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Kingdom of Morocco

Head of state: **King Mohammed VI**

Head of government: **Saad-Eddine El Othmani (replaced Abdelilah Benkirane in March)**

Journalists and protesters calling for social justice and political rights were imprisoned, often following unfair trials. Judicial authorities did not adequately investigate reports of torture in detention. Impunity persisted for past human rights violations. Migrants continued to face excessive force and detention. Courts imposed death sentences; there were no executions.

BACKGROUND

Significant and sustained social justice protests took place in Morocco's northern Rif region. In January, Morocco rejoined the African Union. In February, Morocco submitted a request to join ECOWAS. In March, King Mohammed VI appointed Saad-Eddine El Othmani as head of government following a government reshuffle. In April, the UN Security Council extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for another year without human rights monitoring.[1] In September, the UN Human Rights Council adopted recommendations following a review of Morocco's human rights record under the UN UPR process.[2]

FREEDOMS OF EXPRESSION AND ASSOCIATION

The authorities used Penal Code provisions on insult and on incitement to protest or rebellion to prosecute and imprison journalists, bloggers and activists who criticized officials or reported on human rights violations, corruption or popular protests. In the second half of the year, prosecutors investigated at least one protester for "false reporting" after he claimed that the police had tortured him. Courts also convicted and imprisoned journalists and activists on vague and overly broad state security and terrorism offences in what amounted to punishment for their criticism of the authorities.

Between May and August, security forces arrested and detained eight journalists and bloggers over critical coverage or online commentary of the protests in Rif. Prosecutors charged them with protest-related, state security offences. Hamid El Mahdaoui was convicted of inciting others to take part in an unauthorized protest and sentenced to three months' imprisonment and a fine of 20,000 dirhams (around USD2,100), increased to one year's imprisonment on appeal.

Seven people, including journalists, activists and the academic Maati Monjib, remained on trial on charges including "threatening state security" for promoting a mobile application for citizen journalism that protected

users' privacy. Journalist Ali Anouzla remained on trial on trumped-up charges of "advocating, supporting and inciting terrorism" for an article he had published on the website lakome.com in 2013.

The authorities imposed restrictions on some organizations in Morocco and Western Sahara perceived to be critical of the authorities. Restrictions included continuing obstruction of the registration of associations, banning the activities of associations, and expelling foreign nationals invited by such associations.

FREEDOM OF ASSEMBLY

Authorities tried and imprisoned hundreds of activists involved in social or environmental justice protests on assembly-related charges. Courts also used trumped-up criminal charges for offences under ordinary law and charges under vaguely defined state security and terrorism provisions to try protesters.

In February, gendarmes violently arrested peaceful environmental protesters including Mohamed Akkad, causing significant sight loss in his right eye. He and 13 other people who had protested peacefully against a stone quarry near their village in Beni Oukil were convicted by a court in Oujda city of "obstructing public officials" and sentenced to a one-month suspended prison term and fines which totalled 10,000 dirhams (around USD1,050). In a separate protest, gendarmes arrested environmental activist Abderrahmane Akhidir from Imider in the Atlas Mountains. In March, a court convicted him on trumped-up charges of assault and theft and sentenced him to a four-month prison term.

In April, gendarmes arrested human rights defenders Mahjoub El Mahfoud, Miloud Salim and Saif Saifeddine after they participated in a protest organized by Zohra El Bouzidi, who self-immolated to protest against her forced eviction from her home in the town of Sidi Hajjaj. Gendarmes also arrested Zohra El Bouzidi's sister, Khadija El Bouzidi. A court convicted the four of assaulting and insulting public officers and sentenced the three men to two-year prison terms reduced on appeal to four months, and Khadija El Bouzidi to 10 months' imprisonment, reduced on appeal to two months, as well as fines of 500 dirhams (around USD50) each. Zohra El Bouzidi died from her injuries in October.

From May onward, the authorities deployed security forces on a scale unmatched in recent years to prevent protests in the Rif region, and conducted mass arrests of largely peaceful protesters, including children.[3] On some occasions, security forces used excessive or unnecessary force. Judicial authorities failed to conduct adequate investigations into the circumstances of the deaths in August of two protesters, Imad El Attabi and Abdelhafid Haddad.

Between July and November, courts convicted many protesters in relation to protests in Rif, sentencing them to terms of up to 20 years' imprisonment on charges ranging from unauthorized protest to plotting to undermine state security. Throughout the year, the authorities routinely used excessive and unnecessary force to disperse peaceful protests in Western Saharan cities including Laayoune, Smara, Boujdour and Dakhla, particularly against those demanding Sahrawi self-determination and calling for the release of Sahrawi prisoners. Several protesters, bloggers and activists were imprisoned, often after unfair trials on trumped-up charges.

