

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	356
Land:	Marokko-Vestsahara
Kilde:	US Department of States
Titel:	Country Report on Human Rights Practices
Udgivet:	23. april 2024
Optaget på baggrundsmaterialet:	30. april 2024

2023 Country Report 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 by some members of the security forces; political prisoners; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists, censorship, and enforcement of or threat to enforce criminal libel laws to limit expression; substantial interference with the freedom of peaceful assembly and freedom of association; inability of citizens to change their government peacefully through free and fair elections; serious government corruption; extensive gender-based violence, including domestic or intimate partner violence, and sexual violence; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and the enforcement of laws criminalizing consensual same-sex sexual conduct between adults.

The government took steps to investigate officials who allegedly committed human rights abuses and acts of corruption, but investigations into police, security force, and detention center abuses lacked transparency and frequently encountered long delays and procedural obstacles that contributed to impunity.

Section 1.

Respect for the Integrity of the Person

A. ARBITRARY DEPRIVATION OF LIFE AND OTHER UNLAWFUL OR POLITICALLY MOTIVATED KILLINGS

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

B. DISAPPEARANCE

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

C. TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, AND OTHER RELATED ABUSES

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

Government institutions and nongovernmental organizations (NGOs) received reports regarding mistreatment of individuals in official custody. The Public Prosecutor's Office received six complaints alleging torture and 47 complaints of excessive violence in the first half of the year. Two

complaints were being prosecuted, 22 were closed, and 23 remained under investigation as of September, the most recent information available at year's end. The government did not provide any information on how many officers were prosecuted for using excessive violence.

There were accusations that security officials subjected Western Sahara pro-independence protesters to degrading treatment during or following demonstrations calling for the release of political prisoners. International and local human rights organizations claimed that authorities dismissed public complaints of abuse in Western Sahara and relied only on police statements. Government officials generally did not provide information on the outcome of complaints.

Prison and Detention Center Conditions

Prison conditions improved during the year but in some cases did not meet international standards. Conditions were harsh in some prisons due to overcrowding.

Abusive Physical Conditions: The Moroccan Observatory of Prisons, an NGO focused on the rights of prisoners, continued to report that some prisons were overcrowded and failed to meet local and international standards. In newer prisons pretrial detainees and convicted prisoners were held separately, but in older prisons the two groups remained together. As of July, 41 percent of a total prison population of 100,004 were pretrial detainees.

As of the end of November, the prison population surpassed 158 percent of capacity in the country's 76 prisons. According to government sources and NGOs, prison overcrowding was due in large part to an underutilized system of bail or provisional release, a severe backlog in cases, and lack of judicial discretion to reduce the length of prison sentences for specific crimes. Government sources stated that administrative requirements also prevented prison authorities from transferring individuals in pretrial detention or the appeals phase to facilities outside the jurisdiction where their trials were to take place.

Although the code of criminal procedure considered "preventive detention an exceptional measure," approximately 42 percent of the total prison population were pretrial detainees, consistent with the trend of the past decade.

Regulations provided for the separation of minor prisoners from adult prisoners and monthly judicial monitoring of detained minors. In some juvenile detention centers, this monitoring included routine check-ins with wardens and prison officials, and monthly review of detention case files.

The General Delegation for Prison Administration and Reintegration (DGAPR) reported no discrimination in access to health services or facilities based on gender for women prisoners, who made up just over 2 percent of the prison population. Some officials reported that women inmates often had difficulty accessing gender-specific health specialists such as obstetricians and gynecologists. Local NGOs asserted that prison facilities did not provide adequate access to health care and did not accommodate the needs of prisoners with disabilities. The DGAPR reported that a nurse and a psychologist examined each prisoner on arrival and prisoners received care upon request.

Administration: The quasi-governmental National Council on Human Rights (CNDH) and the DGAPR investigated allegations of inhumane conditions. The CNDH and the DGAPR maintained a system of "letterboxes" in prisons for prisoners to submit complaints without censorship regarding their imprisonment.

Authorities generally permitted relatives and friends to visit prisoners, although the length, frequency, and number of visitors could vary according to DGPAR's risk assessment. Most prisons assigned each prisoner a designated "visit day" to manage the number of visits to the prison. The DGAPR authorized religious observances and services provided by religious leaders for all prisoners, including religious minorities.

Independent Monitoring: The government permitted some NGOs with a human rights mandate, as well as the CNDH, to conduct unaccompanied prison monitoring visits. Government policy also permitted foreign government officials, international visitors, and academics, as well as NGOs that provided social, educational, or religious services to prisoners, to enter prison facilities. The government reported there were 34 different institutions that engaged with the prisons to provide services such as medical care, victim care, and skills training. The CNDH conducted 81 monitoring visits through June.

Between January and June, the CNDH carried out 14 visits to prisons in Western Sahara, including eight in Laayoune-Sakia, with the stated goal of preventing practices likely to lead directly or indirectly to torture or mistreatment and engaging with authorities on human rights obligations. The CNDH reported it took various measures to address complaints, such as conducting visits to places of detention and initiating mediation efforts.

Improvements: According to the DGAPR, the government began development and restoration projects at prisons in Bourkaiz, Safi, Kenitra, Tiznit, Missouri, Salé, Khémisset, Khouribga, and Ain Sebaa to improve detention conditions for prisoners, specifically by bringing hygiene and infrastructure up to international standards.

D. ARBITRARY ARREST OR DETENTION

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. While the government generally observed these requirements, observers indicated that police did not always respect these provisions or consistently observe due process, particularly during or in the wake of protests. According to local NGOs and associations, police sometimes arrested persons without warrants.

Individuals had the right to challenge the legal basis or arbitrary nature of their detention and request compensation by submitting a complaint to the court. NGOs expressed concerns that these rights were rarely exercised effectively because of a lack of respect for fair trial guarantees and judicial independence.

Arrest Procedures and Treatment of Detainees

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 and most reports of abuse stemmed from police interrogations during these initial detention periods. The government required security and human rights trainings, facilitated by civil society groups, for new police officers.

