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The State of the World's Human Rights; Morocco and Western Sahara 2024

Authorities continued to repress dissent and target journalists, activists and government critics through prosecution and surveillance, despite a royal pardon for thousands of prisoners including journalists and human rights defenders. Morocco's laws and practices continued to uphold gender inequality and criminalize same-sex sexual relations between consenting adults. Authorities failed to meet their obligations to ensure accessible, affordable and good quality sexual and reproductive health services for women and girls, including abortion. Civil society opposed a draft Code of Penal Procedure that would hinder anti-corruption efforts. Authorities failed to effectively investigate the deadly June 2022 crackdown on migrants and refugees. Authorities arbitrarily arrested and forcibly relocated refugees, asylum seekers and migrants to remote regions, putting their safety and lives at risk. Morocco faced a severe climate change-induced drought and the authorities' response to the September 2023 earthquake was criticized as inadequate.

Background

The authorities failed to extend an invitation to the UN Special Rapporteur on counter-terrorism and human rights, who requested to visit Morocco on 24 April amid concerns of continuing human rights violations in the name of "countering terrorism".

On 4 October the European Court of Justice ruled that the 2019 EU-Morocco trade agreements regarding fisheries and agricultural products, to which the people of Western Sahara did not consent, were concluded in breach of the principle of self-determination.

Freedom of expression

In July, around 2,460 prisoners, including several high-profile journalists and human rights defenders, were released by royal pardon. They included journalists Omar Radi, Taoufik Bouachrine and Suleiman Raissouni, as well as YouTuber Mohamed Réda Taoujni. After his release, Suleiman Raissouni became the target of smear campaigns.

Journalists, activists and government critics were subjected to prosecution, digital surveillance and smear campaigns by pro-state media. Several were imprisoned for criticizing the monarchy or publishing what authorities deemed "false news".

In February and September, the UN Human Rights Committee requested that authorities put in place interim measures to protect the health of the 81-year-old human rights lawyer and ex-minister for human rights, Mohamed Ziane, who was sentenced in November 2022 on bogus charges related to his human rights work. According to the organization Alkarama, which submitted the complaint, authorities did not comply with the request.

In November, the Rabat Court of First Instance sentenced journalist Hamid El Mahdaoui, the director of the Badil website, to 18 months in prison and a fine after convicting him of "disseminating false allegations" and "defamation", stemming from a complaint by the minister of justice, Abdellatif Ouahbi.

Repression of dissent

Authorities continued to restrict dissent and the rights to freedom of association and peaceful assembly in Western Sahara.

In January, police violently dispersed a peaceful demonstration by Sahrawi women activists in Laayoune and subjected protesters to beatings.

In February, police prevented a press conference on the human rights situation in Western Sahara by the Sahrawi Human Rights Defenders Collective (CODESA) from taking place at the Laayoune home of the organization's president, Ali Salem Tamek.

In April the Moroccan army and gendarmerie bulldozed and destroyed the homes of 12 Sahrawi families in the town of Al-Jitir, north of Smara. Moroccan authorities stated they were acting against unregulated construction. The homes were destroyed without reasonable notice or the provision of alternative housing, amounting to forced evictions.

In August, police subjected 13 activists at the airports of Laayoune and Dakhla to arbitrary searches and confiscated documents and other personal belongings. The activists were returning from a conference in Türkiye.

Women's and girls' rights

Domestic legislation continued to entrench gender inequality, including in relation to inheritance and child custody.

On 28 June, King Mohamed VI submitted a revised draft of the Family Code to the High Council of Ulemas for religious assessment prior to it being put to a vote in parliament. Authorities did not share the draft publicly and provided limited information regarding consultations with human rights organizations and activists.

Authorities failed to meet their obligations to ensure accessible, affordable and good quality sexual and reproductive health services, including abortion, forcing women and girls into dangerous situations and violating their human rights.¹ The criminalization of abortion, which carried a punishment of imprisonment even in cases of rape, continued to have devastating consequences for women and girls.

LGBTI people's rights

Article 489 of the Penal Code continued to criminalize consensual same-sex sexual relations, which were punishable by up to three years' imprisonment and a fine.

According to LGBTI rights organization Akaliyat, LGBTI people continued to face arbitrary arrest, prosecution, ill-treatment in detention, hate crimes and other discrimination, while most did not feel safe enough to report violations.

According to Moroccan media, in June and September local authorities prevented two same-sex weddings.

On 9 September, parliamentarian Mustafa Ibrahimy requested that the government ban an early childhood education curriculum book because it had a rainbow on the cover. His request had not been heeded by the end of the year.

