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Kingdom of Morocco

Head of state: **King Mohamed VI**

Head of government: **Abdelilah Benkirane**

The authorities restricted rights to freedom of expression, association and assembly, arresting and prosecuting critics, harassing human rights groups and forcibly dispersing protests. Torture and other ill-treatment and unfair trials were reported. Women continued to face discrimination. Migrants and asylum-seekers were arbitrarily arrested and subjected to unnecessary and excessive use of force. Courts continued to impose death sentences; there were no executions.

BACKGROUND

In March, Morocco joined the Saudi Arabia-led coalition of states that engaged in the armed conflict in Yemen (see Yemen entry).

In April, the government published a draft bill to amend the Penal Code, part of broader plans to reform the justice system. Human rights groups said the draft failed to rectify existing deficiencies in the Code. Other draft laws to amend the Code of Criminal Procedure and the Statute of Judges, and to establish a Higher Judicial Council, remained under consideration.

FREEDOM OF EXPRESSION

The authorities prosecuted journalists deemed to have insulted public figures, state institutions and the government's human rights record, and convicted some on apparently trumped-up, common-law charges. They continued to crack down on human rights advocates, activists and artists, subjecting some to prosecutions and restrictions on movement.

In March, a court in the capital Rabat sentenced journalist Hicham Mansouri to 10 months' imprisonment after convicting him of adultery in an unfair trial brought on apparently politically

motivated charges.[1] In July, a court in Kenitra convicted caricaturist Khalid Gueddar of public drunkenness and causing "offence to a public institution ", imposing a three-month prison sentence.

Several independent journalists were convicted on charges of false reporting, defamation and insult, and given heavy fines.[2] In August, the Court of First Instance in Meknes convicted Hamid Elmahdaouy, editorial director of the online news website Badil.info, of reporting false news and publishing an unregistered newspaper, after the website reported on the explosion of a car. The court fined him and suspended Badil.info for three months. In November, the Court of First Instance in Casablanca convicted Taoufik Bouachrine, editorial director of *Akhbar Al Yaoum* newspaper, of defamation after the newspaper published a story based on leaked diplomatic cables. The court sentenced him to a two-month suspended prison term and a fine of 1.6 million Moroccan dirhams (about US\$150,000).

The authorities prevented several human rights activists from leaving Morocco to attend events abroad and subjected them to interrogations. In November, seven Moroccan civil society activists, including Maati Monjib, an historian and co-founder of the NGO Freedom Now, were prosecuted on various charges including harming internal state security after training people to use a citizen journalism smartphone application. They faced penalties of up to five years in prison if convicted.

The authorities also banned cultural events, including the public performance of a play about African migrants in Morocco.

FREEDOM OF ASSOCIATION

Groups that criticized the government's human rights record were harassed by the authorities, who prevented them from carrying out legitimate public events and internal meetings, often informally through verbal warnings or by using the security forces to block access to venues. They restricted research activities by international human rights groups, including Amnesty International, Human Rights Watch and NOVACT International Institute for Nonviolent Action.

In June the authorities expelled two Amnesty International staff members who were visiting Morocco to investigate conditions for migrants and refugees at the country's border with Spain.[3] The authorities said they had not given permission for the visit, despite previously informing Amnesty International that no such permission was required.

The authorities continued to bar the legal registration of several human rights organizations. At the end of the year, 41 of the 97 local branches of the Moroccan Association for Human Rights (AMDH), Morocco's largest human rights group, remained unregistered and in legal limbo because local officials refused to accept their registration applications or provide receipts for those deposited. In June the administrative tribunal of Fes ruled that authorities in Tahla could not refuse to accept the registration documents filed by the local AMDH branch and should issue a receipt.

FREEDOM OF ASSEMBLY

The security forces dispersed protests by human rights defenders, political activists, unemployed graduates and students, sometimes by force. Some protesters were arrested, fined and imprisoned.

In January, a court in Ouarzazate sentenced Mustafa Faska and Omar Hourane to three years' imprisonment after convicting them on charges that included robbery, violence and forming a criminal gang after they participated in protests against a silver mine in Imider, where a peaceful sit-in protest has continued since 2011.

In July the authorities prevented three members of the al-'Adl Wal Ihsane (Justice and Spirituality) organization from leaving Morocco for failing to pay fines imposed for "holding an unauthorized meeting" in a private home. They had previously told a court that they would go to prison rather than pay the fines.

In September, security forces arrested 80 members and supporters of the Annahj Addimocrati (Democratic Path) party as they sought to participate in marches and distribute flyers calling for a boycott of communal and regional elections. None faced charges. Some accused the mostly plain-clothes security officers of using excessive force.

REPRESSION OF DISSENT – SAHRAWI ACTIVISTS

The authorities targeted Sahrawi activists who advocated for the self-determination of Western Sahara and reported human rights abuses. They forcibly dispersed gatherings, often using excessive force, and prosecuted protesters. Some Sahrawi prisoners went on hunger strike to protest against torture and other ill-treatment. The authorities also restricted access to Western Sahara for foreign journalists, activists and human rights defenders, barring entry to some and expelling others.

