



Freedom of the Press 2017 - Morocco

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Press Freedom Status: Not Free

Total Score: 66/100 (0 = Most Free, 100 = Least Free)

Legal Environment: 23/30

Political Environment: 25/40

Economic Environment: 18/30

Quick Facts

Population: 34,700,000

Freedom in the World Status: Partly Free

Net Freedom Status: Partly Free

Internet Penetration Rate: 57.1%

Key Developments in 2016:

- In July, Parliament approved a revised press code that abolished prison sentences for press offenses, but the penal code still effectively allows journalists to be prosecuted and jailed for their work.
- Seven people arrested in 2015 for their role in a training program for citizen journalists faced continued delays in their trial during the year, with observers noting that the authorities regularly use such lengthy proceedings to harass and intimidate journalists and other critics.
- At least five foreign journalists were deported from Morocco after reporting on sensitive topics, such as LGBT (lesbian, gay, bisexual, and transgender) issues, sex trafficking, and the disputed territory of Western Sahara.

Executive Summary

The media in Morocco face considerable restrictions. A range of laws either directly limit media freedom or are used to do so. Journalists regularly encounter harassment and cannot report freely in certain areas, especially Western Sahara. The state uses advertising and subsidies, as well as aggressive financial harassment, to repress critical media coverage. However, the population has some access to independent viewpoints through the internet, satellite broadcasts, and private radio. Reforms introduced in 2016 made minor improvements to the legal situation for the press, but the government retained broad powers to censor news content, suspend critical media outlets, and pursue fines and prison sentences against journalists.

Legal Environment: 23 / 30

Morocco's 2011 constitution guarantees freedom of the press, and prohibits prior censorship. However, its vague language provides wide latitude for interpretation and hinders enforcement of media protections.

In July 2016, Parliament gave final approval to a revised press code that included a number of improvements, including decriminalization of defamation, strengthened fair-trial provisions for prosecuted journalists, and protection for journalists' sources, subject to judicial review. The law also recognizes online news outlets, but subjects them to additional scrutiny from regulatory bodies. The law drew criticism from media freedom advocates for retaining the use of heavy fines and for the powers it grants to authorities to censor and suspend publications. Moreover, a number of elements in the penal code, also revised in July, can still be used to prosecute and imprison journalists, diminishing the value of the protections they supposedly enjoy under the new press law. For example, the penal code allows prison terms for speech deemed to harm Islam, the monarchy, or Morocco's territorial integrity, as well as for defaming state institutions, insulting public officials, inciting hatred or discrimination, and denigrating court decisions.

The 2003 antiterrorism law provides for heavy criminal penalties, including fines and jail time, for vaguely worded offenses that include advocacy, support, or incitement to terrorism. In 2013, journalist Ali Anouzla was arrested and detained for two months after he wrote an article that included a link to a YouTube video in which an extremist group criticized Morocco's King Mohammed VI and called for Moroccan youth to wage jihad. His case has been repeatedly postponed. Anouzla faced charges in January 2016 for a November 2015 interview with a German newspaper in which he allegedly questioned the status of Western Sahara, though the case was dropped in May after he insisted that he had been misquoted and the paper corrected its translation. He left Morocco to live in Germany in March.

A 2015 criminal case involving seven senior journalists and activists stretched on throughout 2016 due to repeated delays in their trial. In July 2015, police had disrupted a training session for citizen journalists and confiscated their equipment. In November of that year, the seven trainers were put on trial for allegedly threatening national security and failing to disclose foreign funding in connection with the program, which was sponsored by the Dutch press freedom organization Free Press Unlimited. They faced up to five years in prison. Three of the defendants eventually left the country, two for France and one for the Netherlands.

In February 2016, Abdallah Bakkali, president of the National Syndicate of the Moroccan Press and editor of the opposition daily *Al-Alam*, was sued for defamation by the Interior Ministry after he wrote an article criticizing alleged fraud in recent local and regional elections. The case was then postponed several times and remained pending at year's end.

In July 2016, the lower house of Parliament approved a long-delayed draft bill on access to information. Critics noted a number of problems with the bill, including the narrow scope of institutions covered under the law, its long list of exceptions, and vague wording that would give administrators broad discretion to withhold information. The legislation had yet to be approved by the upper chamber of Parliament at year's end.

The High Authority for Audiovisual Communication (HACA) issues broadcast licenses and monitors content to ensure compliance with licensing requirements. The king appoints the president of HACA and four of its eight board members. The prime minister appoints two additional board members, and the presidents of the two chambers of Parliament each appoint one of the remaining members.

In July 2016, Parliament adopted an amendment to the law on HACA, allowing it to ensure that broadcast media represent the full scope of Morocco's linguistic, cultural, and geographic diversity, and to enforce protections for a pluralistic range of opinions. The new measure also establishes mechanisms for HACA to receive complaints concerning alleged violations of these guarantees from broadcasters, both chambers of Parliament, the government, civil society associations, and individuals. Separately in July, Parliament approved a new version of the broadcasting law that broadly maintains restrictions on critical coverage of sensitive issues, such as the monarchy, religion, and Western Sahara.

