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country summary

Morocco and Western Sahara

In 2010 human rights conditions in Morocco and Western Sahara were mixed, and in some aspects, decidedly poor. The government used repressive legislation and complaisant courts to punish and imprison peaceful opponents, especially those who violated taboos and laws against criticizing the king and the monarchy, questioning Morocco's claim over Western Sahara, or "denigrating" Islam.

The government particularly restricts rights in the restive Western Sahara region, over which Morocco claims sovereignty, and which it administers as part of its national territory. A Western Sahara independence movement based in exile, the Popular Front for the Liberation of Saguía al-Hamra and Río de Oro (the Polisario Front), demands a public referendum that includes the option of independence. Over the years the Moroccan authorities have imprisoned many peaceful advocates of this position while instead proposing autonomy under Moroccan sovereignty.

Terrorism and Counterterrorism

Hundreds of suspected Islamist extremists arrested in the aftermath of the Casablanca bombings of May 2003 remain in prison. Many were convicted in unfair trials after being held in secret detention and subjected to mistreatment and sometimes torture. Some were sentenced to death, a punishment that Morocco has not abolished even though it has not been carried out since 1993. Since further terrorist attacks in 2007, police have arrested hundreds more suspected militants, many of whom were convicted and imprisoned for belonging to a "terrorist network" or preparing to join "the jihad" in Iraq or elsewhere.

Intelligence agencies continued to interrogate terrorism suspects at an unacknowledged detention center at Temara, near Rabat, according to reports from detainees. Many suspects alleged that police tortured them under interrogation, while holding them in pre-charge custody for longer than the 12-day maximum the law provides for terrorism cases. For example, several men arrested in and around Casablanca in March and April for suspected al Qaeda links told Human Rights Watch that plainclothes agents who showed no warrants or identification arrested, blindfolded, and transported them to a secret location, which they believe was the Temara facility, and held and interrogated them for up to 36 days before

transferring them to a regular police jail. Most said that they suffered torture. The government formally denied these allegations to Human Rights Watch and stated that the arrests and detentions in these cases were conducted according to the law.

In August tapes recorded by the United States CIA were made public showing that the US had in 2002 transported terrorism suspect Ramzi Benalshibh to Morocco for interrogation in a secret Moroccan-run facility, before flying him to Guantanamo. Moroccan authorities deny operating secret jails.

Confronting Past Abuses

Following the pioneering work Morocco's Equity and Reconciliation Commission (ERC) completed in 2005, the government acknowledged responsibility for "disappearances" and other grave abuses in the past, and compensated some 16,000 victims or their relatives. However, no Moroccan officials or security force members are known to have been prosecuted for rights violations committed during the period from 1956 to 1999 that the ERC investigated, and the government has yet to implement most of the institutional reforms the ERC recommended to safeguard against future abuses. In September the government said it would convert some notorious former secret prisons into memorials for the "preservation and rehabilitation of memory."

Police Conduct and the Criminal Justice System

Courts seldom provide fair trials in cases with political overtones. Judges routinely ignore requests for medical examinations from defendants who claim to have been tortured, refuse to summon exculpatory witnesses, and convict defendants on the basis of apparently coerced confessions. On July 16 the Rabat Court of Appeals upheld the 2009 conviction of all 35 defendants—in a trial known as the Belliraj case—on charges that included forming a terrorist network. The court maintained the life sentence imposed on alleged ringleader Abdelkader Belliraj while reducing the sentences for five codefendants who were political figures to 10 years in prison. As in the first trial the appeals court based the guilty verdicts almost entirely on the defendants' "confessions" to the police, even though most of the defendants had repudiated these statements in court. The court refused to investigate the defendants' allegations of torture, detention in secret jails, and the falsification of confessions.

The authorities jailed prominent nonviolent pro-independence Sahrawi activists Ali Salem Tamek, Brahim Dahane, and Ahmed Naciri after arresting them on October 8, 2009. Four other Sahrawi activists arrested at the same time were later released pending trial. The police arrested the seven upon their return from an unprecedented public visit with the

Polisario leadership in the Sahrawi refugee camps near Tindouf, Algeria. A Casablanca judge initially referred the case against the seven to a military court on the grounds that the alleged offenses included harming "external state security" by "causing harm to Morocco's territorial integrity," but nearly one year later the military judge sent the case back to civilian court on the lesser charge of "harming [Morocco's] internal security." The trial opened on October 15 and was immediately postponed as three of the defendants entered their second year in provisional detention.

