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Morocco

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Morocco is a monarchy with a constitution, an elected parliament, and a population of approximately 30 million. According to the constitution, ultimate authority over all branches of government rests with King Mohammed VI, who presides over the council of ministers and appoints or approves members of the government. The king may dismiss ministers, dissolve the parliament, call for new elections, and rule by decree. In the bicameral legislature, the lower house may dissolve the government through a vote of no confidence. The 2002 parliamentary elections for the lower house were widely regarded as free, fair, and transparent. There were 35 political parties in the country. The civilian authorities generally maintained effective control of the security forces.

Citizens did not have the right to change fully their form of government. Reports of torture by various branches of the security forces persisted. Prison conditions remained below international standards. Reports of arbitrary arrests, incommunicado detentions, and police and security force impunity continued. Judicial independence from the executive branch of the government remained a problem. The government restricted freedoms of speech, press, and religion. Trafficking in persons continued, and child labor, particularly in the unregulated informal sector, remained a problem. Security forces disbanded, sometimes with excessive force, monthly demonstrations by unemployed university graduates in front of the parliament.

In March the government enacted an anti-torture law, which defines torture as a criminal offense punishable by long prison terms. In accordance with recommendations made by the Equity and Reconciliation Commission (IER), the Consultative Council on Human Rights (CCDH), paid compensation to victims of human rights abuses and identified some of the graves of those who disappeared during the period between 1956 and 1999. During the year, the CCDH promoted adherence to human rights laws.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed any politically motivated killings.

On July 3, 50 to 70 Africans attempted to cross illegally into Melilla. According to press reports, three migrants were killed, and eight were injured seriously. The government confirmed the deaths of only two migrants; the cause of the third migrant's death remained unknown at year's end.

In October 2005 government border guards shot and killed four African migrants trying to enter illegally the Spanish enclave of Melilla. According to a government report, two other migrants later died from multiple wounds. In November 2005 the government stated that 11 migrants died. The government repatriated the remains of the illegal migrants killed in the incident.

At year's end the cases against the two policemen arrested for being complicit in the killing of Hamdi Lembarki were being adjudicated in the court system. In October 2005 Lembarki died in Laayoune, Western Sahara, during a demonstration in support of Western Saharan independence. According to media reports, eyewitnesses claimed that police beat Lembarki to death.

In December 2005 in Casablanca the government identified between 80 and 100 individuals in a mass grave. The individuals were some of those who disappeared during the 1981 demonstrations against increases in food prices. On September 14, in Er-Rachidia, the CCDH identified the graves of the two leaders of the 1973 antigovernment riots.

b. Disappearance

There were no reports of politically motivated disappearances.

In 2004 King Mohammed VI formed the IER to investigate forced, long-term disappearances of individuals who opposed the government and its policies between independence in 1956 and 1999. Prior to the formation of the IER, authorities confirmed only 100 disappearance cases.

From January 2004 to November 2005, the IER investigated egregious human rights abuses and determined levels of compensation for specific cases of arbitrary detention and disappearance. From December 2004 to April 2005, victims of human rights abuses and/or their families testified before the IER. The IER received 22,000 applications and assessed 16,861 of these to determine appropriate compensation. Human rights groups and families continued to claim that the IER did not acknowledge many cases of disappearances, many from the Western Sahara (see section 4).

The IER's final report announced that the IER resolved 742 disappearance cases and 66 outstanding cases would be investigated further by a follow-up committee of the CCDH. In total, the IER responded with compensation packages to 9,779 victims, and it recommended assistance for those in need of medical attention or rehabilitation as a result of the violations they had suffered. The IER's mandate did not allow the names of individuals responsible for the human rights abuses to be made public. The IER report included a series of recommendations to advance ongoing reform, including consolidating constitutional guarantees of human rights, combating impunity, strengthening judicial independence, and creating follow-up mechanisms.

On July 12, members of the nongovernmental organization (NGO) Forum for Truth and Justice (FVJ) planned a demonstration in Rabat where some graves of victims of forced disappearance are thought to be located. The press reported that the police prevented the FVJ members and the families of the victims from accessing the site (see section 2.b.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices and the government denied the use of torture; however, according to local and international human rights organizations, lawyers, prisoners, and detainees, members of the security forces tortured or otherwise abused detainees. The penal code stipulates sentences up to life imprisonment for public servants who use or allow the use of violence against others in the exercise of their official duties.

On March 16, the government amended the penal code by enacting a specific anti-torture law. By law pretrial investigating judges must refer a detainee to a forensic medicine expert if asked to do so or if judges notice suspicious physical marks on a detainee.

On April 4, Brahim Dahane, a Sahrawi prisoner, who is president of the Sahrawi Association for the Victims of Human Rights Abuses (SAVHRA), accused the judicial police of beating him severely when he was being transported from the Laayoune (Western Sahara) prison to the courthouse. Spanish press reported that Dahane showed no evidence of beating prior to being placed in the transport vehicle. According to the Ministry of Justice, Dahane never officially claimed that he had been beaten.

On December 10, International Human Rights Day, a demonstration took place in Laayoune to support Western Saharan independence. The demonstration was not approved by the government. According to SAVHRA, security forces beat six individuals, including Dahane. The Ministry of Justice determined that five people were beaten.

Prison and Detention Center Conditions

Prison conditions remained poor and generally did not meet international standards, despite some improvements in medical care. Extreme overcrowding, malnutrition, and lack of hygiene continued to aggravate the poor health conditions inside prisons. During the year the government made progress in building new prison facilities and rehabilitating existing prisons. In August new visitor facilities were inaugurated in a Casablanca prison. During the year, six education centers, primarily for vocational training, were completed. Pretrial detainees were not held separately from convicts. The government allocated a larger part of its budget to address health and sanitation issues in prisons.

c. Arbitrary Arrest or Detention

The law does not prohibit arbitrary arrest or detention, and police used both practices. Police did not always observe due process; for example, they sometimes did not identify themselves at the time of arrest of suspects, nor always obtain warrants, according to local NGOs and associations. The police held some detainees without charging them, according to local NGOs and lawyers; or, if charged, the detainees were sometimes denied a public preliminary judicial hearing within a reasonable period.

Role of the Police and Security Apparatus

The security apparatus includes several police and paramilitary organizations with overlapping authorities. The National Police (DGSN), the General Directorate of Territorial Security (DGST), the Mobile Intervention Corps, and the Auxiliary Forces are independent entities. The Royal Gendarmerie reports to the Ministry of Defense and was responsible for law enforcement in rural regions, including national highways. The Department of Royal Security reports to the palace.

The DGSN managed the border and immigration services. The main federal investigative body, the National Brigade, investigated violations of the penal code, terrorism, organized crime, and white-collar crime. The DGST and the Auxiliary Forces had security functions.

