

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	357
Land:	Marokko-Vestsahara
Kilde:	Amnesty International
Titel:	Rapport: The State of the Worlds Rights
Udgivet:	24. april 2024
Optaget på baggrundsmaterialet:	30. april 2024

The State of the World's Human Rights; Morocco/Western Sahara 2023

Background

On 19 January, the European Parliament passed a resolution on the situation of journalists in Morocco, urging the authorities to respect freedom of expression and media freedom.

In April, the UN concluded its UPR review of Morocco. The country accepted several recommendations, including one to strengthen the protection of migrants' rights, but rejected recommendations to criminalize marital rape and decriminalize consensual same-sex sexual relations between adults.

On 8 September, a 6.8-magnitude earthquake hit Al Haouz region in south-west Morocco. The WHO estimated that more than 300,000 people were affected in the city of Marrakech and in the High Atlas Mountains. According to the Moroccan authorities, 2,901 people were killed and thousands more injured.

On 31 October, the UN Security Council renewed for a year the mandate of the UN Mission for the Referendum in Western Sahara, which still had no human rights component.

Freedom of expression

Courts continued to display intolerance to free speech, convicting at least six individuals, including activists, journalists and a lawyer, for expressing their views.

On 20 February, a court of appeal sentenced human rights defender Rida Benotmane to 18 months in prison on charges relating to his social media posts and YouTube videos dating from 2021, in which he criticized abuses by the security forces, called for the release of political detainees and accused the government of oppressing free speech.¹

In May, a first instance tribunal sentenced activist Saida El Alami to two years in prison and a fine for "offending the king", which she denied. On 17 May, the same court confirmed on appeal a three-year prison sentence against lawyer Mohamed Ziane for "insulting" public officials and institutions in connection with a video posted on YouTube in which he criticized the head of the security forces.²

On 20 July, the Court of Cassation, Morocco's highest court, rejected the appeals of journalists Omar Radi and Soulaïman Raïssouni, thereby confirming their six- and five-year prison sentences, respectively.³

On 27 November, Casablanca's appeals court convicted Said Boukioud to three years' imprisonment and a fine for Facebook posts published in December 2020 in which he criticized the government's relations with Israel.

Repression of dissent

On several occasions, authorities restricted dissent and the right to peaceful assembly in Western Sahara.

Between 4 May and 20 June, police put under surveillance the house of Sahrawi activist Mahfouda Lefkir in Laayoune city in the north of Western Sahara, after she visited Dakhla city in the south of Western Sahara in solidarity with activists there. Law enforcement officers followed her every time she left her home, stopped activists visiting her by beating them in front of the house, and verbally insulted her and her family.

On 14 May, authorities expelled without due process an Italian national, Roberto Cantoni, a researcher investigating the use of renewable energy in Morocco and Western Sahara, from Laayoune to Agadir, a southern coastal city in Morocco.

On 4 September, law enforcement officers forcibly dispersed a peaceful protest in Laayoune on the first day of the first visit to Western Sahara of Staffan De Mistura, the Personal Envoy of the UN Secretary-General for Western Sahara. The officers physically and verbally assaulted at least 23 Sahrawi protesters, including two women – Salha Boutenkiza and Mahfouda Lefkire – as well as Bouchri Ben Taleb. They dragged the protesters along the ground, and beat and threatened them. On 7 September, law enforcement officers in Dakhla arbitrarily arrested at least four Sahrawi activists, including Hassan Zerouali and Rachid Sghayer, and detained them in the city's Oum Bir police station for seven hours, preventing them from meeting Staffan De Mistura.

On 21 October, law enforcement officers prevented the Sahrawi human rights organization CODESA (Collective of Sahrawi Human Rights Defenders) from holding its first national congress in Laayoune. Attendees told Amnesty International that law enforcement officers used physical violence against them.

Authorities maintained the physical closure imposed in 2022 of the Laayoune headquarters of the Sahrawi Association of Victims of Grave Violations of Human Rights Committed by the Moroccan State.

Torture and other ill-treatment

Authorities tortured and otherwise ill-treated some individuals perceived as critics.

On 18 April, law enforcement officers arbitrarily detained for 90 minutes Abd El Tawab El Terkzi in Laayoune after he appeared in a video of a Spanish tourist saying that he was a proud Sahrawi and favoured the self-determination of his people. The officers tortured and otherwise ill-treated him by cuffing and hooding him, slapping his face, spitting on him, and threatening to rape him and kill him using acid.

As of May, at least five people were denied the right to read and write in prison; Rida Benotmane, a writer and member of the Moroccan Association for the Defence of Human Rights; 80-year-old Mohamed Ziane, a human rights lawyer and academic; and three journalists, Taoufik Bouachrine, Omar Radi and Soulaïman Raïssouni (see above, Freedom of expression).⁴

In February, Morocco forcibly returned without due process Hassan Al Rabea, a Saudi citizen, to Saudi Arabia, where he was at risk of torture and other human rights violations. Moroccan security officers detained him on 14 January at Marrakech airport at the request of Saudi Arabia, which had charged him with terrorism-related crimes.⁵

Women's rights

Domestic legislation entrenched gender inequality, including in relation to women's rights to inheritance and custody of children.

The Penal Code criminalized abortion unless necessary to save “the mother’s health or life” and if performed by a doctor or surgeon. Women who had or attempted to have an abortion outside these legal exceptions faced six months to two years in prison and a fine. The Penal Code also punished anyone involved in providing an abortion with one to five years in prison, doubled if the person performing the abortion habitually does so, and a fine.

LGBTI people’s rights

Article 489 of the Penal Code punished adult same-sex sexual conduct or “unnatural” acts with six months to three years in prison plus fines.

In April, Le Desk, a Moroccan digital news outlet, reported that a French school in Kenitra, a city in north-west Morocco, had dismissed a teacher after a group of parents filed a complaint in February for “apology of homosexuality” after the teacher encouraged students to accept same-sex sexual relations.

Impunity

The authorities continued to fail to hold anyone to account for the deaths of at least 37 migrants and the disappearance of 76 others on 24 June 2022 when Moroccan and Spanish security forces used excessive force against around 2,000 Sub-Saharan African migrants attempting to cross the border between Morocco and the Spanish enclave of Melilla.

Right to water

In its 2023 Global Water Security Assessment, the UN University classified Morocco as water insecure. Water scarcity, largely attributable to climate change, was rapidly approaching the absolute water scarcity threshold in the country.

In February, the National Human Rights Council of Morocco published a report warning of the decline of water resources in the country. The Council called on authorities to take urgent measures, including fighting water pollution; investing in and developing water infrastructure and alternative water sources, such as treating wastewater and desalination; and examining the impact of agriculture, particularly of high water-consuming products such as watermelons and avocados, on water stress. Citing General Comment No. 15 of the UN Committee on Economic, Social and Cultural Rights, the Council reminded Moroccan authorities of their obligation to ensure that everyone has “sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.”

Right to a healthy environment

World Weather Attribution reported that Morocco experienced climate change-related extreme heatwaves. In April, high temperature records were broken in several parts of the country, with temperatures exceeding 41°C in some cities. On 11 August, the General Directorate of Meteorology documented a temperature of 50.4°C in Agadir, the highest ever recorded in the country.

Death penalty

Courts continued to hand down death sentences. The last execution was in 1993.