In the print sector, both local and foreign publications must obtain accreditation in order to operate and publish, and they can be suspended or censored if their content is deemed a threat to public order. A law promulgated in April 2016 created the National Press Council, a self-regulatory body charged with mediating disputes within the industry, monitoring outlets for compliance with journalistic ethics, and issuing press cards. The council would be composed of 21 members serving four-year terms, with 14 elected by publishers and journalists and the remainder representing other civil society groups. Under the law, the council was set to be operational within one year, but it had not yet been established by the end of 2016.

A December 2015 law established new guidelines related to the practice of journalism, mandated that journalists receive university training, and forbade those with certain criminal convictions from joining the profession. Many public and private institutions provide journalism training, and barriers to entry to the profession are otherwise limited in practice. Unions and advocacy organizations defend journalists' rights and interests. However, the work of journalists is hampered by factors including state surveillance of their communications.

Political Environment: 25 / 40

King Mohammed VI and the government continued to wield considerable control over the editorial content of public broadcast media in 2016. The government holds the sole authority to appoint the managers of public radio and television stations. HACA regularly publishes reports on the amount of coverage given to various political parties by the media, and has found that the government and ruling parties enjoy disproportionate airtime. However, HACA concluded that the media made substantial improvements in their coverage of the political landscape ahead of the legislative elections in October 2016. Parties generally received airtime proportionate to their representation in Parliament and the range of seats they were contesting, in keeping with a formula established by regulators.

The government uses the press law and other legislation to exert editorial pressure and impose censorship on private media, including news websites and blogging platforms. Foreign publications are available in Morocco, but the foreign media are not immune from government censorship. In January 2016, the authorities banned the circulation of one issue of a French magazine that contained images depicting the prophet Muhammad. However, the publisher made the issue available online, and it was widely distributed among internet users in Morocco.

Self-censorship is common, and journalists tend to stay within the official redlines to avoid heavy fines, prison sentences, or extralegal intimidation and physical violence in retribution for their stories. Some journalists continue to push the boundaries of permissible coverage and report on sensitive subjects, but most such reporters have moved outside Morocco to escape government harassment and surveillance.

In April 2016, two French journalists were deported after reporting on an attack against a gay couple in the city of Beni Mellal. In September, two Italian investigative journalists were detained while reporting on an alleged child prostitution network in Marrakech. According to authorities, the journalists had failed to obtain authorization to film in Morocco. Their equipment was confiscated and they were deported the same day.

Independent media are scarce in the disputed territory of Western Sahara. Media outlets operated by supporters of independence for Western Sahara are accessible online, but journalists working for such outlets are regularly subject to arrest and prosecution, and foreign journalists who enter the region without authorization can be deported. In September 2016, for example, Said Amidan and Brahim Laajail, citizen journalists working for the Sahrawi outlet Equipe Media, were arrested in the town of Guelmim and held for three days. They were sentenced in November to three and two months in jail, respectively, for "attacking a public official," though the sentences were apparently suspended. The two were believed to have been targeted because of their ties to Spanish activists who had been investigating the human rights situation in Western Sahara. Separately, Camille Lavoix, a French freelance journalist who had been reporting from the city of Dakhla, was detained by authorities and deported in October.

Economic Environment: 18 / 30

There are scores of daily and weekly news publications in circulation in Morocco, and most are privately owned. The high rate of illiteracy in parts of the country limits the reach of the press as a news source. There are more than a dozen private radio stations, hundreds of news websites, and satellite television stations that offer alternative and independent viewpoints on political issues. Community radio stations are not recognized by the broadcasting law, but many broadcast online. Use of the internet in general, and social media in particular, continues to grow rapidly. Approximately 58 percent of the population regularly accessed the internet in 2016.

From January to November 2016, the National Telecommunications Regulatory Agency (ANRT) imposed a ban on internet-based mobile telephone calls, which affected popular communications applications such as WhatsApp and Skype. The agency cited previously unenforced rules against unlicensed providers of

telephone services. After a vigorous lobbying effort by advocates and international pressure ahead of a UN climate-change conference to be held in the country, regulators lifted the ban in November. The episode was seen in part as an effort to protect the revenue of incumbent telecommunications firms.

The market for printing and distribution of newspapers is largely free and features a number of private, competitive companies. However, many newspapers are heavily indebted to these companies.

The state uses advertising and subsidies, as well as financial harassment, to repress critical media coverage and intimidate the independent press. In October 2016, the subscription-based news website Le Desk announced that it was near insolvency and under threat of closure due to its inability to attract official advertising and the fact that Moroccan law prevented it from seeking foreign investment. General subsidy allocation is controlled by the Information Ministry and has been criticized as nontransparent and discriminatory against smaller publications.

Because of low salaries and a lack of job security, corruption among journalists is endemic.

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