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 respect this requirement. Authorities sometimes did not notify family or lawyers promptly of the arrest, and families and lawyers were not able to monitor compliance with detention limits or treatment of the detainee.

The law stated, "in the case of a flagrant offense, the Judicial Police Officer has the right to keep the suspect in detention for 48 hours. If strong and corroborated evidence is raised against this person, [the officer] can keep them in custody for a maximum of three days with the written authorization of the prosecutor." The Antiterrorism Act allowed initial detention of a terrorism suspect for 12 days. The suspect had a right to a 30-minute visit by a lawyer, which authorities could delay until the end of the 12-day detention period. In non-terrorism-related cases the lawyer's visit could occur no later than the midpoint of the detention period.

At the conclusion of the initial detention period in police custody, a detainee had to appear before a prosecutor, who could issue provisional charges and order additional investigation by an investigating judge in preparation for trial. The investigating judge had four months, with a possible one-month extension, to interview the individual and determine what charges, if any, to file. An individual could be held in detention or released during this phase. At the end of this period, the investigative judge had to either file charges, decline to file charges and drop the case, or release the individual pending additional investigation and a later determination of whether to file. Authorities generally respected these timelines.

NGO sources stated that some judges were reluctant to use provisional release, bail, or other alternative sentences permitted under the law. Bail could be requested at any time before the verdict. Defendants had the right to attorneys, and authorities had to provide a court-appointed attorney to those who could not afford one if the criminal penalty exceeded five years in prison. Authorities did not always provide effective and timely counsel.

Arbitrary Arrest: Under the penal code, any public official who ordered an arbitrary detention could be punished by demotion and, if it was done for private interest, by imprisonment for 10 years to life. An official who neglected to refer to his superiors a claimed or observed arbitrary or illegal detention could be punished by demotion. The General Prosecutor's Office investigated seven complaints in the first half of the year, of which three were closed with no action, and four were still under investigation at the end of the year.

Pretrial Detention: Although the government claimed authorities generally brought accused persons to trial within two months, prosecutors could request as many as five two-month extensions of pretrial detention. Government officials attributed delays to the large backlog of cases in the justice system to a lack of resources, lack of plea bargaining as an option for prosecutors; rare use of mediation and other permitted out-of-court settlement mechanisms; and the absence of legal authority for alternative sentencing, among other issues. In some cases, defendants were held in pretrial detention for longer than their eventual sentence, particularly for misdemeanors.

E. DENIAL OF FAIR PUBLIC TRIAL

The constitution provided for an independent judiciary, but the government did not always respect judicial independence and impartiality. As in previous years, NGOs asserted that corruption and extrajudicial influence weakened judicial independence. The Supreme Judicial Council, mandated by the constitution and established in 2017, managed the courts and day-to-day judicial affairs, but it made limited progress in its stated mission of improving judicial independence. Human rights activists alleged trials sometimes appeared politicized in cases involving the status of the monarchy, Western Sahara, Islam as it related to political life, and national security.

Trial Procedures

The law provided for the right to a fair and public trial with the right of appeal, and the judiciary generally enforced this right, but NGOs reported significant concerns with fair trial guarantees in some high-profile cases.

Authorities at times denied lawyers timely access to their clients, and in some cases, lawyers met their clients only at the first hearing before the judge.

Authorities were required to provide an indigent defendant with an attorney in cases where the potential sentence was greater than five years, but these defense attorneys often were poorly paid and were not properly trained. If a defendant did not have an attorney when a trial began, the judge could ask any attorney present to represent the defendant, often resulting in inadequate representation. At times NGOs provided attorneys for vulnerable individuals (minors, refugees, victims of domestic violence), who frequently did not have the means to pay. Access to NGO resources was limited and available only in larger cities.

The law permitted defense attorneys to question witnesses and present their own witnesses and evidence, but some judges reportedly denied such defense requests. Several NGOs noted arbitrary limits on defendants' access to case files presented a significant challenge to effective legal representation. Defendants had the right to refuse to participate in their trial, and a judge could decide to continue the proceedings in the defendant's absence while providing a detailed summary to the defendant.

The law forbade judges from admitting confessions made under duress without additional corroborating evidence, but NGOs reported that judges sometimes decided cases based on forced confessions. NGOs reported that authorities often pressured investigators to obtain confessions to expedite prosecution.

Political Prisoners and Detainees

There were credible reports of political prisoners or detainees. The government did not consider any prisoners to be political prisoners and stated it had charged or convicted all individuals in prison under criminal law. Criminal law penalized certain nonviolent advocacy and dissent, such as insulting police in songs or "defaming Morocco's sacred values" by denouncing the king or the government. NGOs, including the Moroccan Association for Human Rights (AMDH), Amnesty International, and Sahrawi organizations, continued to assert the government imprisoned persons for political activities or beliefs using pretextual criminal charges such as espionage or sexual assault. Freedom House asserted in its 2023 *Freedom in the World* report that since 2018 several independent journalists had been prosecuted on what it called "dubious charges of sexual assault or of financial misconduct."

On July 18, Morocco's Court of Cassation rejected the appeals of two journalists, Soulaïmane Raïssouni and Omar Radi, who were arrested in separate incidents in 2020. Raïssouni was serving five years after being convicted on sexual assault charges, and Radi was serving six years after being convicted on sexual assault and undermining state security charges. Both journalists denied the allegations, and local and international human rights groups and press freedom advocates saw both convictions as politically motivated. The court also upheld the conviction of journalist Imad Stitou, who was arrested in connection with Radi's case and later freed pending appeal of his six-month reduced sentence. Stitou, who had backed Radi's testimony in court, left Morocco and was tried in absentia. Radi and Raïssouni remained in prison at year's end.

