marginalization of the Berber population in the northern Rif region, and Mohamed Sokrate, a blogger who has written sympathetically about the February 20 movement and advocates secularism.

The state dominates the broadcast media, but people have access to foreign satellite television channels. The authorities occasionally disrupt websites and internet platforms, while bloggers and other internet users are sometimes arrested for posting content that offends the monarchy. Youssef Jalili was convicted of defamation in January 2013 after reporting the misuse of public funds by a government official. Ali Anouzla, the founder and director of the Arabic edition of *Lakome*, was arrested in September after he posted a link to an article on the website of the Spanish newspaper *El Pais* which contained an Al Qaeda video. Anouzla had also broken the story on the release of the Spanish rapist Galvan. In October he was released, but the Arabic and French versions of *Lakome* remain blocked by authorities.

Nearly all Moroccans are Muslims. While the small Jewish community is permitted to practice its faith without government interference, Moroccan authorities are growing increasingly intolerant of social and religious diversity, as reflected in arrest campaigns against Shiites, Muslim converts to Christianity, and those opposed to a law enforcing the Ramadan fast.

While university campuses generally provide a space for open discussion, professors practice self-censorship when dealing with sensitive topics like Western Sahara, the monarchy, and Islam.

E. Associational and Organizational Rights: 6 / 12

Freedom of assembly is not always respected, though frequent demonstrations by unemployed graduates and unions are generally tolerated. Although such protests often occur without incident, activists say they are harassed outside of public events. As noted, the February 20 movement was deemed illegal by a Casablanca judge in July 2012.

Civil society and independent nongovernmental organizations are quite active, but the authorities monitor Islamist groups, arrest suspected extremists, and harass other groups that offend the government. Moroccan workers are permitted to form and join independent trade unions, and the 2004 labor law prevents employers from punishing workers who do so. However, the authorities have forcibly broken up labor actions that entail criticism of the government, and child laborers, especially girls working as domestic helpers, are denied basic rights.

F. Rule of Law: 6 / 16

The judiciary is not independent, and the courts are regularly used to punish opponents of the government. Arbitrary arrest and torture still occur, though they are less common than under Hassan. The security forces are given greater leeway with detainees advocating independence for Western Sahara, leading to frequent reports of abuse and lack of due process.

Police brutality and torture often goes uninvestigated. Ali Aarrass, who is serving a 12-year prison sentence after confessing to terrorism charges while allegedly being tortured, began a hunger strike in July that lasted nearly a month in protest to being ill-treated and not having been given a fair trial. His hunger strike ended on August 7 when Moroccan authorities assured lawyers and representatives from the Moroccan National Council for Human Rights he would receive due process. The government has also continued to accept payment from the EU to stop migrants at the northern border with Ceuta and Melilla, as well as to thwart passage across the Strait of Gibraltar and the passage to the Canary Islands. Human rights abuses are extensive against the transient population; according to a wide array of sources, the EU turns a blind eye to Moroccan human rights abuses.

G. Personal Autonomy and Individual Rights: 7 / 16

Many Moroccans have a mixed Tamazight (Berber) ancestry and the government has officially recognized Tamazight language and culture.

Women continue to face significant discrimination at the societal level. However, Moroccan authorities have a relatively progressive view on gender equality, which is recognized in the 2011 constitution. The 2004 family code has been lauded for granting women increased rights in the areas of marriage, divorce, and child custody, and various other laws aim to protect women's interests. But significant problems persist. Article 475 allows rapists to escape prosecution if they marry their victims. In March 2012, Amina Filali committed suicide by ingesting rat poison after being forced to marry her rapist. Subsequent protests led to a proposal in January 2013 to repeal Article 475. In addition, Article 486 treats rape as a matter of mere indecency, rather than violence. Additional efforts are being advocated for criminalizing marital rape. By December, progress was reported in both houses of parliament to amend Article 475 – removing the ability to avoid prosecution by marrying the victim.

Finally, in October two 15-year-old boys and a 14-year-old girl were detained in Nador after posting a photo of one of the boys kissing the girl on Facebook. They were charged with public indecency under Article 484 of the penal code. A wave of solidarity spread, with people holding kiss-ins throughout the country and abroad. In November a court issued a reprimand.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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