While the police were effective, corruption and impunity remained a problem. The Ministry of the Interior investigated accusations of police abuse and corruption. On September 15, it removed eight security force members and four government officials accused of illegal behavior. The Ministry of the Interior disbanded the Urban Security Group (GUS), which had developed a reputation for abuse. GUS personnel became part of the general police ranks.

All aspects of police training, funded by a variety of sources, occurred throughout the year and were effective.

Arrest and Detention

Police may make an arrest following a general prosecutor's issuance of an oral or written warrant, although in practice authorities sometimes issued warrants after the fact. Authorities denied defendants access to counsel or family members during the initial 96-hour period of detention, which was when police interrogated detainees and abuse or torture was most likely to occur (see section 1.c.).

Under the 2003 antiterrorism law, those arrested may be held for 96 hours, with two additional 96-hour extensions allowed at the prosecutor's discretion.

The law provides for a limited system of bail; however, it was rarely granted. The law does not require a written authorization for a person to be released from detention. In some instances judges released defendants on their own recognizance. The antiterrorism law does not include a system of bail. Under a separate military code, military authorities may detain members of the military without a warrant or public trial.

According to the law, all defendants have the right to be represented by attorneys and, if a defendant cannot afford private counsel, a court-appointed attorney must be provided. This provision was respected in practice. The police were required to notify a person's next of kin of an arrest as soon as possible after the initial 48-hour incommunicado detention, but this provision was not always respected in practice. Because of delays in contacting family, lawyers were not always informed promptly of the date of arrest and were not able to monitor compliance within the administrative detention limits. Unlike the previous year, there were no reports that some members of the security forces extended detention limits.

On August 7, the Ministry of the Interior announced it had dismantled a terrorist cell. By the end of August, the government arrested 52 individuals, including four women. The women were accused of being financiers of the cell. The cell members were detained with formal charges at year's end.

The government held an unknown number of individuals because of suspected links to terrorist groups or for suspected involvement in the 2003 Casablanca attacks.

Amnesty

On March 25, the king pardoned 216 prisoners in Laayoune (Western Sahara). In this group were 18 individuals identified as human rights activists by national and international NGOs. On July 31, the king granted royal pardons and commutation of sentences to 1,215 prisoners; on August 20, the king released 679 more; and on December 31, he released 549 more prisoners.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; nevertheless, the courts were subject to extrajudicial pressures. According to observers, corruption remained prevalent.

In June 2005 the supreme council of the judiciary initiated disciplinary proceedings against seven judges for possible corruption. The government dismissed one of the judges; it temporarily dismissed three; two retired early; and the government found one not guilty. At year's end the government had not conducted any new disciplinary proceedings against judges; however, nine cases were adjudicated against legal professionals. In accordance with the 2004 law, judges who committed crimes were tried under the penal code. Since 2004 the Ministry of Justice sued 3,948 individuals in accordance with the 2004 law.

There are four levels in the common law court system: communal and district courts, courts of first instance, the appeals court, and the supreme court. All decisions made in criminal and civil matters in which the penalty exceeds approximately \$33 (330 dirhams) may be appealed to the courts of first instance (regional courts). The regional courts are subdivided into civil, commercial, administrative, penal, and rabbinical sections. Cases may be appealed from the regional courts to the appeals court.

The supreme court is subdivided into five chambers: constitutional, penal, administrative, social, and civil. The constitutional chamber is composed of the president of the supreme court, three judges appointed by the king, and three judges appointed by the president of the chamber of representatives, the lower house. The supreme court is not a venue for criminal appeals cases.

There is a single court system under the Ministry of Justice, including administrative courts, commercial courts, and family courts. Military tribunals existed only for military personnel. The central audit court, which is the supreme audit institution, and nine regional audit courts also had judicial powers. Appeals courts heard cases against government officials accused of abuse of power.

At the government's discretion, serious state security cases such as those relating to the monarchy, Islam, or territorial integrity (in practice advocating independence for the Western Sahara) may be brought against any person. A tribunal, responsible to the Ministry of Interior, is constituted in these cases. The cases against the two policemen charged with Hamdi Lembarki's death were adjudicated in this manner (see section 1.a.).

Trial Procedures

The law provides for the right to a fair public trial for all citizens; however, according to human rights NGOs, this did not always occur in practice, especially for those protesting the inclusion of the Western Sahara into the country. Juries are not used.

Although accused persons generally are brought to trial within an initial period of two months, prosecutors may request up to five additional two-month extensions of pretrial detention; thus, an accused person may be kept in detention for up to one year prior to trial.

According to the law, all defendants have the right to be represented by attorneys and, if a defendant cannot afford private counsel, a court-appointed attorney is provided. The Ministry of Justice is required to provide an attorney at public expense for serious crimes when the offense carries a maximum sentence of more than five years. Attorneys were not always appointed, however, or, if provided, they were poorly paid, resulting often in inadequate representation. Judges sometimes denied defense requests to question witnesses. Defendants are given the right to be present and to timely consultation with an attorney.

Detainees are arraigned before a court of first instance. If the judge determines that a confession was obtained under duress, the law requires that it be excluded from evidence. Human rights NGOs charged that judges decided cases often on the basis of forced confessions, especially in cases of Islamists accused of terrorism (see section 1.c.) or in the cases of some Sahrawis. Police statements about detainees were sometimes used rather than defendants' confessions.

In some cases appeals courts may be used as a second reference for courts of first instance, although they primarily handled cases involving crimes punishable by five years or more in prison. In practice defendants before appeals courts who are implicated in crimes with such a punishment have no method of appeal. The supreme court does not review and rule on cases sent to it by the appeals court; the supreme court may overturn an appellate court's ruling on procedural grounds only. As a result, defendants in crimes whose penalty was long periods of confinement did not often appeal. An investigation by an examining magistrate was mandatory only when life imprisonment or the death penalty was a probability.

Unlike in the previous year, there were no reports of unfair trials.

Family courts adjudicated divorce and child custody cases according to the family law. These courts addressed family issues for Muslim citizens, and judges were trained in Shari'a (Islamic law) as applied in the country and in the requirements of the 2004 family law. By the end of the year, the Ministry of Justice, often in cooperation with international NGOs, had trained 1571 judges and 2,303 legal clerks. Family matters for Jews were handled by the parallel legal system available to them (see section 2.c.).

Political Prisoners and Detainees

The law does not distinguish political and security cases from common criminal cases. The government did not consider any of its prisoners to be political prisoners. The government stated that it detained individuals under criminal law only.

Civil Judicial Procedures and Remedies

The national ombudsman resolves civil matters when the judiciary is unable to do so. The ombudsman reports the cases to the king, who has the final decision.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution states that the home is inviolable and that no search or investigation may take place without a search warrant; however, authorities sometimes ignored these provisions in practice. The law stipulates that a prosecutor may issue a search warrant on good cause, particularly in cases of terrorism. Plainclothes security officers who did not identify themselves or present search warrants conducted home searches. During the year the press reported that authorities searched and closed the homes of members of the Islamist Justice and Charity Organization (JCO) when these homes were being used for "open houses," places where JCO members allegedly held politically oriented meetings, according to the press.