On May 17, the Court of Cassation rejected the appeal by Mohamed Ziane, a former Minister of Human Rights, human rights activist, and lawyer, of his sentence of three years in prison and a fine of 5,000 Moroccan dirhams (\$478). The government had prosecuted Ziane on 11 charges, including insult of a public official, publishing false allegations, defamation, adultery, incitement to violate health provisions, and sexual harassment. Human rights organizations raised concerns that Ziane's arrest and prosecution were politically motivated. He remained in prison at year's end.

F. TRANSNATIONAL REPRESSION

Threats, Harassment, Surveillance, and Coercion: Human rights organizations reported that the government harassed and surveilled human rights activists both inside and outside the country. In March, six Moroccan activists targeted by Pegasus spyware joined a class action lawsuit in California against the software's Israeli maker NSO Group. Claiming they were "victims of illegal intrusion into their phones by Pegasus software," they said they would file a joint complaint under a case previously brought by messaging service WhatsApp, which accuses NSO Group of allowing mass espionage against activists and journalists.

G. PROPERTY SEIZURE AND RESTITUTION

Not applicable.

H. ARBITRARY OR UNLAWFUL INTERFERENCE WITH PRIVACY, FAMILY, HOME, OR CORRESPONDENCE

The constitution prohibited such actions, but there were reports that the government failed to respect these prohibitions. While the constitution stated an individual's home was inviolable and a search could take place only with a search warrant, authorities at times entered homes without judicial authorization, employed informers, and monitored, without legal process, personal movement and private communications, including email, text messages, and other private digital communications.

NGOs reported the use of arbitrary surveillance against human rights activists and journalists, with Freedom House reporting "widespread" use of spyware and surveillance technologies by the government.

Sahrawi political activists alleged security authorities unlawfully entered their homes to harass, intimidate, and confiscate personal belongings. Some activists alleged security authorities carried out these acts to signal that if their political activities did not stop, harassment and intimidation would increase.

I. CONFLICT-RELATED ABUSES

According to the Conduct in UN Field Missions online portal, nine Moroccan peacekeepers were accused of sexual exploitation and abuse in 2023. Four peacekeepers deployed to the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) were accused of rape; five peacekeepers deployed to the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) were accused of either rape or engaging in an exploitative relationship with a victim. Investigations by the government and UN Office of Internal Oversight Services into these allegations remained pending at year's end. Five allegations in total from both the aforementioned UN missions from previous years – one from 2022, three from 2021, and one from 2020 – also remained pending.

Section 2.

Respect for Civil Liberties

A. FREEDOM OF EXPRESSION, INCLUDING FOR MEMBERS OF THE PRESS AND OTHER MEDIA

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 press code, which also 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 by accredited journalists was punishable under the penal code, along with journalistic work by individuals to whom the government did not grant accreditation.

According to Freedom House's 2023 *Freedom in the World* report, the press enjoyed a significant degree of freedom when reporting on economic and social policies, but authorities used an array of financial and legal mechanisms to punish journalists critical of the government. Local NGOs also reported that authorities ignored laws specifically intended to prevent the unlawful imprisonment of

members of the press exercising their freedom of expression, instead using the general penal code to prosecute commentators, activists, and journalists that criticized the government.

Freedom of Expression: The law criminalized criticism of Islam, of the legitimacy of the monarchy, of state institutions, of government and military officials, and of the government's positions regarding territorial integrity and Western Sahara, and authorities sometimes prosecuted those who expressed such criticism. Amnesty International and Human Rights Watch (HRW) highlighted numerous cases in which freedom of expression was restricted. Both independent media and government-affiliated media were active and expressed a variety of views within the restrictions of the law.

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.

In September, Moroccan police deported journalists Quentin Müller and Thérèse Di Campo of *Marianne*, a French news magazine, after arresting them at their hotel in Casablanca. The government's spokesperson stated that they were expelled for operating as journalists without official authorization. Their expulsion was the latest in sporadic expulsions of foreign journalists justified by authorities on similar grounds.

There were several reports of arrests and charges based on social media activity. On May 31, the Court of Cassation rejected the appeal of Saida el-Alami, who was convicted in April 2022 of contempt of judicial decisions, insulting a constitutional institution, insulting public officials during the exercise of their duties, and publication and dissemination of false facts. A Casablanca court initially sentenced el-Alami to two years in prison and a fine of 5,000 Moroccan dirhams (\$478), but the appeals court extended her sentence to three years' imprisonment. She remained in prison at year's end.

Violence and Harassment: Authorities subjected some journalists to harassment and intimidation, including attempts to discredit them through harmful rumors about their personal lives. During the year there were instances where government authorities harassed individuals accused of public criticism of the king, local authorities, or Islam.

Journalists reported that selective prosecutions served as a mechanism for intimidation and harassment. According to an October 2 report submitted by the UN secretary-general pursuant to the UN Mission for the Referendum in Western Sahara (MINURSO) mandate, the UN Office of the High Commissioner for Human Rights (OHCHR) remained concerned by reports of undue restrictions imposed by the government on the rights to freedom of expression and excessive surveillance of human rights defenders, critical voices, and journalists in Western Sahara to include their family members. These family members also reportedly faced discrimination concerning access to work, social services, and education amongst other societal benefits. The report added that OHCHR continued to receive reports of harassment, expulsion, and denied entry of human rights defenders covering human rights violations.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: 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 and suspended publication. Such cases encouraged editors and journalists to self-censor and host opposition news sites on servers outside the country to avoid being shut down by the authorities. According to Freedom House's 2023 report, "arrests of journalists, bloggers, and activists for critical speech serve as a deterrent to uninhibited debate among the broader population."

Libel/Slander Laws: The press code included provisions that permitted the government to impose financial penalties on accredited journalists and publishers who violated restrictions related to defamation, libel, and insults, and the government enforced these provisions. Individuals not registered as journalists could be charged with defamation, libel, and slander under the criminal code, as could accredited journalists for their private actions.

The government reported that during the calendar year, it prosecuted 778 individuals in criminal or civil courts for statements made, declared, or published. Of these, 681 related directly to complaints of defamation, contempt, and dissemination of false information, and 14 cases involved journalists. The government also reported that during the year it blocked three websites for publication of content contrary to morality and ethics, contrary to public order, or noncompliance with the press and publishing code.

