

# Morocco/ Western Sahara

Head of state: King Mohamed VI

Head of government: Abdelilah Benkirane (replaced Abbas El Fassi in November)

Death penalty: abolitionist in practice

Population: 32.3 million

Life expectancy: 72.2 years

Under-5 mortality: 37.5 per 1,000

Adult literacy: 56.1 per cent

Security forces used excessive force against protesters. Critics of the monarchy and state institutions continued to face prosecution and imprisonment, as did Sahrawi advocates of self-determination for Western Sahara. Torture and other ill-treatment of detainees persisted. Several prisoners of conscience and one victim of arbitrary detention were released under royal pardons, but charges were not withdrawn against a number of Sahrawi activists. There were no executions.

## BACKGROUND

Thousands of people demonstrated in Rabat, Casablanca and other cities on 20 February, calling for reforms. The demonstrations were authorized and generally peaceful. Protesters, who quickly formed the 20 February Movement, called for greater democracy, a new constitution, an end to corruption, improved economic conditions, and better health and other services. As protests continued, on 3 March a new National Human Rights Council was created, replacing the Advisory Council on Human Rights. On 9 March, the King announced a constitutional reform process, which was boycotted by protest leaders. A proposed new Constitution was endorsed in a national referendum on 1 July. As a result, the King's powers to appoint government officials and dissolve parliament were transferred to the Prime Minister, but the King remained Morocco's commander of the armed forces, chairperson of the Council of Ministers and highest religious authority. Other constitutional changes enshrined freedom of expression and equality between women and men; and criminalized torture, arbitrary detention and enforced disappearances. In parliamentary elections held on 25 November, the Islamist Justice and Development Party won the greatest number of seats and a new government, headed by Abdelilah Benkirane, took office on 29 November.

In April, Morocco withdrew its reservations to the CEDAW; the reservations related to children's nationality and discrimination in marriage. Morocco also announced it would ratify the Optional Protocols to the Convention against Torture and CEDAW.

Negotiations between Morocco and the Polisario Front continued over the status of Western Sahara, without resolution. The Polisario Front continued to call for the independence of the territory, which Morocco annexed in 1975. On 27 April, the UN Security Council again renewed the mandate of the UN Mission for the Referendum in Western Sahara without including a human rights monitoring component.

## REPRESSION OF DISSENT

Even though the pro-reform protests were generally peaceful, on many occasions security forces were reported to have attacked them, causing at least one death and many injuries. Hundreds of protesters were detained. Most were released, but some were tried and received prison sentences. Security forces were reported to have harassed relatives of activists in the 20 February Movement, and summonsed for questioning scores of activists advocating a boycott of parliamentary elections.

On 15 May, rallies and demonstrations organized by the 20 February Movement in Rabat, Fès, Tangiers and Témara were forcibly dispersed by security forces, who used truncheons and kicked and beat demonstrators.

On 29 May, a demonstration organized in the town of Safi by the 20 February Movement was violently dispersed by the security forces. One protester, Kamel Ammari, died several days later from his injuries.

On 20 November, security forces stormed the offices of the Moroccan Association for Human Rights in the city of Bou-Arafa and reportedly beat a number of staff and young people who were preparing to join a protest.

## FREEDOM OF EXPRESSION

Journalists and others continued to face prosecution and imprisonment for publicly criticizing state officials or institutions, or for reporting on politically sensitive issues.

On 2 March, the King pardoned retired military officer Kaddour Terhzaz, imprisoned for threatening Morocco's "external security" after he wrote to the King complaining about the treatment of former air force pilots.

On 14 April, the King pardoned Chekib El Khiari, a human rights defender and journalist, who was serving a three-year prison sentence imposed in 2009 after he spoke out against corruption.

On 9 June, the editor of el-Massa newspaper, Rachid Nini, was sentenced to one year's imprisonment for spreading "disinformation" and "threatening national security". He had been detained on 28 April following the publication of articles criticizing the counter-terrorism practices of the security services. His sentence was upheld on appeal in October.

