

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	266
Land:	Marokko-Vestsahara
Kilde:	Freedom House
Titel:	Freedom in the World 2020 – Morocco
Udgivet:	8. april 2020
Optaget på baggrundsmaterialet:	12. juni 2020



FREEDOM IN THE WORLD 2020

Morocco

PARTLY FREE

37

/100

<u>Political Rights</u>	13/40
<u>Civil Liberties</u>	24/60

LAST YEAR'S SCORE & STATUS

39 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Morocco holds regular multiparty elections for Parliament, and reforms in 2011 shifted some authority over government from the monarchy to the elected legislature. Nevertheless, King Mohammed VI maintains dominance through a combination of substantial formal powers and informal lines of influence in the state and society. Many civil liberties are constrained in practice.

Key Developments in 2019

- In July, a court in Salé issued death sentences for three men convicted of the December 2018 murders of two Scandinavian women hikers in the Atlas Mountains. Authorities characterized the killings as an attack by the Islamic State militant group.
- Prominent journalist Hajar Raissouni was arrested in August with her fiancé and charged with extramarital sex and obtaining an illegal abortion. Each was sentenced in September to one year in prison, with the court rejecting evidence that Raissouni was not pregnant and was being treated for a blood clot. She, her fiancé, and her doctors all received royal pardons in October.
- Teachers' unions organized a series of protests during the year to demand better working conditions, at times drawing harsh police responses.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

1 / 4

Constitutional reforms in 2011 required the king to appoint the prime minister from the party that wins the most seats in parliamentary elections, but the reforms preserved nearly all of the king's existing powers. The monarch can disband the legislature, rule by decree, and dismiss or appoint cabinet members.

After the 2016 parliamentary elections, political disagreement over the composition of a new government consumed more than five months. In 2017, King Mohammed VI finally used his royal prerogative to appoint Saad Eddine Othmani, a former Party of Justice and Development (PJD) foreign minister, as prime minister, replacing Abdelilah Benkirane, also of the PJD. However, technocrats loyal to the palace obtained key economic portfolios, and the PJD was similarly excluded from the “strategic ministries” of interior, foreign affairs, justice, and Islamic affairs.

The Party of Progress and Socialism (PPS) left the governing coalition in early October 2019, and a new cabinet was announced later that month. The palace engineered a cabinet that was reduced in size, from 39 to 23 ministers, and numerous technocrats were appointed, though some of the most important ministries remained essentially unchanged.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

2/4

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve for five-year terms. Of these, 305 are elected from 92 multimember constituencies. The remaining 90 are elected from a single nationwide constituency, with 60 seats reserved for women and 30 for people under the age of 40. Members of the 120-seat upper house, the Chamber of Counselors, are chosen by an electoral college—made up of professional, labor, and business organizations as well as local and regional officials—to serve six-year terms.

In the 2016 parliamentary elections, the PJD placed first with 125 seats in the Chamber of Representatives, followed by the royalist Party of Authenticity and Modernity (PAM) with 102. Both increased their share of seats compared with 2011.

Istiqlal fell by 14 seats to 46; the National Rally of Independents (RNI) declined by 15 seats to 37; the Popular Movement (MP) dropped 5 seats to 27; and the Socialist Union of Popular Forces (USFP) fell by 19 seats to 20. The PPS won 12 seats, a decline of 6. Official turnout was 43 percent of registered voters, lower than the 45 percent in 2011 and representing only 23 percent of eligible voters.

Authorities placed limits on some foreign observers of the elections, and instances of vote buying and other irregularities were reported, but the elections provided a degree of genuine choice to voters.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	2/4
--	------------

The constitutional and legal framework allows for competitive legislative elections, but the transparency of the process is not guaranteed. Elections are overseen by the Interior Ministry, with some participation by the Justice Ministry, rather than an independent electoral commission. Approximately three million Moroccans live abroad, and the electoral laws made it exceedingly difficult for voters outside of Morocco to cast their ballots in 2016.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	2/4
--	------------

Morocco has a vibrant multiparty system, but the parties are generally unable to assert themselves relative to the power of the palace. Of the two largest parties, the PJD polls strongly in urban areas, while the PAM dominates rural areas. Smaller parties tend to be unstable and are sometimes built around the personalities of their leaders.