In September, Sahrawi blogger Walid El Batal was released from prison in Smara after serving a 10-month sentence and receiving a fine of 1,000 dirhams (around USD105) on trumped-up charges of insulting and assaulting public officers, damaging public property and taking part in an armed gathering.

In July, a court in Laayoune convicted Sahrawi activist Hamza El Ansari on trumped-up charges of assaulting and insulting public officers and criminal damage for his participation in a protest in February, and sentenced him to one year's imprisonment and a fine of 10,000 dirhams (around USD1,050). The court failed to investigate his allegation that police had ill-treated him and forced him to sign a statement while blindfolded. He was released after his sentence was reduced to three months on appeal in September.

TORTURE AND OTHER ILL-TREATMENT

In October, the UN Subcommittee on Prevention of Torture visited Morocco. Morocco had yet to establish a National Preventive Mechanism against torture. Courts continued to rely on statements made in custody in the absence of a lawyer to convict defendants, without adequately investigating allegations that statements were forcibly obtained through torture and other ill-treatment.

Between July and November, courts in Al Hoceima and Casablanca tried and convicted many Rif protesters, drawing on statements that defendants claimed were coerced, without adequately investigating their allegations that they were tortured and otherwise ill-treated in custody.[4]

In July, a civilian court convicted 23 Sahrawi activists in connection with deadly clashes in Gdim Izik, Western Sahara, in 2010, and handed down heavy sentences, including some of life imprisonment, following their grossly unfair trial by a military court in 2013.[5] The civilian court failed to adequately investigate allegations that they were tortured in custody and did not exclude information tainted by torture as evidence from the proceedings.[6] From September, at least 10 of the 19 Sahrawi activists who remained imprisoned went on hunger strike against prison conditions after being separated into different prisons in Morocco.

Detainees reported torture and other ill-treatment in police custody both in Morocco and in Western Sahara. Judicial authorities failed to adequately investigate these allegations and hold those responsible to account.

Authorities kept several detainees in prolonged solitary confinement, which constitutes torture or other ill-treatment. Prisoner Ali Aarrass was held in isolation for more than one year.[7]

IMPUNITY

The authorities failed to take any steps towards addressing impunity for grave violations including systematic torture, enforced disappearances and extrajudicial executions in Morocco and Western Sahara between 1956 and 1999, despite recommendations by the Equity and Reconciliation Commission transitional justice body.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Courts continued to imprison men under Article 489 of the Penal Code that criminalizes consensual same-sex sexual relations. At least two men were sentenced to six months' imprisonment under Article 489. Victims of homophobic attacks reported being afraid to approach the police to file complaints because of the risk of arrest under Article 489.

REFUGEES' AND MIGRANTS' RIGHTS

Morocco did not adopt a law on asylum but maintained its policy of allowing refugees access to basic rights and services, including education. The authorities issued asylum-seekers and refugees registered by UNHCR, the UN refugee agency, with documents protecting them against *refoulement* – forcible return of individuals to a country where they risk serious human rights violations – without taking a decision on their definitive status.

The authorities left a group of 25 Syrian refugees stranded in the buffer zone of the border area with Algeria for three months before giving them protection in July.[8] Security forces continued to participate in the summary expulsion of migrants and asylum-seekers from the Spanish enclaves of Ceuta and Melilla to Morocco, and to use excessive or unnecessary force against them. Courts imprisoned migrants for unlawful entry, stay or exit from Moroccan territory, including some who had applied to regularize their status, and on some occasions put them on trial without access to a lawyer.

In September, two Burkina Faso nationals died after Moroccan security forces used tear gas against migrants attempting to enter the Spanish enclave of Melilla.

DEATH PENALTY

Courts continued to hand down death sentences. No executions had been carried out since 1993.

POLISARIO CAMPS

The Polisario Front again failed to hold to account those responsible for committing human rights abuses in camps under its control during the 1970s and 1980s.

- [1] UN peacekeeping force in Western Sahara must urgently monitor human rights ([News story](#), 18 April)
- [2] Human Rights Council adopts Universal Periodic Review outcome on Morocco ([MDE 29/7141/2017](#))
- [3] Morocco: Rif protesters punished with wave of mass arrests ([News story](#), 2 June)
- [4] Morocco: Dozens arrested over mass protests in Rif report torture in custody ([News story](#), 11 August)
- [5] Morocco/Western Sahara: Verdict in Sahrawi trial marred by failure to adequately investigate torture claims ([News story](#), 19 July)
- [6] Morocco/Western Sahara: Grant Sahrawi defendants a fair trial ([MDE 29/5753/2017](#))
- [7] Morocco: Further information: Health risks for detainee in isolation for 232 days – Ali Aarrass ([MDE 29/6303/2017](#))
- [8] Syrian refugees trapped in desert on Moroccan border with Algeria in dire need of assistance ([News story](#), 7 June)

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