Government security services monitored without authorization certain persons and organizations, both foreign and domestic.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law generally provides for freedom of speech and of the press. The government generally respected these rights in practice, as long as Islam, the monarchy, and territorial integrity (the inclusion of the Western Sahara) were not criticized. Throughout the year several publications tested the boundaries of press freedom.

The 2003 antiterrorist law and the press code impose financial penalties on journalists and publishers who violate the restrictions related to defamation, libel, critical discussion of the monarchy, territorial integrity (advocating independence for the Western Sahara), and Islam. Prison sentences can be imposed on those convicted of libel, which resulted in self-censorship. The press code lists threats to public order as one of the criteria for censorship. Within these limits, politically diverse newspapers and weeklies published news and commentary and were often critical of government policies. The government punished some persons who violated limitations on free speech.

On January 4, the Spanish-language daily *La Manana*, part of the *Maroc Soir* group, which includes *Le Matin*, *Assahara Al-Maghribiyya*, and *Maroc Soir*, published an article criticizing the origins of King Hassan II's fortune and questioning the country's claims to the Western Sahara. The story was reprinted from the Web site "Spanish Friends of Morocco." On March 6, the courts fined the director of the *Maroc Soir* group, Hicham Snoussi, and the author of the article, Mohamed Douma, \$20,000 (200,000 dirhams).

On January 29, authorities released Anas Tadili, the director of the Arabic-language newspaper *Akhbar Al-Ousbouaa*. He had been in prison since 2004 for libeling a minister.

There were no other reports of journalists in prison.

On February 16, the courts fined *Le Journal* editors Aboubakr Jamai and Fahd Iraqi \$305,000 (3.05 million dirhams) in a Rabat civil court for defamation against the European Strategic Intelligence and Security Centre (ESISC). *Le Journal* had published an article on December 3, 2005, questioning the objectivity of a report the ESISC published on the Polisario Front (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro). On April 16, this fine was followed by a criminal court fine of \$5,000 (50,000 dirhams). The criminal court fine was paid December 26.

On February 15, the courts reduced the damages assessed in 2005 against *TelQuel* and three other Arabic-language newspapers, *Al-Ahdath Al-Maghribiya*, *Al-Alam*, and *Al Ousbouiya Al-Jadida*, from approximately \$90,000 (900,000 dirhams) to approximately \$50,000 (500,000 dirhams). The newspapers were accused of falsely accusing the president of the NGO the Moroccan Association for Aid to Children in Precarious Situations, Touria Bouabid, of embezzling funds. The newspapers claimed the articles were based on police records. Reporters without Borders (RSF) supported *TelQuel* by stating that the courts wanted to strangle the weekly financially. The dispute was settled privately between the parties in March.

On May 9, the court sentenced Driss Chaatan, the director of the Arabic-language weekly *Al-Mishal*, to a one-year suspended prison term and fined him approximately \$10,000 (100,000 dirhams) for defaming a foreign president. Article 52 of the press code states that no head of a foreign state can be defamed.

On December 25, the government charged Driss Ksikes, editor, and Sanaa Al-Aji, journalist, of the Arabic-language weekly magazine *Nichane* of defaming Islam and damaging public morality. An article the previous week explored humor about religion, sex, and politics. At year's end the publication remained banned.

On October 31, Nadia Yassine's trial was postponed until April 19, 2007. In June 2005 authorities summoned Yassine, the daughter of the JCO's founder, before the courts for publicly stating her belief that the country would be healthier as a republic than as a monarchy.

The Ministry of Communication issued directives and guidance and subsidized publications. The government temporarily suspended publications it judged offensive, yet allowed suspended publications to continue operation. Unlike in past years, the government did not censor newspapers directly by ordering them not to report on specific items or events. The newspapers, however, practiced self-censorship. The government registered and licensed domestic newspapers and journals. Unlike the previous year, there were no reports that the government used the licensing process to prevent the establishment of new publications or the publication of materials that exceeded its threshold of tolerable dissent. Similarly, there were no reports that the Ministry of Communication controlled foreign publications by removing banned publications from circulation.

In 2005, according to the Ministry of Communication's 2005 print and broadcast media report, there were 468 newspapers: 260 Arabic, 151 French, six Tamazight (Berber), and one Spanish. There were also six electronic newspapers: three French, two Arabic, and one English. Circulation is estimated at 13 copies per 1,000 readers; only 1 percent of the population buys newspapers, although each newspaper is reportedly read by as many as five people. The government owned the official press agency, Maghreb Arab Press. Through the Ministry of Communication, the government subsidized most newspapers, including those critical of the government. Government subsidies vary according to the percentage of the population reading the publication. There are five national independent Arabic daily newspapers (*Assabah*, *Al Ahdath Al Magribiyya*, *Al-Massae*, *Assahifa*, *Annhara al-Magribiyya*), two French-language daily newspapers (*L'Economiste* and *Aujourd'hui le Maroc*), five Arabic-language weekly publications (*Al-Watan*, *Al-Ayyam*, *Al-Osboua*, *Asdae*, and *Nichane*), and four French-language weekly publications (*TelQuel*, *Le Journal*, *La Gazette du Maroc*, *La Vie Economique*).

The government owned Société Nationale de la Radiodiffusion et de la Television, formerly Moroccan Radio-Television. While nominally private and independent, the French-backed Medi-1 practiced self-censorship. A government-appointed committee monitored broadcasts. The government owned the only television stations whose broadcasts could be received in most parts of the country without decoders or satellite dish antennas. During the year the government licensed a new television and 10 radio stations. The government phased the introduction of the radio stations during the year. Satellite dish antennas were widely used. The government did not impede the reception of foreign broadcasts.

The government did not allow the JCO newspaper, *Rissalat Al Foutuwa*, to be sold on newsstands.

According to a Committee to Protect Journalists (CPJ) report, in January 2005 authorities told editors of the Oujda-based weeklies *Al-Sharq* and *Al-Hayat Al-Maghribiyya* to cease publication of their weeklies immediately for three months because of an article published in support of the 2003 terrorist attacks. Authorities imprisoned the editors for three months before they received a royal pardon. By the end of 2005, the publications resumed.

In June 2005 an appeals court upheld a 10-year ban on Ali Lmrabet's writing and a fine of \$5,000 (50 thousand dirhams) after his April 2005 conviction of defaming a pro-government Sahrawi group. Lmrabet was obligated to publish the first verdict for 21 days in an Arabic-language newspaper at a cost of up to \$120,000 (1.2 million dirhams). Lmrabet's newspapers, the French-language *Demain* and the Arabic-language *Doumain*, remained banned at year's end.