Justice and Charity (Al-Adl wa al-Ihsan) is an illegal Islamist movement that does not participate in elections. Nevertheless, it enjoys widespread support, and authorities largely tolerate its other activities. More recent social movements such as the reformist February 20th Movement, which emerged from the 2011 Arab Spring protests, and Hirak Rif, a campaign against inequality that began in the country's largely Amazigh (Berber) Rif region in 2016, also enjoy considerable popular support, but they have been subject to repression by the authorities.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

1 / 4

Prior to 2011, the PJD was a vocal, official opposition party, and its entry into government showed that the system allowed some rotation of power. However, this opportunity is permanently limited by the presence and influence of the monarchy, both formally and in practice. Although the PJD won a plurality of seats in the 2016 elections, it struggled to form a governing coalition, and its ability to exercise power has been undermined by the king's support for parties loyal to the palace.

The government reshuffling in October 2019 was led by the monarch and resulted in a smaller cabinet with a large share of palace-approved technocrats, leaving elected political parties with less representation and authority.

Score Change: The score declined from 2 to 1 due to a cabinet reorganization initiated by the king that reduced the power and representation of elected political parties and installed a large share of nonpartisan technocrats.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

1 / 4

The constitution and informal practice give the king overwhelming influence over political affairs, including government formation. The monarch and his circle of advisers and associates also wield enormous private economic power that can be used to shape political outcomes more indirectly through patronage networks.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

1 / 4

The political system features universal suffrage, but parties based on religious, ethnic, or regional identity are prohibited, and the concerns and interests of women and the Amazigh population are not adequately addressed.

Some 40 percent of the population is Amazigh, and the vast majority of Moroccans have Amazigh roots. Amazigh elites enjoy access to the monarchy and also have their interests represented in Parliament, but the bulk of the population is socially and economically marginalized. Recent unrest in Al-Hoceima, the surrounding Rif region, and other cities across the country stemmed in large part from inequities experienced by many Amazigh residents and their inability to find redress for their grievances through the political system. In his July 2019 Throne Day speech, the king promised a greater emphasis on development that would benefit all segments of society.

A system of reserved seats for women is meant to encourage their participation in the electoral process at both the national and local level, partly offsetting traditional social pressures that deter such engagement. Women won a greater share of seats in Parliament in 2016, taking 21 percent of the Chamber of Representatives, compared with 17 percent in 2011. Nevertheless, women remain underrepresented in party and

cabinet leadership positions. The 2019 conviction of journalist Hajar Raissouni for supposedly having an illegal abortion and engaging in sex outside marriage underscored the need for greater political mobilization on behalf of women's rights, prompting a nationwide petition calling for an end to outmoded and discriminatory laws.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	1 / 4
--	--------------

While elected officials are duly installed in government, their power to shape policy is sharply constrained by the king, who sets national and foreign policy and commands the armed forces and intelligence services. Royal commissions tend to wield more power than government ministers.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	1 / 4
---	--------------

Corruption is rife in state institutions and the economy. Despite official rhetoric about combating corruption, the palace and government have a mixed record on enforcement. The Central Authority for the Prevention of Corruption (ICPC) was strengthened under a 2015 law and renamed the National Commission for Integrity and Anti-Corruption (NCIAC). In December 2018, the king finally appointed the commission's leader after the post remained vacant for three years.

While profound reforms are needed to combat corruption, progress has been slowed by a lack of political will, low institutional capacity, and the influence of elites who benefit from the status quo.

