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Morocco and Western Sahara

KINGDOM OF MOROCCO

Head of State	King Mohamed VI
Head of government	Abbas El Fassi (replaced Driss Jettou in October)
Death penalty	abolitionist in practice
Population	32.4 million
Life expectancy	70.4 years
Under-5 mortality (m/f)	44/30 per 1,000
Adult literacy	52.3 per cent

Restrictions on freedom of expression, association and assembly continued, and criticism of the monarchy and other issues considered politically sensitive was penalized by the authorities. Human rights activists, journalists, members of the unauthorized political group Al-Adl wal-Ihsan, and Sahrawi opponents of continuing Moroccan rule in Western Sahara were arrested and prosecuted, and more than 100 Islamists were detained on suspicion of planning or participating in terrorism. Arrests and collective expulsions of migrants continued. Death sentences were passed but the government maintained a de facto moratorium on executions. Violence against women continued, although the authorities launched a campaign to combat it, and men were imprisoned for “homosexual conduct”.

Background

In June and August, UN-mediated talks on the Western Sahara were held between the Moroccan government and the Polisario Front, which calls for an independent state in Western Sahara and runs a self-proclaimed government-in-exile in refugee camps in south-western Algeria. Morocco proposed an autonomy plan for the territory it annexed in 1975, while the Polisario Front maintained that a referendum on self-determination should be held, as agreed in previous UN resolutions.

Several suicide attacks resulted in the killing of one police officer and several injuries, and the government raised the terrorist alert level.

Human rights defenders

Several members of the Moroccan Association for Human Rights (Association Marocaine des Droits Humains, AMDH), all prisoners of conscience, were jailed for “undermining the monarchy”, a charge brought after they participated in peaceful demonstrations during which slogans critical of the monarchy were chanted.

Five of them – Thami Khyati, Youssef Reggab, Oussama Ben Messaoud, Ahmed Al Kaateb and Rabii Raïssouni – were arrested in Ksar El Kebir after they joined demonstrations against unemployment on 1 May. They were sentenced to three years’ imprisonment and heavy fines. Their prison sentences were increased to four years on appeal. Two other men, Mehdi Berbouchi and Abderrahim Karrad, were arrested in Agadir on the same charge and had their two-year prison sentences confirmed by the appeal court on 26 June.

Ten other members were arrested after participating in a peaceful sit-in on 5 June in the city of Beni Mellal in solidarity with the AMDH members already detained. Mohamed Boughrine, 72, was sentenced to one year’s imprisonment, and three others to suspended prison sentences for “undermining the monarchy”. Mohamed Boughrine’s jail sentence was extended to three years on appeal. The nine others were sentenced to one year in prison and remained at liberty pending appeal to a higher court.

A further three members of AMDH – Azzadin Almanjali, Badr Arafat and Mohamed Kamal Almareini – were arrested along with 44 other people, including children, after demonstrations that turned violent on

23 September in the city of Sefrou. Their trial was postponed until 2008. The defendants denied involvement in violent incidents and said they were arrested arbitrarily. Some alleged that they had been ill-treated by police during arrest and subsequent questioning.

Press freedom restricted

Several journalists were arrested and charged with criminal offences for articles deemed to threaten national security or undermine the monarchy. A new Press Code was drafted by the authorities; it was said to retain offences carrying prison sentences.

- Mustapha Hormatallah and Abderrahim Ariri, respectively journalist and editor of *Al Watan al An* newspaper, were arrested on 18 July after publishing an internal security memo on the raised terrorist alert. They were convicted in August of “receiving documents through criminal means”. Abderrahim Ariri received a suspended prison sentence. Mustapha Hormatallah was sentenced to eight months’ imprisonment, reduced to seven on appeal, but was released on bail in September pending an appeal.
- On 6 August, Ahmed Benchemsi, editor of the weekly *Nichane* and its sister weekly *Tel Quel*, was charged with “undermining the monarchy” under Article 41 of the Press Code, punishable by up to five years’ imprisonment. On 4 August, he had published an editorial commenting on a speech by the King. Copies of *Nichane* were seized. Ahmed Benchemsi remained at liberty awaiting trial scheduled for 2008.

Sahrawi activists

Hundreds of Sahrawi activists suspected of participating in demonstrations against Moroccan rule in 2007 and previous years were arrested, including minors. Dozens alleged torture or ill-treatment during questioning by security forces. Some were tried on charges of violent conduct and others were released after questioning. In May, security forces forcibly dispersed demonstrations by Sahrawi students at university campuses in Moroccan cities calling for independence. Dozens of students were arrested and many were beaten. Sultana Khaya lost an eye, apparently as a result of beatings. Most were released uncharged but around 20 were convicted of violent conduct and sentenced to up to one year in prison. Sahrawi human rights activists continued to be harassed.