In August 2005 a court sentenced Ahmed Benchemsi, director of an independent French-language weekly magazine, *TelQuel*, and Karim Boukari, a journalist for *TelQuel*, to two months in jail for an article that allegedly defamed a parliament member. The magazine was also fined \$100,000 (one million dirhams). The case was appealed, the prison sentence was suspended, and the fine was reduced to the equivalent of \$80,000 (800,000 dirhams) in December 2005.

The law requires the Ministry of Interior to justify to the courts any seizure or banning of domestic or foreign publications, suspension of the publisher's license, or destruction of equipment. The law provides for three to five-year jail sentences, fines, and payment of damages for newspaper officials found guilty of libeling public officials.

Internet Freedom

The government generally did not block Internet access, although it did sometimes block selected Web sites. In November 2005 according to Human Rights Watch (HRW), authorities began blocking access to Internet sites advocating independence for the Western Sahara. Periodically until March, these sites continued to be blocked. In April authorities blocked the JCO Web site and continued to block it sporadically through year's end. During the year the government blocked the site "Google Earth."

Academic Freedom and Cultural Events

The government restricted academic freedom. There was limited open debate on the monarchy, Islam, or the country's incorporation of the Western Sahara. Islamist groups controlled many student unions and sometimes acted to constrain academic freedom. The Ministry of Interior approved the appointments of university rectors.

There were no restrictions on cultural events.

From March 15-30, during the annual book fair in Casablanca, the government banned extremist Islamist literature.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association; however, it also permits the government to suppress any demonstration or mass gathering.

On July 12, the press reported that the police prevented members of the FVJ from accessing the site in Rabat where some graves of victims of forced disappearance may be located (see section 1.b.).

Freedom of Assembly

The Ministry of Interior requires permission for public assemblies. During the year the police forcibly prevented and disrupted some peaceful demonstrations and mass gatherings; these occurrences were fewer than in previous years. There were numerous demonstrations held throughout the year on a variety of issues. Unemployed diploma holders demonstrated monthly in front of the parliament. Intervention by the security forces was sometimes excessive.

On December 8, approximately 50 family members of Islamist prisoners demonstrated in front of the CCDH offices to protest the treatment of imprisoned family members. The police did not interfere.

On March 15, police intervened in a demonstration by the union of unemployed postgraduates outside of the parliament. The press reported that the police intervention was brutal. Attempts at self-immolation continued during demonstrations throughout the year; no individuals died.

In December 2005 during a police assault on a demonstration by the National Dependent Group of Unemployed Moroccans, five protesters attempted a collective self-immolation using gasoline; one of the protesters died after being hospitalized for burns.

Freedom of Association

The constitution provides for freedom of association. The government reported that more than 600 NGOs and associations are registered. According to a 2003 decree, new organizations are required to register with the Ministry of Interior. An organization must first submit its bylaws to the ministry. If the bylaws support the monarchy, Islam, and territorial integrity, i.e., the inclusion of the Western Sahara, the ministry issues a receipt to the organization, which signifies formal approval. The organization may apply for tax exemption and government funding. If the organization does not receive a receipt within one week, it is not formally registered. Many organizations function without the receipts.

From March through July, the government curtailed JCO activities throughout the country as unauthorized public gatherings, including closing JCO "open houses." On August 17, authorities arrested Mohamed Abbadi, the JCO leader in Oujda. The courts fined him \$15,000 (150,000 dirhams), determined his house was illegally constructed, and demolished it.

The Ministry of Interior must approve political parties. In December 2005 the parliament passed legislation placing stringent conditions on political parties. The political party law requires parties to hold frequent national congresses and to include women and youth in party leadership structures. Public funding of parties is based on a party's total representation in parliament and the total number of votes received nationally. Under the law a party can be disbanded if it does not conform to the provisions of the law. To create a new party, a declaration must be submitted to the Ministry of Interior and signed by at least 300 co-founding members from one-half of the 16 regions of the country. The law reflected changes and revisions suggested by existing political parties and members of civil society.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. According to the constitution, Islam is the official state religion and the king is the "Commander of the Faithful and the Supreme Representative of the Muslim community." Non-Muslim communities openly practiced their faiths with varying degrees of official restrictions.

The government prohibited the distribution of Christian religious materials for the purpose of proselytism and tolerated several small religious minorities.

The government did not license or approve religions or religious organizations. The government provided tax benefits, land, building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

The Ministry of Endowments and Islamic Affairs continued to monitor Friday mosque sermons and the Koranic schools, religious training schools, to ensure the teaching of approved doctrine. During the year the ministry provided 38,000 mosques with television sets and satellite dishes to receive programs from the ministry. It placed restrictions on individual Muslims and Islamic organizations whose activities were deemed to have exceeded the bounds of religious practice or have become political in nature. The government strictly controlled the construction of new mosques, requiring a permit for construction. Authorities instituted these measures to avoid exploitation of mosques for political propaganda, such as distributing pamphlets and raising funds, or for disseminating extremist ideas.

The government generally tolerated activities limited to the propagation of Islam, education, and charity. From March through July, security forces disallowed JCO activities for being political rather than religious in nature. Security forces commonly closed mosques to the public after Friday services to prevent their use for unauthorized political activity. On August 29, the Ministry of Endowments and Islamic Affairs announced in the press and on television the closure of 17 mosques across the country. These mosques were reportedly closed for administrative reasons and to maintain the security of the population from religious extremism.

On May 3, the Ministry of Endowments and Islamic Affairs assigned the first group of 50 female guides (*mourshidates*) to mosques as part of a new course it designed to train men and women to be counselors and teachers in mosques throughout the country. Beginning in 2005 the Ministry of Endowments and Islamic Affairs also initiated a graduate-level theological course, part of which focused on Christianity and Judaism.

The government's annual education budget provided funds for teaching Islam in public schools and religions instruction in separate Jewish public schools.

The small foreign Christian community operated churches, orphanages, hospitals, and schools without restrictions or licensing requirements. Missionaries who conducted themselves in accordance with cultural norms could largely work unhindered, but those who proselytized publicly faced expulsion. Unlike the previous year, there were no reports of police questioning foreign missionaries because they carried Christian materials. The number of local Christians, apart from foreign spouses of citizens, was unknown.

The government permitted the importation, display, and sale of bibles in French, English, and Spanish, but not in Arabic, despite the absence of any law banning Arabic-language bibles.

Islamic law and tradition calls for punishment of any Muslim who converts to another faith. Any attempt to induce a Muslim to convert is illegal.

On November 28, a foreign Christian was fined \$50 (500 dirhams) and given a six-month prison sentence for attempting to convert a Muslim to Christianity. The prison sentence was suspended and the individual left the country of his own accord.

Societal Abuses and Discrimination

There were no reports of anti-Semitic acts, publications, or incitements to violence or hatred.

Representatives of the Jewish minority, estimated by community leaders to number approximately about four thousand, generally lived in safety throughout the country. The Jewish community operated a number of schools and hospitals whose services were available to all citizens. The government provided funds for religious instruction to the small parallel system of Jewish public schools. Jews continued to hold services in synagogues throughout the country.