C3 0-4 pts**Does the government operate with openness and transparency?****1/4**

Overall transparency is limited. Civil society leaders have faulted a controversial 2018 access to information law for provisions that criminalize “misuse” of government information or “distortion of content.” The government publishes budget and financial information online, and public officials—including Parliament members, judges, and civil servants—are required to declare their assets. However, the monarchy itself, with its vast array of economic interests, is not subject to these rules. Transparency is lacking with respect to the king’s health as well as his financial assets. In September 2019, the palace made a rare statement on Mohammed VI’s health, reporting that he was suffering from an acute respiratory ailment that would prevent a planned overseas trip.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts**Are there free and independent media?****1/4**

The state dominates the broadcast media, but more affluent segments of the population have access to foreign satellite television channels. Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use a number of financial and legal mechanisms to punish critical journalists, particularly those who focus on the king, his family, the status of Western Sahara, or Islam. The authorities also occasionally

disrupt websites and internet platforms. Bloggers are harassed for posting content that offends the monarchy, although many online activists operate anonymously.

Human rights groups continued to criticize the government's efforts to suppress reporting on the restive Rif region in 2019. Appeals courts upheld the 2018 convictions of a number of journalists related to their coverage of Hirak Rif, and the August 2019 arrest and September sentencing of Hajar Raissouni on abortion and extramarital sex charges were widely perceived as a reprisal for her journalistic writing about the protest movement.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

2/4

Nearly all Moroccans are Muslims, and the king, identified as “commander of the faithful” in the constitution, has ultimate authority over religious affairs. Imams are required to obtain state certification, and mosques are monitored by the authorities. The government operates a well-financed training program for imams and female religious counselors tasked with promoting a state-sanctioned version of “moderate Islam,” which some critics charge is also intended to promote political quiescence.

Despite deep societal prejudices, the small Jewish community is permitted to practice its faith. The Christian community, which numbers approximately 50,000, also experiences prejudice, and Christian marriages are not legally recognized by the government.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

2/4

Universities generally provide a more open space for discussion, but professors practice self-censorship when dealing with sensitive topics like Western Sahara, the monarchy, and Islam. Salafists, adherents of a fundamentalist form of Islam, are

closely monitored in universities. Periodic violence between university student groups, often stoked by Morocco's political, ethnic, and sectarian differences, inhibits the right to peaceful student activism.

In August 2019, Parliament passed a law that reestablished French as the language of instruction in Moroccan schools with respect to math, science, and other technical subjects, in part to help prepare students for French-language instruction at universities. Some opponents expressed preference for Chinese or English to improve Morocco's global economic competitiveness, while traditionalists preferred the reinforcement of Moroccan Arabic.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

2/4

There is some freedom of private discussion, but state surveillance of online activity and personal communications is a serious concern, and the arrests of journalists, bloggers, and activists for critical speech serve as a deterrent to uninhibited debate among the broader population. In November and December 2019, a rapper, YouTube commentators, and students posting on Facebook faced detention or imprisonment in a series of high-profile cases involving the suppression of critical views. In another prominent case, journalist Omar Radi was charged in December with insulting a magistrate in an April Twitter post that referred to a judge who had imposed harsh penalties against Rif protesters; his trial was scheduled for early 2020.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

1/4

Freedom of assembly is restricted. The authorities sometimes use excessive force and violence to disperse protests, and harass activists involved in organizing demonstrations that express criticism of the government.

The government has suppressed protests in the Rif region that erupted after the 2016 death of Al-Hoceima fish vendor Mohcine Fikri. The vendor was crushed to death while trying to retrieve fish from a trash compactor after authorities confiscated it for being caught out of season; a video of the incident circulated online. The ensuing Hirak Rif protest movement against corruption and economic deprivation gained support from activists across Morocco.