In March, Brahim Sabbar, Secretary-General of the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State, and his colleague Ahmed Sbai, were sentenced to one year’s imprisonment after being convicted of belonging to an unauthorized organization. Their sentence was extended to 18 months on appeal. Politically motivated administrative obstacles had prevented registration of their association. Mohamed Tahlil, head of the association in Boujdour, was sentenced in September to two and a half years in prison for violent conduct. Sadik Boullahi, another member of the association, was held for 48 hours in November and then released.

In October, the Collective of Sahrawi Human Rights Defenders had to cancel its founding congress because the local authorities in Laayoune refused to authorize their public meeting. One of the Collective’s members, Elwali Amidane, had been sentenced to five years’ imprisonment in April for participating in demonstrations against Moroccan rule.

Al-Adl wal-Ihsan activists

Thousands of members of Al-Adl wal-Ihsan, an unauthorized political organization, were reported to have been questioned by police during the year and at least 267 were charged with participating in unauthorized meetings or belonging to an unauthorized association. The trial of the group’s spokesperson, Nadia Yassine, who was charged in 2005 with defaming the monarchy, was delayed for a further year.

- Rachid Gholam, an Al-Adl wal-Ihsan member and religious singer, was convicted of encouraging moral corruption and prostitution in May and sentenced to one month’s imprisonment and a fine. He alleged when first brought before a judge that he had been beaten and stripped naked by the police and photographed with a prostitute.

Counter-terrorism

More than 100 suspected Islamist militants were arrested, mostly by police. However, the Directorate for Surveillance of the Territory, a security force accused in previous years of torture and other ill-treatment, allegedly participated in some arrests. Most of the detainees were charged and some were tried on

terrorism offences and sentenced to up to 15 years in prison.

Hundreds of Islamist prisoners sentenced after the 2003 Casablanca bombings continued to demand a judicial review of their trials, many of which were tainted with unexamined claims of confessions extracted under torture. Detainees in Sale prison staged hunger strikes to protest against poor prison conditions, including ill-treatment by prison guards and security forces external to the prison, lack of access to medical care, and restrictions on visits by families.

Refugees, asylum-seekers and migrants

Thousands of people suspected of being irregular migrants, among them refugees and asylum-seekers, were arrested and collectively expelled. In most cases, their rights under Moroccan law to appeal against the decision to deport them or to examine the grounds on which the decision was taken were not respected. They were often dumped at the border with Algeria without adequate food and water.

■ On the night of 30/31 July, two Senegalese migrants, Aboubakr Sedjou and Siradjo Kébé, were killed and three others were wounded by police near Laayoune in Western Sahara. They were among more than 30 migrants who, according to the authorities, were attempting to reach the coast to migrate to the Canary Islands and refused to stop when ordered to do so. The authorities declared that an investigation would be opened into the killings, but its outcome was not known.

In March, the national Human Rights Advisory Board published a report on the deaths of migrants at the border with Ceuta and Melilla in 2005. It recommended that the authorities do more to respect their international human rights obligations, but stopped short of recommending an investigation into the deaths.

Discrimination and violence against women

In April, the Nationality Code was amended to allow Moroccan women married to foreign men to pass their nationality to their children.

In November, the authorities reported that 82 per cent of reported ill-treatment of women was due to violence in the home, and launched a campaign to stop violence against women.

Discrimination – imprisoned for ‘homosexual conduct’

Six men were sentenced to prison terms of up to 10 months after being convicted of “homosexual conduct”. Moroccan law criminalizes same-sex sexual relations between consenting adults in breach of international human rights standards.

Transitional justice

In August, the Human Rights Advisory Board, charged with continuing the work of the Equity and Reconciliation Commission, said that 23,676 people had received compensation for human rights violations committed during the reign of Hassan II. The Commission, established in 2004 to inquire into enforced disappearances, arbitrary detentions and other grave human rights violations committed between 1956 and 1999, completed its work in 2005. No progress was made towards providing victims and survivors with effective access to justice or holding individual perpetrators to account, issues which were excluded from the remit of the Commission.

Polisario camps

The Polisario Front took no steps to address the impunity of those accused of human rights abuses in the camps in the 1970s and 1980s.

Amnesty International reports



[Morocco/Western Sahara: Sahrawi activists sentenced to year in prison \(MDE 29/004/2007\)](#)



[Morocco/Western Sahara: Released demonstrators accused of criticizing the monarchy \(MDE 29/008/2007\)](#)