There are two sets of laws and courts--one for Muslims and one for Jews--pertaining to marriage, inheritance, and family matters. Under the family code, which applies to Muslims, the government began retraining judges and recruiting new civil judges, while rabbinical authorities continued to administer family courts for Jews. There were no separate family courts for other religious groups. The government continued to encourage tolerance and respect among religions.

For a more detailed discussion, see the [2006 International Religious Freedom Report](http://www.state.gov/g/drl/rls/hrrpt/2006/78859.htm).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The constitution provides for freedom of movement; however, the government restricted this right in the government-administered Western Sahara in areas regarded as militarily sensitive. Unlike the previous year, there were no reports that authorities denied passports to some persons opposed to government policy in the country.

The Ministry of Interior restricted the freedom to travel outside the country for all civil servants, including teachers, and military personnel. Civil servants must obtain written permission from their ministries to leave the country.

The law provides for forced exile; however, there were no known instances of its use during the year.

The government welcomed voluntary repatriation of Jews who had emigrated. Jewish emigrés, including those with Israeli citizenship, freely visited the country. The government also encouraged the return of Sahrawis who had departed the country due to the conflict in the Western Sahara, provided that they recognized the government's claim to the territory.

Protection of Refugees

The 2003 Emigration and Immigration law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol. It provides for the rights of asylum seekers and the temporary residency of persons who do not qualify for refugee status or asylum. The UN High Commissioner for Refugees (UNHCR) is currently the sole agency in the country entitled to grant refugee status and verify asylum cases. The government generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees. The UNHCR continued to evaluate claims of refugee status in its office in Rabat.

In practice the government provided some protection against *refoulement*, the forced return of persons to a country where they feared persecution, and provided refugee status and asylum. The government worked with the UNHCR to identify individuals seeking refuge and asylum. At years end, the government of Morocco was very close to resolving the status of 76 sub-Saharan asylum seekers temporarily cared for by UNCHR in Oujda.

In October 2005 the NGO Doctors Without Borders (MSF) found approximately 500 illegal migrants in the Sahara desert, abandoned by the government without food or water. The government repatriated many of the migrants at its own expense prior to and following the MSF report.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides for regular, free elections on the basis of universal suffrage, although citizens did not have the full right to change their government.

The king as head of state appoints the prime minister, who is the titular head of government. The constitution authorizes the prime minister to nominate all government ministers, although the king may nominate ministers and has the power to replace any minister. The government consists of 35 cabinet-level posts, including five sovereign ministerial posts traditionally appointed by the king (interior, foreign affairs, justice, Islamic affairs, and defense). The Ministry of Interior nominates provincial governors (*walis*) and local district administrative officials (*caids*) to the king, who appoints them. The king also appoints the constitutional council that determines whether laws passed are in accordance with the constitution.

The constitution may not be changed without the king's approval, and only he has the power to put constitutional amendment proposals to a national referendum. Amendments can be proposed directly by the king or by parliament, which must pass a proposal with a two-thirds majority of both houses before sending an amendment to the king for a royal decree. Once there is a royal decree, the amendment can be sent to a national referendum; however, the king has the authority to bypass any national referendum. Citizens elect municipal councils directly; citizens elect regional councils through representatives.

Elections and Political Participation

In 2003 the government held elections for positions on approximately 25,000 municipal councils. The government listed official turnout at 54 percent. By most accounts the balloting was well organized, but there were allegations of corruption and vote buying in some races. The government limited the participation of the Party of Justice and Development (PJD), the only Islamist party to participate in the elections, running candidates in 18 percent of the municipalities. Female candidates won 1.7 percent of municipal council seats while fielding 5 percent of the candidates. Following the elections council members elected new mayors in all cities.

In 2002 the government held the first free and fair parliamentary elections. The election took place under a revised electoral code, including a proportional list system, which meant voters voted for parties and not individual candidates. There were candidates from 26 parties, and 52 percent of those eligible voted, according to government statistics. Observers noted that the absence of fraud and manipulation generally enhanced the credibility of overall reform

efforts.

The parliament included 30 women who won seats reserved for women on the national list, plus five who won seats in their local districts. There were three female members of the upper house and two women on the council of ministers.

Government Corruption and Transparency

There was a general perception in the country that corruption existed in the executive and legislative branches of government.

During the year Transparency International's (TI's) corruption perception index indicated that corruption was a serious problem. According to TI, in the past four years, the Inspection Generale de Finances (ICF), the Ministry of Finance's auditing office, has documented, but not made public, reports showing evidence of gross financial fraud in banking, social security, the agricultural sector, public housing, state contracts, public companies, municipal councils, and in international aid projects.

In June 2005 the supreme council of the judiciary initiated disciplinary proceedings against seven judges (see section 1.e.). No new disciplinary proceedings against judges took place during the year; however, nine proceedings took place against legal professionals. The Ministry of Justice adjudicated 3948 cases in 2005.

On August 4, in preparation for the September 8 indirect elections for the chamber of counselors (upper house), the Ministry of the Interior and the Ministry of Justice issued a communiqué discouraging corrupt practices and reinforced regulatory laws. In the last quarter of the year, the Ministry of the Interior and the Ministry of Justice charged 35 candidates for seats in the upper house of parliament with fraud relating to the September 8 elections. Accused parliamentarians were barred from attending the opening session of parliament on October 8.

There was no freedom of information law.

The government publishes new laws and regulations in the official gazette within 30 days after their passage or promulgation.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups generally operated without government restriction, and investigated and published findings on human rights cases. Government officials were generally cooperative with the groups.

National human rights NGOs recognized by and cooperating with the government included: the OMDH, the Moroccan League for the Defense of Human Rights (LMDDH), and the AMDH. The AMDH did not cooperate officially with the government but usually shared information. Since 2000 the government has subsidized OMDH and LMDDH. There were also numerous regional human rights organizations. According to the government, there were more than 600 registered NGOs and associations in the country.

The FVJ and the Moroccan Prison Observatory were two additional national human rights NGOs. Created by victims of forced disappearance and surviving family members, the FVJ's principal goal was to encourage the government to address openly the issue of past forced disappearances and arbitrary detention. The OMP's main purpose was to improve the treatment and living conditions of prisoners.

Six human rights activists, who were arrested following the demonstrations in Laayoune (Western Sahara) in May 2005, were members of the FVJ, according to an Amnesty International (AI) report in August 2005.

The government's attitude toward international human rights organizations depended on the sensitivity of the areas of the NGO's concern. During the year the International Committee of the Red Cross (ICRC), AI, and HRW visited the country.