The government reacted harshly to the movement, dispersing assemblies and arresting Nasser Zefzafi and other protest leaders in 2017. In 2018, Zefzafi and three other activists were sentenced to 20 years in prison for their role in the demonstrations, while an additional 50 activists were sentenced to between 1 and 15 years' imprisonment on lesser charges. The charges were upheld by an appeals court in April 2019. Zefzafi and other Hirak Rif leaders continued their protests from prison, engaging in hunger strikes and reportedly renouncing their Moroccan citizenship, a step that is forbidden by law.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

2/4

Civil society organizations are quite active, but they are subject to legal harassment, travel restrictions, intrusive surveillance, and other impediments to their work. The authorities routinely deny registration to nongovernmental organizations (NGOs) with links to Justice and Charity or that assert the rights of marginalized communities. The Moroccan Association for Human Rights (AMDH), one of Morocco's most prominent NGOs, is frequently targeted by the government. According to Human Rights Watch, 16 AMDH events were cancelled between January 2017 and July 2018 due to pressure on venue owners or security forces directly blocking access to event spaces. Access was similarly denied for at least five AMDH

events in 2019. Amnesty International has been prohibited from carrying out research in Morocco since 2015.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	2/4
---	------------

Workers are permitted to form and join independent trade unions, and the 2004 labor law prevents employers from punishing workers who do so, but there are undue legal and employer restrictions on collective bargaining and strikes. The authorities sometimes forcibly break up labor-related protests. Unions are often closely affiliated with political parties.

Teachers' unions began protesting to demand better working conditions in February 2019 and were supported by other unions, civil society groups, and opposition political parties. In both February and March, police used water cannons to disperse protesters. Strikes and protests resumed in September as the school year started.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	1/4
---	------------

The court system is not independent of the monarch, who chairs the Supreme Council of the Judiciary. In practice, the courts are regularly used to punish perceived opponents of the government, including dissenting Islamists, human rights and anticorruption activists, and critics of Moroccan rule in Western Sahara.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	1/4
--	------------

Due process is often neglected. Law enforcement officers frequently violate legal and procedural safeguards against arbitrary arrest and detention, and many convictions rely on confessions that may have been coerced. Pretrial detainees are reportedly held beyond a one-year limit in practice, and there are no provisions in the law allowing for pretrial detainees to challenge their detentions in court. Some suspects, particularly those accused of terrorism, are held in secret detention for days or weeks before formal charges are filed.

The convictions of Hirak Rif protesters that were upheld on appeal in April 2019 were reportedly based on confessions obtained through torture, which the defendants all retracted during trial. Among other flaws in the process, the defendants were denied prompt access to lawyers after their arrests, and defense lawyers faced obstacles in accessing and presenting trial evidence.

The case against Hajar Raissouni also illustrated serious due process deficiencies. She and her fiancé were arrested in August and sentenced to a year in prison in September on charges of extramarital sex and obtaining an illegal abortion. The prosecution was widely seen as politically motivated; Raissouni noted that she was interrogated about her journalistic work after the arrest. She and her doctors, who were also prosecuted, said she received treatment for a blood clot, and the court ignored medical evidence that she was never pregnant. All of the defendants received royal pardons in October.

Score Change: The score declined from 2 to 1 due to a pattern of politicized prosecutions in recent years, including those against protest leaders and a well-known journalist who was wrongly convicted of an illegal abortion before receiving a royal pardon.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

2/4

Cases of excessive force by police and torture in custody continue to occur. A number of the protesters detained in recent years have reported being beaten and

injured during arrest, and some have been subjected to prolonged solitary confinement while awaiting trial. Prisons often suffer from overcrowding.

Terrorism remains a threat to physical security in the country, though the authorities have had some success in preventing attacks. In December 2018, two Scandinavian women were murdered while hiking in the Atlas Mountains. Three assailants, who were avowed supporters of the Islamic State militant group, were sentenced to death for the crime in July 2019. Morocco has not carried out an execution since 1993.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	1/4
--	------------

Constitutional reforms in 2011 granted official status to Tamazight languages, which have been promoted in schools along with Amazigh culture. Nevertheless, Amazigh and other communities that do not identify with the dominant Arab culture tend to face educational and economic disadvantages. Civil society groups that promote Amazigh rights have faced government interference.