National Security: Authorities sometimes used counterterrorism and national security laws to arrest or punish critics of the government or deter criticism of government policies or officials. The antiterrorism law permitted the arrest of individuals, including journalists, and blocking websites deemed to “disrupt public order by intimidation, terror, or violence.” The law held liable both the author and anyone, including website owners and internet service providers, who helped the author disseminate information the government deemed to be justification for acts of terrorism. Although the stated purpose of the law was to combat terrorism, authorities retained discretion to define terms such as “national security” and “public order,” and under the penal code the government could seek fines of up to 200,000 Moroccan dirhams (\$19,100) for publishing content online seen as disruptive to public order, with the maximum fine of 500,000 Moroccan dirhams (\$47,900) if the content offended the military. Online speech offenses related to the monarchy, Islam, and Western Sahara, as well as threats to national security, could carry prison sentences of two to six years.

Internet Freedom

The government disrupted access to the internet, and there were credible reports that the government monitored private online communications without appropriate legal authority. The press code stipulated that online journalism was equivalent to print journalism, but the authorities did not observe press protections for online journalists. Laws on combatting terrorism permitted the government to block websites. The government repeatedly warned online journalists to obey the law, leading to self-censorship due to a credible fear of reprisals by the government. The government also prosecuted individuals for expressing certain ideological views online. On August 4, Said Boukioud was sentenced under the Penal Code to five years in prison for criticizing the king; he had expressed disapproval on Facebook of the king’s decision to normalize relations with Israel in 2020. His sentence was reduced to three years on November 27. He remained in prison at year’s end.

B. FREEDOMS OF PEACEFUL ASSEMBLY AND ASSOCIATION

The government limited freedoms of peaceful assembly and association.

Amnesty International and Transparency International reported continued arbitrary restrictions on the rights to freedom of peaceful assembly and association, particularly of individuals supporting independence for Western Sahara.

Freedom of Peaceful Assembly

The law provided for the right of peaceful assembly with limits. The government generally allowed authorized and unauthorized peaceful demonstrations to occur, but the law required groups of more than three persons to obtain authorization from the Ministry of Interior to protest publicly. Several NGOs complained that the government used administrative delays and other methods to suppress or discourage unwanted peaceful assembly. Security forces intervened on occasion to disband both

authorized and unauthorized protests when officials deemed the demonstration a threat to public security. Several human rights NGOs in Western Sahara stated that in recent years the number of submitted applications for permits to hold demonstrations declined because police rarely granted them. In most cases organizers proceeded with planned demonstrations without authorization, and there was no discernible difference in security forces' reaction to authorized or unauthorized protests. In Western Sahara there often was a higher ratio of members of security forces to protesters.

Most protests proceeded peacefully. Security forces were generally present both in and out of uniform at protests, particularly if the protest was expected to address a sensitive issue. In general, officers had procedures to intervene when needed for security purposes, but there were no reports they had done so during the year.

Security force tactics did not differ significantly whether the protest was authorized or unauthorized, although the decision on whether to intervene sometimes depended on whether the protest was authorized. Under the auspices of the National Preventive Mechanism against Torture (NPMT), the CNDH organized trainings with the police to enhance and promote human rights-based methods in the performance of police duties with the most recent training occurring in September.

Freedom of Association

The constitution and the law provided for freedom of association, although the government sometimes restricted this freedom. The government prohibited or failed to recognize some political opposition groups by deeming them unqualified for NGO status. While the government did not restrict the source of funding for NGOs operating in the country, NGOs that received funding from foreign sources were required to report the amount and its origins to the government within 30 days from the date of receipt. The government denied official recognition to NGOs it considered to be advocating against Islam as the state religion or questioning the legitimacy of the monarchy or the country's territorial integrity. Authorities obstructed the registration of some associations perceived to be critical of the government by refusing to accept their registration applications or to deliver receipts confirming the filing of applications.

Authorities routinely rejected the registration applications of Sahrawi human rights groups. According to Amnesty International, Sahrawi human rights activists remained subject to intimidation, questioning, arrest, and intense surveillance that occasionally amounted to harassment.

The Ministry of Interior required NGOs to register before being recognized as legal entities, but there was no comprehensive, publicly available national registry. A prospective organization had to submit its objectives, bylaws, address, and photocopies of members' identification cards to local officials of the ministry.

Unregistered organizations could not access government funds or legally accept contributions. The organizations stated local officials' refusal to issue receipts was a violation of the law governing the right of association. One of the organizations, the Moroccan Association of Human Rights, reported the ministry had refused to issue it a registration receipt for the last eight years.

C. FREEDOM OF RELIGION

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

D. FREEDOM OF MOVEMENT AND THE RIGHT TO LEAVE THE COUNTRY

The law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, although it limited movement to areas experiencing widespread unrest. The government continued to make travel documents available to Sahrawis to travel and 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.

Foreign Travel: NGOs reported authorities sometimes restricted foreign travel with a judicial order lasting up to two months, which could be renewed up to five times (constituting a "travel ban" of up to one year). In practice, authorities prohibited foreign travel for even longer periods, including for critics and human rights activists.

On October 4, authorities reportedly prevented human rights activist Abdellatif el-Hamamouchi from flying to Sarajevo to attend an academic conference. The government claimed that el-Hamamouchi was unable to board the aircraft because he did not possess the requisite visa to allow him entry.

As of the end of the year, human rights defender and academic Maati Monjib remained under a travel ban dating from October 2021, exceeding the one year allowed by law. The government claimed that Monjib's pending appeal of a January 2021 conviction provided a legal basis to sustain his travel ban for more than two years despite the one-year legal limit, but as of year's end there was no indication when Monjib's appeal would be decided, and his travel ban thus ended.

