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Attacks on the Press 2009 - Morocco

Top Developments

- Authorities censor, jail journalists to silence coverage of the royal family.
- Politicized courts issue heavy defamation awards.

Key Statistic

- 100,000: Copies of two weeklies destroyed by authorities because they carried a poll about the king.

As King Mohammed VI marked his first decade on the Alawite throne, his government moved aggressively to censor coverage of the royal family and silence other critical news reporting, fueling deep concern about the future of independent journalism in this North African nation.

Reporting even positive news about the 46-year-old monarch, portrayed as liberal-minded in 1999 when he succeeded his father, King Hassan II, prompted retaliation. On August 1, authorities destroyed more than 100,000 copies of *Nichane*, an Arabic-language weekly, and *Tel Quel*, its French-language sister, both of which carried a public opinion poll in which 91 percent of respondents said they viewed the king favorably. Three days later, the government banned an issue of the French daily *Le Monde* that also carried the poll results. "Conducting a survey, the main focus of which is to ask the citizens to give their thoughts on the king's actions is in itself a violation of the principles and the foundation of the royal system," Minister of Communication Khalid Naciri told reporters. "In Morocco, the monarchy cannot be the object of a debate, even through a survey."

Critical scrutiny of the royal family has been effectively criminalized. The notorious 2002 Press Law allows the government to ban local or foreign papers found to "harm Islam, the monarchy, territorial integrity, or public order." Twenty-six separate articles call for prison penalties for journalistic activities considered offensive, but insulting the royal family is especially risky, with potential punishment of three to five years in prison. Under the constitution, the king is "sacred and inviolable."

Authorities used those legal tools to obstruct and delay distribution of the July 15 issue of *Le Monde*, and to ban the July 9-15 issue of the French weekly *Le Courier International*, news reports said. *Le Monde* carried an opinion piece by Aboubakr Jamaï, former editor of the critical Moroccan weekly *Le Journal Hebdomadaire*, in which he characterized the king's press policy as a "war against independent journalism." The banned issue of *Le Courier International* reprinted an article on the monarch's personal

wealth that initially ran in *Le Journal Hebdomadaire*. The piece was accompanied by an editorial cartoon calling Mohammed VI "the richest king of the poor!"

Questions about the king's health were taboo. In October, a Rabat court sentenced Driss Chahtan, managing editor of the independent weekly *Al-Michael*, to a year in jail for "publishing false information" about the health of Mohammed VI during a period when the king had not been seen in public, local journalists told CPJ. The court also sentenced *Al-Michael* reporters Mostafa Hiran and Rashid Mahameed to three months in prison in connection with the September articles, but they were not immediately taken into custody. Defense attorneys told CPJ that the trial did not meet basic fairness standards, notably in the court's refusal to allow the defense to summon witnesses. The same month, a Rabat court convicted Managing Editor Ali Anouzla and reporter Bochra Daou of the daily *Al-Jarida al-Oula* on similar "false information" charges in connection with stories on the king's health. They were sentenced to suspended terms.

In September, police shut down the Casablanca daily *Akhbar al-Youm* after the Ministry of the Interior accused the newspaper of showing "blatant disrespect" in publishing an editorial cartoon concerning a "strictly private wedding ceremony organized by the royal family." Prince Moulay Ismail, cousin of King Mohammed VI, was married in a ceremony that, though private, had generated considerable public interest. On October 30, a Casablanca court sentenced Taoufik Bouachrine, the paper's publisher and editor, and cartoonist Khalid Gueddar to suspended jail sentences and monetary penalties for failing to show respect to the royal family. The court also upheld the closing of the newspaper.

Moroccan courts have often been used to settle scores with critical journalists, CPJ research shows. In its annual report released in June, the Moroccan Association for Human Rights said the courts were being used routinely to punish critical journalists and that trials related to freedom of expression were typically "unfair and politically motivated." One case typified the perverse execution of justice.

Al-Jarida al-Oula was assessed fines of more than 350,000 dirhams (US\$43,000) in early year in connection with two defamation complaints filed by an executive for a pro-government newspaper. Khalil Hachemi Idrissi, publishing director of the French-language *Aujourd'hui Le Maroc*, had objected to *Al-Jarida al-Oula*'s coverage of a 2008 episode in which a royal in-law was accused of shooting a traffic officer. Idrissi's paper called *Al-Jarida al-Oula* unpatriotic and unethical for covering a case that was otherwise ignored in the press. When *Al-Jarida al-Oula* retorted that it had "no lesson in ethics to learn" from Idrissi's paper, the executive took the matter to court, claiming he and the judiciary had been insulted. In addition to the monetary penalties, Anouzla and *Al-Jarida al-Oula* columnist Jamal Boudouma each received suspended prison sentences.

On July 10, more than 20 dailies and weeklies withheld editorials to protest court decisions imposing heavy defamation damages against local publications. In an accompanying statement, the Moroccan Federation of Newspaper Editors denounced what it called "blind judicial escalation" against critical newspapers.

The most outrageous of the verdicts was issued in June when a Casablanca court ordered *Al-Massae*, *Al-Jarida al-Oula*, and *Al-Ahdath al-Maghreb* each to pay fines of 100,000 dirhams (US\$12,500) and damages of 1 million dirhams (US\$125,200) to Libyan leader Muammar Qaddafi. The court found the independent dailies had insulted Qaddafi in opinion pieces that were critical of the Libyan leader. Moroccan prosecutors filed the case after getting protests from the Libyan Embassy in Rabat, defense lawyers said.

Le Journal Hebdomadaire, a leading government critic, was dealt a potentially crippling blow in court. On September 30, the Supreme Court upheld a 2006 ruling that ordered the weekly to pay damages of 3 million dirhams (US\$354,000) in a defamation case filed by Claude Moniquet, head of the Brussels-based European Strategic Intelligence and Security Center. Moniquet said *Le Journal Hebdomadaire* had defamed him in an article questioning his group's independence. The organization had issued a report on the disputed Western Sahara that the newspaper said closely reflected the official view of the Moroccan government.

In July, CPJ wrote to the king to express grave concerns about "the continued use of the courts to suppress freedom of expression." CPJ also wrote to U.S. Secretary of State Hillary Rodham Clinton in October to urge her to "impress upon Moroccan authorities that a free press is a crucial component of any free society." Clinton at the time was on her way to Marrakesh, where the Moroccan government was about to host the Forum for the Future, a regional conference on freedom and democracy.

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