Gender equality was also recognized in the 2011 constitution, but women continue to face significant discrimination at the societal level and are underrepresented in the labor force. LGBT+ people face harsh discrimination and occasional violence. Same-sex sexual relations can be punished with up to three years in prison.

The government has granted temporary residency permits to refugees and migrants as part of an effort to regularize their status and provide them with basic services, which earned Morocco international praise in recent years. However, in 2018, authorities cracked down on refugees, asylum seekers, and migrants from sub-Saharan Africa. Beginning in July of that year, security forces conducted a series of raids in which thousands of people were arrested, bused to a remote area near the Algerian border, and abandoned. The arrests were condemned by international rights groups for violating international law, as well as the basic human rights of those affected.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

2 / 4

Moroccan law guarantees freedom of movement and the ability to change one's place of employment or education, but in practice poor economic conditions and corruption limit these rights. Widespread bribery, nepotism, and misconduct within the educational sector constrain merit-based advancement.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

2 / 4

Well over a third of the land is collectively owned by tribes and managed by the Interior Ministry, and in recent years it has been subject to private development without fair compensation to previous occupants. Moreover, under tribal rules of inheritance, women cannot hold the rights to occupy and use such lands, leaving them more vulnerable to displacement. Ordinary inheritance rules also put women at a disadvantage, generally granting them half the property of an equivalent male heir.

Private business activity is hampered in part by the dominant role of the king and his family. Among other assets, Mohammed VI has a majority stake in the National Investment Company (SNI), a massive conglomerate with businesses in virtually every economic sector, including mining, tourism, food, banking, construction, and energy.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage

partner and size of family, protection from domestic violence, and control over appearance?

2/4

The 2004 family code granted women increased rights in the areas of marriage, divorce, and child custody, though a number of inequities and restrictions remain, and implementation of the code has been uneven. Domestic violence is rarely reported or punished due to social stigma. All extramarital sexual activity is illegal, which deters rape victims from bringing charges, among other repercussions.

A 2018 law criminalized domestic violence and forced marriage, and imposed more stringent penalties on those convicted of rape. Although the law was considered a step forward, critics faulted the legislation for failing to outlaw spousal rape, not providing a clear definition of domestic violence, and not mandating the government to provide greater support for victims.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1/4

Poverty is widespread, and economic opportunities are scarce for a large portion of the population. The deaths of two coal miners working in dangerous conditions in the town of Jerada in 2018 touched off protests and underscored chronic problems related to inequality and government neglect of certain industries and communities.

Child laborers, especially girls working as domestic helpers, are denied basic rights and are frequently abused by their employers. A 2018 labor law meant to protect young women employed as household workers requires employers to use written contracts, sets a minimum working age of 18 (after a five-year phase-in period during which 16- and 17-year-olds are allowed to work), mandates a day off each week, and sets a minimum wage. Rights groups criticized the legislation for failing to provide support to reintegrate domestic workers into society, and for permitting girls under 18 to work until 2023.

A 2016 law criminalized human trafficking; existing measures had defined and banned only some forms of trafficking and left many victims unprotected. Immigrant laborers, especially from sub-Saharan Africa, are often employed informally and subject to significant exploitation.

Note

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



On Morocco

See all data, scores & information on this country or territory.

[See More >](#)

Country Facts

Global Freedom Score

37/100 **Partly Free**

Internet Freedom Score

54/100 **Partly Free**

Other Years

2019

Email

Be the first to know what's happening.

Join the Freedom House
monthly newsletter

Subscribe

ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

press@freedomhouse.org

@2020 FreedomHouse