On June 8, Asmae Moussaoui, spouse of incarcerated journalist Taoufik Bouachrine, was prevented from leaving Morocco and had her passport confiscated. Human rights activists claimed this was to prevent her from traveling to receive a human rights award on behalf of her husband. The government said that Moussaoui was under investigation for the misappropriation of state funds, but as of the end of the year no information was available regarding any criminal charges against Moussaoui.

E. PROTECTION OF 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.

The government deemed UNHCR the sole agency in the country 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 issued them refugee ID cards.

Access to 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 over 19,000 refugees and asylum seekers registered with UNHCR. The government continued to grant status to UNHCR-recognized refugees and temporary status to registered Syrians.

Refoulement: Uyghur journalist Yidiyesi Aishan was arrested upon his arrival in the country in July 2021, based on a 2017 INTERPOL Red Notice issued at the request of China. Interpol cancelled the Red Notice in August 2021. Reporters without Borders and other human rights NGOs reported this was a politically motivated instance of transnational repression by the PRC targeting a perceived

dissident. Authorities halted his extradition at the request of UN Committee Against Torture while it investigated Aishan's case. At year's end, Aishan remained in detention.

On February 6, the government extradited Saudi citizen Hassan al-Rabea based on a provisional arrest warrant issued by the Arab Interior Ministers Council at the request of Saudi Arabia. Al-Rabea belonged to a prominent Shia family that had suffered persistent persecution by Saudi authorities according to Human Rights Watch. Twenty-three human rights organizations voiced strong concerns regarding al-Rabea's likely treatment upon arrival in Saudi Arabia and asserted that his extradition violated international agreements to which Morocco was a party, including UN refugee conventions, the Convention against Torture, and the International Covenant on Civil and Political Rights. At year's end, al-Rabea's family said they had not heard from him since his arrival in Saudi Arabia.

Abuse of Refugees and Asylum Seekers: Refugees and asylum seekers were particularly vulnerable to abuse. Local NGOs reported cases of refugees and asylum seekers being arrested or forcibly displaced within Morocco and along the Moroccan border. Civil society partners and independent journalists documented abuse by Moroccan authorities of sub-Saharan African migrants, some of whom were later confirmed by partners to be registered asylum seekers. In April, Spanish authorities temporarily closed the border crossing at Cueta after 150 migrants approached the fence between Morocco and the Spanish enclave and clashed with Moroccan security forces, resulting in 14 injured security forces and six injured migrants. In November, close to 1,000 migrants attempted to enter illegally into Cueta, leading to dozens of injuries when Moroccan authorities pushed them back from the border.

Employment: Refugees and asylum seekers with residency permits and work authorizations could enter the formal labor market, but documentation requirements and yearly renewals made it difficult for many who met the criteria to obtain legal authorization to work. Many refugees and asylum seekers worked in the informal economy.

Access to Basic Services: Refugees and asylum seekers had equal access under the law to justice and public services, including health and education. Nonetheless, sometimes they were unable to access the national health care system or could not afford the educational system entry exams. Refugees and asylum seekers struggled to integrate into schools due to a lack of Arabic language and disrupted educational backgrounds. Refugees and asylum seekers had little access to the judicial system until they received refugee status. Individuals without a residency permit had difficulty receiving vaccinations because they were required to provide proof of residency and a valid form of identification. The nongovernmental Moroccan Association of Family Planning (AMPF) provided primary and some specialized care to both migrant and nonmigrant populations to help fill healthcare service gaps left unmet by the public hospitals. Similarly, civil society organizations such as the Fondation Occident-Orient provided educational instruction to migrant children to facilitate integration into local schools. Many irregular migrants found it difficult or costly to obtain a valid form of identification and documents showing where they resided in the country. The law prohibited housing migrants who entered the country irregularly, leaving them vulnerable to exploitation, abuse, and eviction.

Durable Solutions: 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 papers. Although the government granted migrants and refugees access to basic healthcare and education, documentary requirements and a lack of awareness of the services offered prevent many migrants and refugees from benefiting from these services.

Temporary Protection: The government provided temporary protection to individuals who might not qualify as refugees; however, the government did not provide information on how many individuals received temporary protection. Syrians and Yemenis benefited from "exceptional regularization" outside the usual UNHCR asylum process.

Section 3.

Freedom to Participate in the Political Process

The country was a constitutional monarchy. Ultimate authority rested with the king, who shared executive authority with the head of government, who was appointed by the king from the political party with the most seats in parliament. The law provided for, and citizens participated in, free and fair periodic elections held by secret ballot and based on universal and equal suffrage for parliament's Chamber of Representatives (the lower house of parliament) and municipal and regional councils. Regional and professional bodies elect members indirectly to the upper house, the less powerful Chamber of Counselors.

ELECTIONS AND POLITICAL PARTICIPATION

Abuses or Irregularities in Recent Elections: In September 2021 the country held local, regional, and parliamentary elections for the Chamber of Representatives; these elections should occur every five years according to the constitution and law. Although there were allegations of vote buying and candidate intimidation, domestic and international observers considered the elections generally free, fair, and transparent.

Political Parties and Political Participation: The law prohibited basing a party on a religious, ethnic, or regional identity. Parties were barred from questioning Islam as the state religion, the institution of the monarchy, or the country's territorial integrity. Individuals were generally free to participate in the political process to include joining a political party.

Section 4.

Corruption in Government

The law provided criminal penalties for corruption by officials, but the government generally did not implement the law effectively. There were recurring reports of government corruption.

Corruption: Observers generally considered corruption a persistent problem, with insufficient government checks and balances to reduce its occurrence and local media reported that corruption continued to hamper the country's development. Per the Arab Barometer's 2022 Country Report, 72 percent of citizens viewed corruption as prevalent in state institutions and agencies. The government stated that it investigated police officers who were accused of corruption.

On April 26, the government arrested the President of the Municipal Council of the city of Fkih Bensalah, parliamentary Deputy and member of the Popular Movement Party Mohamed Moubdill, for corruption amongst other charges. Moubdill remained in pretrial detention at the end of the year.