More than two years after his arrest, Mbarek Daoudi, a former soldier and advocate of Sahrawi self-determination, received a five-year prison sentence on what appeared to be politically motivated charges of possessing ammunition without a licence and attempting to make a weapon. He alleged that interrogators forced him to sign an incriminating statement under torture following his arrest in September 2013. In December, Hamza Ljoumai was sentenced to a two-year prison term after taking part in a protest for self-determination in 2013. He said that police officers tortured him in custody and forced him to sign an interrogation report he was not allowed to read.

In March, the NGO Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State obtained official registration 10 years after it first submitted its application to the authorities, although its activities remained restricted. Other Sahrawi rights associations, such as the Collective of Sahrawi Human Rights Defenders, continued to be denied official registration, which they require to operate legally.

In April the UN Security Council extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) for another year, again without including any human rights monitoring component.

TORTURE AND OTHER ILL-TREATMENT

The authorities failed to ensure that detainees and prisoners were adequately protected against torture and other ill-treatment. In particular, the authorities failed to promptly investigate allegations or ensure accountability.

In September, the Moroccan authorities closed the investigation into the torture allegations of Ali Aarrass, which they had opened in May 2014 following a decision by the UN Committee against Torture. Ali Aarrass, who received a 12-year prison sentence on terrorism charges in 2012 after Spanish authorities forcibly returned him to Morocco, remained imprisoned despite calls for his immediate release by the UN Working Group on Arbitrary Detention and had yet to receive a response by the Court of Cassation nearly three years after his appeal.

Some prisoners launched hunger strikes in protest against alleged ill-treatment by prison staff and harsh prison conditions, including overcrowding, poor hygiene and lack of access to medical care.

The authorities responded to allegations of torture against Moroccan officials, filed in French courts and submitted to UN bodies, by prosecuting the complainants on defamation and other charges. Those prosecuted included Zakaria Moumni, who said he was tortured in detention in 2010, ACAT-France, a French anti-torture NGO, and two torture complainants who were assisted by ACAT-France.[4] In July, France and Morocco adopted an amendment to a judicial co-operation agreement between the two countries. The amendment decreed that all complaints alleging violations on Moroccan territory, including by French nationals, are to be transferred to Moroccan courts, thus denying victims of torture or other serious abuses in Morocco any means of obtaining remedy through French courts.

In June a court in Fes sentenced two prison officials to five-year prison terms for causing the death of an inmate at Ain Kadou Prison in Fes in 2008. The victim's family appealed against the apparent leniency of the sentences.

COUNTER-TERROR AND SECURITY

The authorities detained Younous Chekkouri, a former detainee of the US detention facility at Guantánamo Bay, immediately upon his return to Morocco in September and investigated him on terrorism-related charges.

In May the government passed a new law making it a crime for Moroccans to join a terrorist group abroad, punishable by up to 10 years in prison. The amendment compounded problematic aspects in existing anti-terrorism legislation including the provision for 12 days' pre-charge detention with delayed access to legal counsel, and the vague concept of "advocacy of terrorism", punishable by up to 10 years' imprisonment.

IMPUNITY

Victims of serious human rights violations committed between 1956 and 1999 continued to be denied justice.[5] The authorities failed to implement recommendations made by the Equity and Reconciliation Commission, which examined human rights violations between 1956 and 1999, including a national strategy to combat impunity.

WOMEN'S RIGHTS

Women faced discrimination in law and in practice, and were inadequately protected against sexual and other violence.

In March the King asked the government to revise Morocco's restrictive abortion laws. In May the authorities said that access to abortion would be extended to women whose health was at risk due to foetal impairment or who were pregnant as a result of rape or incest; the authorities had not published draft legislation by the end of the year.

In July the authorities charged two women with public indecency, apparently for wearing short skirts. The charges were dropped following a national and international public outcry.

The government failed to move forward on a draft law, announced in 2013, criminalizing violence against women and children.

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

Consensual same-sex sexual relations remained a crime. In May and June, courts in Oujda and Rabat convicted five men on charges that included indecency and engaging in homosexual acts, and sentenced them to prison terms of up to three years, reduced to five months on appeal.

REFUGEES' AND MIGRANTS' RIGHTS

Migrants and asylum-seekers from countries in sub-Saharan Africa faced arrest and alleged that Moroccan and Spanish border authorities used unnecessary and excessive force to prevent them gaining entry to Spain. Moroccan authorities allowed the summary return of some migrants who did gain irregular entry to Spain (see Spain entry).

In February the authorities arrested over 1,000 migrants and asylum-seekers in raids in and around the northeastern port city of Nador. They transported them to cities in southern Morocco and detained them for several days before releasing them. In May, the government announced that it would build a wall along Morocco's border with Algeria. In November, two migrants allegedly died of asphyxiation after the authorities lit a fire outside a cave they had taken refuge in during a raid near the northern city of Fnideq.

POLISARIO CAMPS

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

DEATH PENALTY

Courts handed down death sentences; there have been no executions since 1993.

[1] Morocco: Further information: Jail term of press freedom advocate upheld: Hicham Mansouri (MDE 29/1754/2015)

[2] Morocco: Court orders suspension of news website, editors fined for "false news" and "defamation" (MDE 29/2260/2015)

[3] Amnesty International staff members expelled from Morocco (Press release, 11 June)

[4] Shadow of impunity: Torture in Morocco and Western Sahara (MDE 29/001/2015)

[5] Morocco/Western Sahara: Time for truth 50 years after enforced disappearance of opposition leader Mehdi Ben Barka (MDE 29/2747/2015)

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