Sahrawi students Abdellah Daihani and Ali Toumi left prison in April after serving six months for "insulting state institutions." Their offense consisted of proclaiming that they recognized neither the Moroccan police nor the state during a political argument with other passengers on a train.

Freedoms of Association, Assembly, and Movement

Morocco boasts thousands of independent associations, but government officials arbitrarily impede the legalization of some organizations, undermining their freedom to operate. Groups affected include some that defend the rights of Sahrawis, Amazighs (Berbers), sub-Saharan immigrants, and unemployed university graduates, as well as charitable, cultural, and educational associations whose leadership includes members of Justice and Spirituality, a nationwide movement that advocates for an Islamic state and questions the king's spiritual authority.

The government, which does not recognize Justice and Spirituality as a legal association, tolerated many of its activities but prevented others. On June 28 the police arrested seven movement members in Fez after an ex-member claimed they had abducted and tortured him. According to the suspects, the police tortured them and forced them to sign confessions without reading them first. A medical examination conducted on one of the defendants noted that he had injuries that seemed to coincide with his period in police custody. The seven men are on trial for abduction and torture at this writing.

The government generally tolerates the work of the many human rights organizations active in Rabat and Casablanca, but individual activists sometimes paid a heavy price for whistleblowing. Chekib el-Khayari, president of the Association for Human Rights in the Rif, has been serving a three-year term since February 2009 for "gravely insulting state institutions" and minor currency violations. The authorities arrested him after he accused certain Moroccan officials of complicity in narcotics trafficking. A Casablanca appeals court on November 24, 2009 confirmed the verdict.

Retired Col.-Maj. Kaddour Terhzaz, born in 1937, remains incarcerated after a military court convicted him in a one-day trial in November 2008 for disclosing "national defense secrets," solely because of a 2005 letter he had addressed to the king that criticized what he saw as Morocco's shabby treatment of pilots who had been held as prisoners of war by the Polisario.

Authorities generally do not hamper the activities of foreign human rights groups visiting Morocco. Surveillance is tighter in Western Sahara, although authorities in El-Ayoun eased the requirement they imposed in 2009 that foreigners notify them before visiting Sahrawi activists at home.

Sahrawi activists enjoyed more freedom to travel abroad than in 2009, with fewer reports of authorities confiscating or refusing to renew their passports or preventing them from boarding flights.

Most types of outdoor gatherings require authorization from the Interior Ministry, which can refuse permission if it deems them liable to "disturb the public order." Although many public protests run their course undisturbed, baton-wielding police have brutally broken up some demonstrations. Among the most frequent targets are the protests organized across the country by chapters of the National Association of Unemployed University Graduates. For example, on March 31, security forces charged and dispersed a sit-in by the association in Nador, injuring several and briefly detaining four of the organizers.

In early October several thousand Sahrawi residents of El-Ayoun, Western Sahara, erected a tent camp outside the city to dramatize a list of economic grievances. Authorities negotiated with camp leaders but early on November 8 ordered the protesters to leave and then dismantled their tent city by force, using mostly water cannons and tear gas. They encountered some violent resistance and there were casualties among the security forces and civilians. Sahrawis in the city of El Ayoun erupted in protest the same day, with further casualties on both sides, including scores of Sahrawi men and women whom the police beat brutally while in custody. At this writing Human Rights Watch is investigating these events.

Media Freedom

Morocco's independent print and online media investigate and criticize government officials and policies but face prosecution and harassment when they cross certain lines. The press law includes prison terms for "maliciously" spreading "false information" likely to disturb the public order or for speech that is defamatory, offensive to members of the royal family, or

that undermines "Islam, the institution of the monarchy, or territorial integrity," that is, Morocco's claim on Western Sahara.