For additional information concerning corruption in the country, please see the Department of State's Investment Climate Statement for the country, and the Department of State's International Narcotics Control Strategy Report, which includes information on financial crimes.

Section 5.

Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups investigated and published findings on human rights cases. The government's responsiveness to, cooperation with, and restrictions on domestic and international human rights organizations varied, depending on its evaluation of the political orientation of the organization and the sensitivity of the issues.

HRW reported in its 2023 World Report that authorities impeded the work of the AMDH, the country's largest independent human rights group. The organization regularly faced difficulties renewing the registration of its offices, which impeded its ability to carry out basic functions. Additionally, lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) groups indicated that often their groups had difficulty registering.

During the year activists and NGOs reported restrictions on their activities in the country. According to the government, registered organizations were authorized to meet within their established headquarters, but any meetings outside that space, including privately owned establishments and homes, were public spaces and required authorization from the Ministry of Interior. NGOs stated authorities often canceled their events citing failure to follow required procedures for public meetings, even though they had submitted the necessary paperwork or believed the law did not require it.

The United Nations or Other International Bodies: The UN secretary-general's October 2 annual report regarding the situation in Western Sahara, submitted pursuant to the MINURSO mandate, noted that OHCHR was not permitted to conduct any visits to the region for the eighth consecutive year and urged the government and other parties to address outstanding human rights problems and enhance cooperation with OHCHR.

The country began a three-year term on the UN Human Rights Council on January 1. The government did not issue standing invitations to UN special procedure mandate holders. The government also continued to postpone or fail to answer requested visits from the UN special rapporteur on disability, and the UN Working Group on Arbitrary Detention.

Government Human Rights Bodies: The CNDH was the country's national human rights institution, established by the constitution, and it operated independently from the government. CNDH was publicly funded and operated in conformity with the Paris Principles, according to the Global Alliance of National Human Rights Institutions. The CNDH served as the country's monitoring mechanism for preventing torture. It also oversaw the National Human Rights Training Institute, which collaborated with international organizations to provide training to civil society, media, law enforcement, medical personnel, educators, and legal practitioners.

Via regional offices in Dakhla and Laayoune, the CNDH continued a range of activities in Western Sahara, including monitoring demonstrations for restrictions and abuses, visiting prisons and medical centers, and organizing capacity-building activities for various government and NGO stakeholders. It also maintained contact with unregistered NGOs and occasionally investigated cases raised by them, especially those that drew attention on the internet or in international media.

The Institution of the Mediator acted as a general ombudsperson. It considered allegations of governmental injustices and had the power to carry out inquiries and investigations, propose disciplinary action, and refer cases to the public prosecutor.

The Interministerial Delegation for Human Rights (DIDH), which reported to the minister of justice, served as the principal advisory and coordinating body to the king and the government on human rights. The DIDH promoted the protection of human rights across all government agencies, served as the government interlocutor with domestic and international NGOs, and coordinated government responses to UN bodies and adherence to treaty obligations.

Section 6.

Discrimination and Societal Abuses

WOMEN

Rape and Domestic Violence: The law punished rape with prison terms of five to 10 years; when the survivor was a minor, the prison sentence ranged from 10 to 20 years. Spousal rape was not a separately enumerated crime. But spousal rape was at times subsumed within a different charge, such as “assault and battery” or a related crime, allowing for prosecution. Sexual assault could result in a prison sentence of six months to five years and a fine. The law required the DGSN, Prosecutor General’s Office, Supreme Judicial Court, and Ministries of Health, Youth, and Women to have specialized units that coordinated with one another on cases involving gender-based violence. These specialized units received and processed cases of gender-based violence and provided psychological support and other services to victims. Several NGOs provided hotlines, shelter, resources, guidance, and legal support to survivors of domestic violence. There were reports, however, that these shelters were not accessible to persons with disabilities.

Courts maintained “victims of abuse cells” that brought together prosecutors, lawyers, judges, women’s NGO representatives, and hospital personnel to review domestic abuse cases, including child abuse, to provide for the best interests of women or children.

According to local NGOs, survivors did not report most sexual assaults to police, due to social pressure and the concern that society would most likely hold the survivors responsible rather than the perpetrators. Some sexual assault survivors also reported police officers at times turned them away from filing a police report or coerced them to pay a bribe to file the report by threatening to charge them with consensual sex outside of marriage, a crime punishable with up to one year in prison. Police selectively investigated cases; among the minority brought to trial, successful prosecutions were rare. According to a March 2023 report from the CNDH, impunity for violence against women persisted, driven partly by deficiencies in the judicial system that included the lack of women in the judiciary, as well as the gap between reports by victims of violence and legal action to pursue accountability for perpetrators of said violence.

The law provided penalties for violence against women and required certain government agencies to establish units to provide psychological support and other services to victims of gender-based violence. NGOs reported that the law did not sufficiently define the government’s role in providing services to victims, many of which fell to NGOs to provide. Additionally, an NGO reported most women in prison were being held for acts of self-defense.

The law did not specifically define domestic violence against women and minors, but the general prohibitions of the criminal code address such violence. Legally, high-level violent misdemeanors occurred when a survivor’s injuries resulted in 20 days of disability leave from work, and low-level violent misdemeanors occurred when a survivor’s disability lasted for less than 20 days. Nevertheless, according to NGOs, the courts rarely prosecuted perpetrators of low-level violent misdemeanors. Police were slow to act in domestic violence cases, and the government generally did not enforce the law and sometimes returned women against their will to abusive homes. Police generally treated domestic violence as a social rather than a criminal matter. Physical abuse was legal grounds for divorce, but few women reported such abuse to authorities.

Other forms of Gender-based Violence or Harassment: Judges could authorize child marriage applications. Fourteen percent of Moroccan girls were married before the age of 18.