Human rights training continued based on a 2002 agreement between AI and the government for a 10-year human rights education program. The Ministry of Justice and the Ministry of National Education provided human rights education for teachers and, in cooperation with the ICRC, provided a curriculum for teaching international humanitarian law in schools. The Ministry of Justice provided increased human rights training to prison officials, and other sections of the government provided human rights training to military officers, police, and medical personnel. The CCDH advised the king on human rights issues and began implementing the IER's recommendations.

In July 2004 the CCDH produced its first annual report on human rights, a report mandated in 2002 by the government. The CCDH report focused at length on prison conditions and prison overpopulation. In December 2002

the king established a nonjudicial ombudsman to consider allegations of governmental injustices and thereby ensure respect for the rule of law and justice. The last report submitted was in 2004 and the CCDH reviewed it.

In January 2004 the IER began work. The authorities tasked the IER with determining reparations for families of disappeared persons and other victims of abuse, restoring the dignity of victims, providing for their rehabilitation and medical care to victims, and creating a thorough accounting of the events which led to human rights abuses and the circumstances of the crimes. The IER, headed by former political prisoner Driss Benzekri, had a one-year mandate that was extended until November 30, 2005, due to the larger than expected number of petitions.

The IER staff interviewed petitioners, held public hearings on torture and disappearances, visited former prisons, met with individuals from regions that were particularly victimized, met with the families of victims, and interviewed witnesses of violations. The press widely publicized the IER's activities. Under agreement with the IER, participants in public hearings did not disclose the names of persons they considered responsible for violations. While the IER had prepared for public hearings in the Western Sahara, they were not held.

In December 2005 the IER submitted its final report to the king, who released it to the public on January 15. A newly formed section of the CCDH was charged with ensuring compensation to victims and continued to follow through on the final IER recommendations. The IER's final report announced it had resolved 742 disappearance cases and 66 outstanding cases would be investigated further by a follow-up committee. In total, the IER responded with compensation packages to 9,779 victims, and it recommended assistance for those in need of medical attention or rehabilitation as a result of the violations they had suffered.

Section 5 Discrimination, Societal Abuses, Trafficking in Persons

The constitution prohibits discrimination based on race, sex, disability, language, or social status; however, traditional practice discriminated against women, particularly in rural areas.

Women

The law does not specifically prohibit domestic violence against women, but the general prohibitions of the criminal code address such violence. Physical abuse was legal grounds for divorce, although for other legal and societal reasons, few women reported abuse to authorities.

There was substantial progress in making the public aware of problems concerning women, although public awareness was uneven. In 2004 the Ministry of Family Solidarity set up toll free numbers for victims of domestic violence in 20 centers throughout the country. The government established the centers based on statistics relating to each category of violence as compiled by the Ministry of Justice and the size of the urban area. In March the government established a National Observatory for Violence Against Women.

The law provides for severe punishment for men convicted of rape or sexual assault, and the authorities enforced the provisions. The defendants in such cases bear the burden of proving their innocence. Sexual assaults often go unreported because of the stigma attached to them. While not provided by law, victim's families may offer rapists the opportunity to marry their victims to preserve the family honor. Spousal rape was not a crime.

The law is lenient toward husbands with respect to crimes committed against their wives. Police are reluctant to become involved in what are considered private matters between husband and wife. Honor crimes, or assaults against women with the intent to kill are committed because of the perception that a woman's behavior brings shame on the family. No such crimes were reported during the year.

At the end of 2005, authorities discovered an international prostitution ring in the Ifrane area with links to Jordan. Trafficking in persons was a problem (see sections 5, Trafficking, and 6.c.).

Sexual harassment in the workplace is a criminal offense. There were no reliable statistics reporting on the extent of the problem.

The 2004 changes to the family law introduced a number of changes to the status of women. The family law changed the marriage age for women from 15 to 18 years, placed the family under the joint responsibility of both spouses, and rescinded the wife's duty of obedience to her husband. There is no longer a requirement for a marital tutor for women as a condition to marry; divorce is available by mutual consent; and limitations are imposed on the practice of polygyny.

The Ministry of Justice agreed to establish 70 family courts and trained judges to implement the reforms. At year's end the 70 courts existed (see section 1.e.). The family law relies much more heavily on the court system than the previous law. Time limits were established for the family courts to pronounce judgments; for example, a month for alimony cases and six months for divorces. The law generally accorded women the same treatment as men. The family law did

not change inheritance rights; these continue to be based on Shari'a (Islamic law).

While many well-educated women pursued careers, some of whom were chief executive officers and two were in the council of ministers, few women rose to the highest ranks in their professions. Women constituted approximately 35 percent of the workforce, with the majority in the industrial, service, and teaching sectors. Government statistics indicated that 22 percent of women were the primary wage earners for their families. The government reported that the illiteracy rate for women was 39.5 percent in urban areas (74.5 percent in rural areas), compared with 19 percent for men (46 percent in rural areas). Women in rural areas were most affected by inequality. In July the prime minister announced a nationwide illiteracy rate of 39 percent. Women who earned secondary school diplomas had equal access to university education. During the last academic year, over 80 percent of the attendees at government supported literacy programs were women, 45 percent of whom were in rural areas.

Many NGOs worked to advance women's rights and to promote women's issues. Among these were the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights; all advocated enhanced political and civil rights. There were numerous NGOs that provided shelters for battered women; taught women basic hygiene, family planning, childcare, and promoted literacy.

Children

The constitution provides for compulsory, free, and universal education for children between the ages of six and 15, and the government increasingly sought to enforce the law. The government was committed to the protection of children's welfare. Under the National Action Plan for Children (2006-15), the government began improving the quality of education and teaching, particularly in rural areas. In the last academic year, 51 percent of kindergarten-aged children were enrolled; for the current academic year, 61 percent were enrolled. The number of students enrolled after six years of age increased from 53.5 percent to 91 percent in the past year, according to the Ministry of National Education.

A May 2004 report from the Secretariat for Literacy and Non-Formal Education estimated that as many as 1.5 million children between the ages of nine to 15 were not in school. During the academic year 2005-06, 216,200 students were enrolled in government remedial and vocational education programs.

According to the Ministry of National Education, 60 percent of the children completed ninth grade in the academic year 2005-06 (62 percent girls; 58 percent boys). The drop out rate for the lower grades was between three and four percent. The reduction in the rate was a result of boarding schools established in small towns and rural areas.

There were no reliable statistics on the number of girls married below the age of 18. In 2004 UN Children's Fund reported that 18 percent of all marriages were child marriages; 24 percent of these occur in rural areas and 13 percent in urban areas. Using the family status law, the government, in coordination with international and national NGOs, informed women of their rights, partially in order to combat child marriages.

Child labor was a serious problem (see section 6.d.).

In 2003 the government signed an accord with Spain to repatriate more than 6,000 unaccompanied minors. Upon returning to the country, the children encountered material difficulties and abuse on the streets, as well as abuse by border officials. Spain pledged funds for a rehabilitation center in the Tangier area to assist with the reinsertion of minors. At year's end, the center was not yet functional.