The independent, provocative Arabic daily *Akhbar al-Youm* was reborn as *Akhbar al-Youm al-Maghrebiya* after a court shut the newspaper down on October 30, 2009 for publishing a cartoon that depicted a cousin of King Mohammed VI in an allegedly disrespectful fashion. However, the narrow field of serious independent news media lost key publications in 2010 with the closures, for financial reasons, of *Nichan* and *Le Journal*/weeklies and *al-Jarida al-Oula* daily. The latter two had in recent years been the object of numerous prosecutions, some of them politically motivated, for defamation and other offenses.

The king on June 12 pardoned the only journalist in prison during the first half of 2010, Driss Chahtane, editor of *al-Mish'a*/weekly. Chahtane had served eight months of a one year sentence for "maliciously" publishing "false news" about the king's health.

Moroccan state television provides some room for investigative reporting but little for direct criticism of the government or for dissent on key issues. In May the Ministry of Communication announced that foreign stations, which have a large viewership in Morocco, must obtain authorization before filming outside the capital. The ministry refused for the second straight year to accredit two local Al Jazeera correspondents without providing a reason and then, on October 29, announced the suspension of the channel's activities in Morocco on the grounds that the channel "seriously distorted Morocco's image and manifestly damaged its greater interests, most notably its territorial integrity," an apparent allusion to Western Sahara.

Religious and Cultural Freedoms

During 2010 Morocco summarily expelled over 100 Protestant foreign nationals among the several hundred living legally in the country. The authorities orally informed some that they had violated laws against proselytizing, but did not charge them before forcing them to leave. In other cases, the authorities told the persons their departures were "an urgent necessity for state or public security," a legal formulation that allows immediate expulsions without charges or due process.

The Interior Ministry issued a circular in April 2010 that made it easier for parents to register Amazigh (Berber) first names for their newborns. But civil registrars continued to reject Amazigh names in isolated cases, prompting calls from Amazigh activists for the ministry to ensure that all civil registrars heed the new circular.

Human Rights Violations by the Polisario

On September 21 the Polisario arrested Mostapha Selma Sidi Mouloud, a Sahrawi refugee residing in the Tindouf camps in Algeria, upon his return from Moroccan-controlled Western Sahara, where he had publicly announced his support for Morocco's proposal to maintain sovereignty over the region while granting it a measure of autonomy. The Polisario said they had arrested Selma for "espionage" and "treason," but on October 6 announced his release. At this writing he remains under Polisario auspices while the United Nations High Commissioner for Refugees work to resettle him in a place of his choosing.

Key International Actors

In 2008 the European Union gave Morocco "advanced status," placing it a notch above other members of the EU's "neighbourhood policy." Morocco is the biggest Middle Eastern beneficiary of EU aid after Palestine, with €580 million (approximately US\$808 million) earmarked for 2011-2013.

France is Morocco's leading trade partner and source of public development aid and private investment. France increased its Overseas Development Assistance to €600 million for 2010-2012. France rarely publicly criticized Morocco's human rights practices and openly supported its autonomy plan for Western Sahara.

The US provides financial aid to Morocco, a close ally, including a five-year \$697 million grant beginning in 2008 from the Millennium Challenge Corporation to reduce poverty and stimulate economic growth. On human rights, the US continued to publicly praise Morocco's reform efforts and advances made by women. The State Department's Counterterrorism Report for 2009 sent Morocco the wrong signal by favorably noting its convictions of alleged terrorists without mentioning the repeated fair-trial violations in such cases. Officials from the US embassy in Rabat told Human Rights Watch that they urged Morocco to reform its press code, provide due process to expatriate Christians facing expulsion, and apply its law on associations more consistently, including by recognizing Sahrawi human rights NGOs that currently lack legal status.

The UN Security Council in April 2010 renewed the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for one year but once again declined to enlarge that mandate to include human rights observation and protection. Morocco opposes giving MINURSO such a mandate, whereas the Polisario says it supports it.

King Mohammed VI announced in 2008 that Morocco would lift its reservations to the Convention for the Elimination of All Forms of Discrimination against Women, but that has yet to happen at this writing. Morocco has not ratified the Rome Statute for the International Criminal Court or the Convention for the Protection of All Persons against Enforced Disappearances, although it helped to draft the latter.