Impunity

On 29 August the government approved Bill 03-23, amending and supplementing Law 22-01 relating to the Code of Penal Procedure. The text was awaiting final adoption by parliament at the end of the year. The reform was opposed by the Moroccan Bar Association for infringing the rule of law and right to a fair trial, and by civil society organizations, including Transparency Morocco and the Moroccan Association for the Protection of Public Funds, as it would prevent civil society from lodging complaints against officials for corruption.

Right to truth, justice and reparation

In September Morocco's National Human Rights Institution, the National Human Rights Council, announced it would carry out genetic tests to confirm the identities of human remains in the former secret detention centre of Tazmamart, in which authorities subjected detainees to torture and other ill-treatment between 1973 and 1991. According to the Families of the Victims of Tazmamart, this notable decision came two decades too late and their other demands regarding reparations remained unfulfilled. The association called for a thorough and impartial investigation into the circumstances and causes of the deaths of prisoners in Tazmamart.

According to the National Human Rights Council, as of June 2024, 27,723 individuals had received financial compensation since 1999 for violations committed between 1973 and 1991, including former victims of enforced disappearances or their rightful claimants, with a total of USD 211.8 million distributed.

Refugees' and migrants' rights

Authorities failed to ensure a transparent and effective investigation into the deaths of at least 37 people and the disappearance of 77 others when Moroccan and Spanish security forces used anti-riot equipment and less-lethal weapons to violently disperse a group of up to 2,000 sub-Saharan African migrants, asylum seekers and refugees attempting to cross the border from Morocco into the Spanish enclave of Melilla on 24 June 2022.²

On 24 June, Spanish press agency EFE, citing sources from the Moroccan public prosecution office, announced that Moroccan authorities had closed an investigation opened earlier in the year into the deaths of 23 people in Melilla in June 2022 because of "the lack of evidence of a crime" and based on the conclusion that security forces' use of force was proportional. The Moroccan authorities did not publish the results of their investigation. The Moroccan Association for Human Rights (AMDH) reported that, between 6 and 12 June 2024, the authorities conducted secret burials of at least 13 of those killed during the crackdown.

According to an investigation published in May by Lighthouse Reports and a consortium of media outlets, Moroccan authorities carried out racially targeted arrests of Black refugees and migrants in urban centres before abandoning them in remote areas close to the Algerian border, putting their security and lives at risk.

In January and February, two Mauritanian and four Malian nationals were killed in drone strikes conducted by the Moroccan authorities in Western Sahara, according to CODESA. The authorities justified the attacks as part of government efforts to counter smuggling and unauthorized activities such as artisanal gold mining or trade. No independent or effective investigations into their deaths had been conducted by the end of the year.

Economic and social rights

In April the government announced it would increase the minimum wage for public sector, private sector and agricultural workers over the next two years and decrease income tax.

A study published in June by the High Planning Commissioner, a government statistical institution, found a decline in living standards of 3.1% between 2019 and 2022, leading to an increase in absolute poverty levels, related in particular to Covid-19 and the multi-year drought. The poorest 10% of the population spent 50% of their income on food.

In July, parliament referred draft organic law 97-15 on the right to strike to Morocco's Economic, Social and Environmental Council (CESE) for an advisory opinion. The CESE stated that the draft required significant revisions to meet Morocco's international commitments on workers' rights.

FIFA announced that the 2030 men's football World Cup would be co-hosted by Spain, Portugal and Morocco. Morocco faces several risks arising from hosting the event that are yet to be addressed, notably in relation to labour rights, migrants' rights, child labour and forced evictions.³

Right to a healthy environment

Morocco continued to suffer a prolonged and severe climate change-induced drought. In January, authorities reported that dams were critically low, and rainfall was 70% lower than average. The drought affected the irrigation of farmland with adverse consequences on the rights to food and an adequate standard of living. Agriculture remained the largest economic sector and the main employer in rural areas. In August and September, heavy rainfall and thunderstorms hit several south-eastern and northern regions, causing floods resulting in at least 30 deaths.

In May, AMDH shared a preliminary assessment of the government's response to the devastating earthquake that struck the Al Haouz region on 8 September 2023, causing around 3,000 deaths. AMDH reported a lack of preparation by state institutions to manage the disaster, including the absence of relevant national programmes and weak logistical organization and coordination of relief and rescue operations, among other findings.

Death penalty

Courts continued to impose death sentences, predominantly for murder. Morocco had not carried out executions since 1993.

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1. *Morocco: "My Life is Ruined": The Need to Decriminalize Abortion in Morocco*, 14 May ↩
 2. "Morocco/Spain: Reveal fate of migrants who remain missing two years after deadly Melilla border incident", 24 June ↩
 3. *Playing a Dangerous Game? Human Rights Risks Linked to the 2030 and 2034 FIFA World Cups*, 5 June ↩