Trafficking in Persons

The 2003 Immigration and Emigration law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country. In 2005 the government, international organizations, and numerous NGOs claimed the number of minors trafficked to Europe increased.

The 2003 Immigration and Emigration Act specifically prohibits trafficking in persons and fines and imprisons those, including government officials, who are involved in or who fail to prevent trafficking in persons. Under the law, perpetrators are prosecuted either for fraud, kidnapping, corruption of minors, or for forcing others into prostitution. The government's anti-trafficking statutes punish traffickers and complicit public officials with penalties ranging from six months to 20 years imprisonment and the forfeiture of assets.

According to the law, human trafficking and migrant smuggling are illegal. Government statistics did not differentiate between trafficked individuals and voluntary economic migrants. UNHCR protection was available to trafficked individuals. The government continued to repatriate trafficking victims.

The country was a source country for men, women, and children trafficked to Italy, Spain, and other parts of Europe for forced labor and sexual exploitation. Internal trafficking remained a problem. The two most commonly trafficked

groups were girls sent involuntarily to serve as child maids and women forced to perform sexual services. Women were trafficked to Saudi Arabia, Syria, and the United Arab Emirates to become sex workers after being promised jobs as domestics.

The country was a transit point for trafficked persons. Men and women from Nigeria, India, Bangladesh, Sri Lanka, and Pakistan were trafficked to Europe or Near Eastern countries. Sub-Saharan Africans transiting the country to Europe were also victims of traffickers. Females were often pressured into commercial sexual exploitation and involuntary servitude to pay for food and shelter.

Internal trafficking was a problem, particularly of women and young girls. According to the UNICEF and national NGOs, recruiters habitually visited isolated rural villages in the Atlas Mountains where they persuaded parents that their daughters would be better off as child maids.

Trafficking of minors for commercial sexual exploitation attracted sex tourists from Europe and the Arab Gulf states (see section 5).

Organized criminal gangs coordinated some of the clandestine migration to Europe, particularly the sub-Saharan transiting the country. Some of this activity may also include trafficking. Unlike the previous year, there were no reports that members of the security apparatus, such as border officials or police, ignored trafficking for financial gain. Most trafficking rings were small crime groups. There were unofficial reports that hotel personnel arranged to transport girls and young women from rural areas to cities to be used in commercial sexual exploitation.

In February officials dismantled a large international network which was trafficking and smuggling migrants from India, and arrested 70 suspects, including a police officer. At year's end the cases were being adjudicated.

In 2005, according to the Ministry of Interior, the government adopted a strategy to fight trafficking based on five major pillars: security measures, legislation, the creation of institutions specializing in fighting illegal migration, international cooperation, and public awareness campaigns.

In 2005 the government established two interagency coordinating bodies, the National Observatory of Migration, which served as an anti-trafficking in persons task force and formulated policy, and the National Agency for Migration and Border Surveillance. Anti-trafficking activities were primarily implemented by the Ministry of Interior. Clandestine migration was the purview of immigration officials; prostitution was a police issue; and child bride cases are reviewed by local authorities, who ultimately report to the Ministry of Interior. Law enforcement officers often participated in training and seminars relating to trafficking and human rights in general.

In 2005 the government convicted three policemen for trafficking. The policemen served four months in prison and paid \$100 (1,000 dirhams) fines. Eight members of the Force Auxiliares were also convicted of trafficking. They received four-year prison sentences, according to the Ministry of Justice. Four members of the military received from three months to one year for engaging in trafficking.

In the first half of the year, the Ministry of Interior reported that 90 criminal trafficking rings were disbanded. In June the Ministry of Justice announced that arrests of foreigners for perversion and pedophilia had increased by 26 percent compared to 2005.

In 2005, according to Ministry of Interior reports, the government disbanded more than 300 criminal rings, some of which may have included traffickers. In 2005 the government convicted three foreign citizens for engaging in child sex tourism and 10 other foreigners for trafficking in children.

According to the Ministry of Justice, there are numerous agreements with other countries regarding investigation and prosecution of traffickers. Although the government has bilateral treaties with relevant countries, it did not extradite nationals charged with trafficking in accordance with Article 721 of the penal code.

The government and the International Organization for Migration cooperated to conduct a survey that identified the most vulnerable persons, pinpoint the regions from which persons are trafficked, and propose the most effective methods of prevention.

Persons with Disabilities

There are no laws to assist persons with disabilities. The government has guidelines on how to deal with persons with disabilities, but these procedures have no legal status. Specifically, the law does not mandate access to buildings for persons with disabilities. While the Office of the Secretary of State for Families, Children, and the Handicapped attempted to integrate them into society, in practice integration largely was left to private charities. Typically, families supported persons with disabilities, and some survived by begging.

National/Racial/Ethnic Minorities

The official language was Arabic; however, both French and Arabic were used in the news media and educational institutions. Science and technical courses were taught in French, thereby preventing the large, monolingual Arabic-speaking or Tamazight (Berber)-speaking populations from participating. Educational reforms in the past decade emphasized the use of Arabic in secondary schools. Failure to transform the university system similarly led to the disqualification of many students from higher education in advanced technical fields. The poor lacked the means to obtain additional French instruction to supplement the few hours per week taught in public schools.

Approximately 60 percent of the population claimed Amazigh (Berber) heritage, including the royal family. Amazigh cultural groups contended that their traditions and language were being lost rapidly. In 2005, responding to this concern, official media broadcasts in Tamazight (Berber) language increased from four to eight hours a day. In September television programs were added for the first time in Tamazight. Tamazight language classes were included in the curriculum of 350 primary schools, affecting approximately 25,000 students.

Section 6 Worker Rights

a. The Right of Association

The constitution permits workers to establish and join trade unions, although the laws reportedly have not been implemented in some areas. Most union federations were allied with political parties, but unions were free from government interference. Approximately 5.5 percent of the country's workers were organized.

The labor law details restrictions on the number of overtime hours worked per week and the rate of pay for holidays, nightshift work, and routine overtime. According to national and international NGOs, workers sometimes worked more than 44 hours per week and overtime hours were often required.

The law specifically prohibits antiunion discrimination but prohibits some public employees, e.g., members of the armed forces, police, and judiciary, from forming unions. The law expressly prohibits companies from dismissing workers for participating in legitimate union organizing activities, and prescribes the government's authority to intervene in strikes. Employers cannot initiate criminal prosecutions against workers participating in strikes. Unlike the previous year, there were no reports that union officers were subject to government pressure.

The courts have the authority to reinstate arbitrarily dismissed workers and are able to enforce rulings that compel employers to pay damages and back pay. Unions may sue to have labor laws enforced, and employers may sue unions when they believe unions have overstepped their authority.

b. The Right to Organize and Bargain Collectively

The labor law mandates the right to organize and bargain collectively, and the government generally upheld this right. Trade union federations competed among themselves to organize workers. Any group of eight workers may organize a union, and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation; however, only unions having 35 percent of the workforce as members may be recognized as negotiating partners.