In a retrial in December, Zakaria Moumni, a kickboxer imprisoned for fraud after an unfair trial, was again found guilty and sentenced to 20 months in prison. He was arrested in September 2010 after he criticized sports associations in Morocco and repeatedly attempted to meet the King. His original conviction was based on a “confession” that he said was extracted using torture.

On 9 September, rap singer Mouad Belrhoute was arrested, apparently because some of his songs were deemed offensive to the monarchy. His trial was postponed several times and he remained in detention at the end of the year.

## **REPRESSION OF DISSENT – SAHRAWI ACTIVISTS**

Sahrawis advocating self-determination for the people of Western Sahara remained subject to restrictions on their freedoms of expression, association and assembly, and leading activists continued to face prosecution.

On 14 April, Sahrawi activists Ahmed Alnasiri, Brahim Dahane and Ali Salem Tamek were released on bail. They had been held since 8 October 2009 and still faced charges, together with four other Sahrawi activists, of threatening Morocco’s “internal security” through their peaceful activities and advocacy of self-determination for Western Sahara.

Some 23 Sahrawis continued to be detained at Salé Prison, awaiting an unfair trial before a military court for their alleged involvement in violence in late 2010 at the Gdim Izik protest camp near Laayoune. In late October, the detainees went on hunger strike to protest against prison conditions and continued detention without trial. They had not been brought to trial by the end of the year.

No impartial and independent investigation was undertaken into the events at Gdim Izik and in Laayoune in November 2010 when Moroccan security forces demolished a Sahrawi protest camp, sparking violence in which 13 people, including 11 members of the security forces, were killed.

## **TORTURE AND OTHER ILL-TREATMENT**

Reports of torture and other ill-treatment of detainees, notably by the Directorate for Surveillance of the Territory, persisted, with suspected Islamists and members of the 20 February Movement particularly targeted. Detainees continued to be held incommunicado, in some cases allegedly beyond the 12 days permitted by law.

On 16-17 May, prisoners convicted of terrorism-related offences held at Salé Prison rioted in protest against their unfair trials and the use of torture at the secret Témara detention centre. They clashed with guards, briefly holding several hostage, before the prison authorities used live ammunition to quell the riots. Several prisoners were injured.

In late May, Moroccan/German national Mohamed Hajib serving a 10-year prison term needed hospital treatment after he was severely beaten and threatened with rape by guards at Toulal Prison in Meknes, to where he had been moved after participating in the unrest at Salé Prison.

## **COUNTER-TERROR AND SECURITY**

On 28 April, 17 people, mostly foreign tourists, were killed and others injured when a bomb exploded at a café in Marrakesh; no one claimed responsibility but the authorities attributed it to Al Qa’ida in the Maghreb (AQIM), which the group denied.

Adel Othmani was sentenced to death in October after being convicted of the Marrakesh café bombing.

Five men convicted of terrorism-related charges in the “Belliraj Cell” case in July 2009 were released under the general royal pardon issued on 14 April. The case had been marred by procedural irregularities, including failure to investigate defendants’ allegations of torture.

## **TRANSITIONAL JUSTICE**

The authorities failed to implement key recommendations made by the Equity and Reconciliation Commission in its November 2005 report. Victims continued to be denied effective access to justice for gross violations of human rights committed between Morocco’s independence in 1956 and the death of King Hassan II in 1999.

## **DEATH PENALTY**

Moroccan courts continued to hand down the death penalty. The last execution took place in 1993. Five death row prisoners had their sentences commuted to prison terms under an amnesty issued by the King in April.

## **POLISARIO CAMPS**

The Polisario Front took no measures to end impunity for those accused of committing human rights abuses in the 1970s and 1980s at the Tindouf camps controlled by the Polisario Front in Algeria’s Mhiriz region.

In October, three aid workers – an Italian woman, a Spanish woman and a Spanish man – were abducted by an armed group from a Polisario-run refugee camp. They had not been released by the end of 2011.