Discrimination: While the constitution guaranteed women the same rights and protections as men in civil, political, economic, cultural, and environmental affairs, laws favored men in property and inheritance. Despite antidiscrimination laws provided by the constitution, women consistently faced legal inequities. Without legal protections and enforcement of these rights, societal discrimination persisted. Long-standing traditions dictated preferential access to education, health care, and other social services to citizens and certain legal residents when factoring in race, class, sexuality,

religion, and disability. Women with physical and mental disabilities could be excluded from education and aid. Whether documented or undocumented, non-Muslim sub-Saharan migrants and refugees were subject to further discrimination.

Women were legally entitled to a share of inherited property, but a woman's share of inheritance was generally half of what a man would receive. A sole male heir would receive the entire estate, while a sole female heir would receive one-half of the estate with the rest going to other relatives.

The family code placed the family under the joint responsibility of both spouses, made divorce available by mutual consent, and placed legal limits on polygamy. Implementation of family law reforms remained a problem.

The law required equal pay for equal work, although in practice this often did not occur.

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

Individuals and couples had the right to decide the number, spacing, and timing of their children; manage their reproductive health; and had access to the information and means to do so, free from discrimination, coercion, or violence. Authorities generally did not discriminate against women in accessing sexual and reproductive health care, including for sexually transmitted infections. Contraception was legal, and most forms were widely available. According to the Population Reference Bureau, the country had invested in increasing the availability of voluntary family planning services, expanding and improving maternal health care, and providing for access to obstetric care by eliminating fees. There was a disparity between rural and urban women regarding access to health services. Socioeconomic status also played a part regarding access to health services.

The contraceptive pill was available over the counter without a prescription. Skilled health attendance at delivery and postpartum care was available for women who could afford it, with approximately 75 percent of overall births attended by skilled health personnel. Clandestine abortions occurred each year and there were limited services available for the management of related complications.

The government provided access to sexual and reproductive health services for survivors of sexual abuse, although emergency contraception and post exposure prophylaxis were not uniformly available as part of the clinical management of rape.

SYSTEMIC RACIAL OR ETHNIC VIOLENCE AND DISCRIMINATION

The law provided for the protection of members of racial or ethnic minority groups against violence and discrimination. The government enforced the law effectively. The government prosecuted eight cases of discrimination during the first half of the year, of which three resulted in acquittals and two in convictions, with three still in process at year's end.

The Arab Barometer's 2022 country report reported 37 percent of respondents from the country said that racial discrimination was a problem in Morocco. The survey found that four in 10 Moroccans recognized anti-Black racism as a "great to medium" problem in the country.

INDIGENOUS PEOPLES

The government viewed the Amazigh as a core component of Moroccan identity; the majority of the country's population, including some members of the royal family, claimed some Amazigh heritage. However, many of the poorest regions in the country, particularly the rural Middle Atlas region, were predominantly Amazigh and had illiteracy rates higher than the national average. Basic government services in this region were lacking, and it remained underdeveloped.

Amazigh cultural groups contended they were rapidly losing their traditions and language to cultural dominance of the Arabic language and culture. Amazigh language materials were available in news media and, to a much lesser extent, educational institutions. The government provided television programs in the three national Amazigh dialects of Tarifit, Tashelhit, and Tamazight. According to regulations, public media were required to dedicate 30 percent of broadcast time to Amazigh language and cultural programming. The 2023 Finance Bill included an allocation of 300 million Moroccan dirhams (\$27.5 million) to the Ministry of Digital Transition and Administrative Reform to accelerate the integration of the Amazigh language in public administrations.

CHILDREN

Birth Registration: The law permitted both parents to transmit citizenship to their children. The law established that all children had civil status regardless of their family status. There were, nonetheless, cases in which authorities denied identification papers to children because they were born to unmarried parents, particularly in rural areas or in the cases of poorly educated mothers unaware of their legal rights.

Education: Education was free and compulsory from ages six to 15. The government offered Amazigh language classes in 31 percent of elementary schools. Although the palace-funded Royal Institute of Amazigh Culture created a university-level teacher training program to address the shortage of qualified teachers, Amazigh NGOs contended that the number of qualified teachers of regional dialects of Amazigh languages continued to decrease. The government reported, however, that the number of teachers employed to teach the official national Amazigh language had increased. Instruction in the Amazigh language was mandatory for students at the Ministry of Interior's School for Administrators.

Child Abuse: The law prohibited child abuse. NGOs, human rights groups, media outlets, and UNICEF claimed child abuse was widespread. Prosecutions for child abuse were extremely rare. The government reported 190 cases of child abuse under investigation by the public prosecutor's office in the first half of the year. Some children's rights NGOs expressed concerns regarding the lack of legislation to prosecute cases involving incest.

On March 2, the Court of First Instance sentenced a child protection center director to five years in prison with a fine of 200,000 Moroccan dirhams (\$20,000) for child forced labor, sex trafficking, embezzlement, and misuse of public funds.

Child, Early, and Forced Marriage: The legal age for marriage was 18, but parents could secure a waiver from a judge for underage marriage. The government maintained a national awareness-raising campaign against the marriage of minors.

Sexual Exploitation of Children: The age of consent was 18. The law prohibited commercial sexual exploitation, sale, offering or procuring commercial sex, and practices related to child pornography. Penalties for sexual exploitation of children under the criminal code ranged from two years to life imprisonment and monetary fines.

ANTISEMITISM

The constitution recognized the Jewish community as part of the country's population and guaranteed everyone the freedom to "practice his religious affairs." Community leaders estimated the size of the Jewish population at 1,500. Overall, there appeared to be little overt antisemitism, and the Jewish community generally lived in safety.

TRAFFICKING IN PERSONS

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

ACTS OF VIOLENCE, CRIMINALIZATION, AND OTHER ABUSES BASED ON SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, OR SEX CHARACTERISTICS

Criminalization: The law criminalized consensual same-sex sexual activity, with a maximum sentence of three years in prison for convictions. According to the government, through the first half of the year the state prosecuted 441 individuals for same-sex sexual activity. Activists noted that police used the law to harass individuals profiled for gender expression. According to NGOs, gender-nonconforming individuals attracting attention from police for their appearance could be searched, and innocuous items, such as condoms, could be used as evidence of a violation. Restrictive laws remained a widespread threat to LGBTQI+ persons' security.