Collective bargaining was a longstanding tradition in some parts of the economy, such as the industrial sector, and was becoming more prevalent in the service sector, including banking, health, and the civil service. The wages and conditions of employment of unionized workers generally were set in discussions between employer and worker representatives; however, employers set wages for the vast majority of workers unilaterally. Labor disputes arose in some cases as the result of employers failing to implement collective bargaining agreements and withholding wages.

The law requires compulsory arbitration of disputes, prohibits sit-ins, establishes the right to work, calls for a 10-day notice of a strike, and allows the hiring of replacement workers. The government can intervene in strikes, and a strike cannot take place around issues covered in a collective contract for one year after the contract comes into force. The government has the authority to break up demonstrations in public areas where strikes have not been authorized and to prevent the unauthorized occupancy of private space.

Unions may not prevent nonstrikers from working and may not engage in sabotage. Any striking employee who prevents a replacement worker from working is subject to a seven-day suspension. A second offense within one year is punishable by a 15-day suspension.

Employers wishing to dismiss workers are legally required to notify the provincial governor through the labor inspector's office. In cases in which the employer plans to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal.

The government generally ensured the observance of labor laws in larger companies and in the public sector. In the informal sector, such as in the family workshops that dominated the handicrafts sector, employers routinely ignored labor laws and regulations, and government inspectors lacked the resources to monitor violations effectively.

In the Tangier Free Trade Zone, an export processing zone, the country's labor laws and practices fully apply. The proportion of unionized workers in the export zone was comparable to the rest of the economy, at approximately 6 percent.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5). In practice the government lacked the resources to inspect the many small workshops and private homes where the vast majority of such employment occurred. Forced labor persisted in the practice of adoptive servitude in households (see section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace and prohibits forced or compulsory labor; however, the government had difficulty effectively implementing these laws, except in organized labor markets. Noncompliance with child labor laws was common, particularly in the agricultural sector. In 2004 the International Program on the Elimination of Child Labor reported that 80 percent of the country's underage workers worked on family farms.

In 2005 the government reported that there were 600,000 child workers, and 1.5 to 2 million children were not registered in school. Of those children between the ages of 12 to 14, 18 percent worked. In rural areas 19 percent of children between the ages of seven to 14 worked; in urban areas children composed 2 percent of the labor force.

In practice children were apprenticed before age 12, particularly in small, family-run workshops in the handicraft industry. Children also worked in the informal sector in textile, carpet, and light manufacturing activities. Children's safety and health conditions and wages were often substandard. Many young girls were exploited as domestic servants (see section 5).

The labor law sets the minimum age for employment in all sectors at 15 years. According to the law, children under the age of 16 are prohibited from working more than 10 hours per day, which includes at least a one-hour break. Children under the age of 16 are not permitted to work between the hours of 9 p.m. and 6 a.m. in nonagricultural work or between 8 p.m. and 5 a.m. in agricultural activities. It is prohibited to employ children under the age of 18 in stone quarries or underground work carried out in mines.

The labor law prohibited forced or compulsory labor, but these provisions were difficult to enforce.

The family law protects and gives rights to illegitimate and abandoned children, who have often found themselves in desperate situations leading to child labor. The same law changed the minimum age for conscription into the armed forces from 18 to 20 years.

The country was a destination for children trafficked from sub-Saharan Africa, North Africa, and Asia and served as a transit and origin point for children trafficked to Europe. Children were also trafficked internally for exploitation as child domestic workers, beggars, and for prostitution.

The number of children working illegally as domestic servants was approximately 66 thousand, and all of these workers were under the age of 15 according to the 2005 Secretariat of Families, Children, and the Handicapped report. Of this number 89 percent were recruited from rural areas, and 84 percent were illiterate. According to a December 2005 HRW report, the country denied child maids basic labor rights, and authorities rarely punished employers who abused children. In 2005 the government arrested two employers of child maids on abuse charges. The court sentenced one employer to 18 months in jail. There was no further government information available on punishments for abusive employees.

The practice of adoptive servitude, in which urban families employed young rural girls and used them as domestic servants, was widespread. Credible reports of physical and psychological abuse in such circumstances were common. Some orphanages were charged as complicit in the practice. The public generally accepted the concept of adoptive servitude. According to HRW, the majority of child domestics worked 14 to 18 hours per day without breaks, seven days a week, for salaries of USD \$0.40 to \$0.11 (0.4 to 1 dirham) per hour. Most child domestics did not receive any money directly; rather, they worked for food, lodging, and clothing. Children were also "rented" out by their parents or

other relatives to beg.

The Ministry of Employment, Social Affairs, and Solidarity is responsible for implementing and enforcing child labor laws and regulations, which were generally observed in the industrialized, unionized sector of the economy. The labor law provides for legal sanctions against employers who recruit children under the age of 15 ranging from approximately \$2,800 to \$3,300 (25,000 to 30,000 dirhams). Legal remedies to enforce child labor laws include criminal penalties, civil fines, and withdrawal or suspension of one or more civil, national, or family rights, including denial of legal residence in the country for a period of five to 10 years. The government passed laws prohibiting begging that exploits children and the buying and selling of child brides.

HRW reported that police, prosecutors, and judges rarely enforced legal provisions on child abuse or on "forced labor in cases involving child domestics," and few parents of children working as domestics were willing or able to pursue legal avenues that were unlikely to provide any direct benefit.

In 2005 the government committed \$4.2 million (37.6 million dirhams) to a joint program of the Ministries of Employment, Health, and Social Welfare, through which the ministries will join with private organizations to offer vocational training, job placement, and micro-credits to assist adult beggars and the parents of child beggars.

e. Acceptable Conditions of Work

The minimum wage was approximately \$223.30 (2,023 dirhams) per month in the industrialized sector. It was approximately \$5.60 (56 dirhams) per day for agricultural workers; however, businesses in the informal sector with 60 percent of the labor force often ignored the minimum wage requirements.

The lowest wage of the government pay scale exceeded the minimum wage.

Neither the minimum wage for the industrialized sector nor the wage for agricultural workers provided a decent standard of living for a worker and family, even with government subsidies. In many cases several family members combined their incomes to support the family. Most workers in the industrial sector earned more than the minimum wage. They generally were paid between 13 and 16 months salary, including bonuses, each year.

The law provides for a 44 hour maximum workweek, with no more than 10 hours in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. Employers did not observe these provisions universally, and the government did not enforce them effectively in all sectors.

Occupational health and safety standards were rudimentary, except for a prohibition on the employment of women and children in certain dangerous occupations. Labor inspectors attempted to monitor working conditions and investigate accidents, but they lacked sufficient resources. While workers in principle had the right to remove themselves from work situations that endangered health and safety without jeopardizing their continued employment, there were no reports of workers attempting to exercise this right.