Violence against LGBTQI+ Persons: According to human rights organizations, LGBTQI+ victims of violence in high-profile cases from previous years continued to be harassed when recognized in public. Many LGBTQI+ persons were not comfortable reporting problems to police because LGBTQI+ activity was illegal, with some viewing the police as a threat. The degree of helpfulness from police in responding to an incident appeared to stem mostly from a police officer's personal feelings toward the LGBTQI+ community. Media reported individuals within the LGBTQI+ community were subjected to violence because of their sexual orientation or gender identity. Activists noted that death threats and online harassment were regular occurrences.

Discrimination: The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and did not recognize LGBTQI+ individuals, couples, and their families. Civil society experts stated that the lack of legal protections and pervasive discrimination towards the LGBTQI+ community created conditions for chronic prejudice and harassment by Moroccan authorities and the public. Many activists have emphasized that they continue to face discrimination that negatively impacts all aspects of their lives, employment, health care, and housing as well as social exclusion, including rejection from their families.

Availability of Legal Gender Recognition: Legal gender recognition was not available.

Involuntary or Coercive Medical or Psychological Practices: NGOs reported that police officers sometimes spoke with the parents of LGBTQI+ persons in an attempt to coerce LGBTQI+ persons to change, or simply not express, their sexual orientation, gender identity, or gender expression. There were also reports of parents forcing lesbian or bisexual daughters to marry men and live as heterosexuals.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: Media and the public addressed questions of sexuality, sexual orientation, and gender identity commensurate with previous years. NGOs identified registration problems as a primary obstacle for LGBTQI+ organizations, as registration provided access to funding and allows legal operation. For groups that had attempted to register, they described significant time and energy required, as well as the safety concerns in running an LGBTQI+ organization in a country where their "existence is criminalized" and they receive "courtesy visits" from officials.

PERSONS WITH DISABILITIES

The law prohibited discrimination against persons with disabilities in employment, education, and access to health care. The law also provided for regulations and building codes that provide for access for persons with disabilities. In general, the government did not effectively enforce or implement these laws and regulations. While building codes required accessibility for all persons,

the codes exempt most pre-2003 structures, and authorities rarely enforced them for new construction. Most public transportation was inaccessible to persons with disabilities, although the national rail system offered wheelchair ramps, accessible bathrooms, and special seating areas. Although government policy provided that persons with disabilities should have equal access to information and communications, special communication devices for persons with visual or auditory disabilities were not widely available. Coordination among government ministries remained a problem to persons with disabilities receiving access to services. The government allocated 500 million Moroccan dirhams (\$50 million) to organizations dedicated to assisting individuals with disabilities in areas such as school accommodation.

The Ministry of Family, Solidarity, Equality, and Social Development had responsibility for protecting the rights of persons with disabilities and attempted to integrate persons with disabilities into society by implementing a quota of 7 percent for persons with disabilities in vocational training in the public sector and 5 percent in the private sector. Both sectors were far from achieving the quotas. The government maintained more than 400 integrated classes for children with learning disabilities, but private charities and civil society organizations were primarily responsible for integration.

OTHER SOCIETAL VIOLENCE OR DISCRIMINATION

Persons with HIV and AIDS faced discrimination and had limited treatment options. The Joint United Nations Programme on HIV/AIDS reported that some healthcare providers were reluctant to treat persons with HIV and AIDS due to fear of infection. Although an NGO reported the overall objectives in the National Strategic Plan for combating and treating HIV and AIDS were achieved, the testing campaigns for affected individuals were delayed because of COVID-19; as a result, the plan was extended to 2023 to complete the testing campaign.

Section 7.

Worker Rights

A. FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

The constitution provided for the right of workers to form and join unions, strike, and bargain collectively, 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 commences. The government had the authority to disperse strikers in public areas not authorized for demonstrations and to prevent the unauthorized occupancy of private space. Unions could neither engage in sabotage nor prevent individuals not on strike from working.

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

B. PROHIBITION OF FORCED OR COMPULSORY LABOR

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

C. PROHIBITION OF CHILD LABOR AND MINIMUM AGE FOR EMPLOYMENT

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

D. DISCRIMINATION (SEE SECTION 6)

E. ACCEPTABLE CONDITIONS OF WORK

Wage and Hour Laws: The minimum wage was above the 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 domestic 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. Paragraphs 1 and 2 of article 289 of the Labor Code stipulated that it was prohibited for any employee to use a machine without its associated protective devices being in place, and it was prohibited to ask an employee to use such a machine. Law 65-99, Article 1 of the Labor Code provided for specific provisions relative to certain activities which 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. 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 as per articles 542 and 544 of the Labor Code.

Wage, Hour, and OSH Enforcement: The government 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. In 2002, the government increased the number of labor inspectors by over 23 percent, from 404 to 500 in total. Despite this increase in inspectors, research indicated Morocco did not have an adequate number of labor inspectors or sufficient funding to carry out their mandated duties. Labor inspectors visited companies of all sizes, including companies that employed fewer than five employees. Inspectors could not independently levy fines or other punishments. 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. Law 19-12 sanctioned employers with employees who do 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 range 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. Labor inspectors reported their small numbers, scarce resources at their disposal, and the broad geographic dispersion of sites limited their ability to enforce the domestic workers law effectively.

A Moroccan Central Bank study indicated that 30 percent of Morocco's GDP depended on the informal sector. The largest informal sectors were agriculture, textiles, and temp agencies. The Higher Commission for Planning (HCP) published in June 2023 that informal employment represented 67.6 percent of the overall workforce in Morocco. Employees in the informal sector were also protected by the Labor Code's Article 1 of Law 65-99, which stated all employees linked by an employment relationship were subject to the provisions of the said law, whether formal or informal.