



MOROCCO

COUNTRY OF ORIGIN INFORMATION (COI) REPORT

COI Service

9 November 2010

SECURING OUR BORDER CONTROLLING MIGRATION

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Preface

- i This Country of Origin Information (COI) Report has been produced by the COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 12 October 2010. The report was issued on 9 November 2010.
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a compilation of extracts from the source material identified, focusing on the main issues raised in asylum and human rights applications. In some sections where the topics covered arise infrequently in asylum/human rights claims only web links are provided. The Report is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated. Similarly, the absence of information does not necessarily mean that a particular event or action, amongst other things, did or does not occur.
- vi As noted above, the Report is a compilation of extracts produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents though COIS will bring the discrepancies together and aim to provide a range of sources, where available, to ensure that a balanced picture is presented. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 30 asylum intake countries. Reports on countries outside the top 30 countries may also be published if there is a particular operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's COI material. The IAGCI welcomes feedback on UKBA's COI Reports and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>
- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the

decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Background Information

1. GEOGRAPHY

- 1.01 The CIA *World Factbook*, updated 27 July 2010, recorded that the location of Morocco was in, “Northern Africa, bordering the North Atlantic Ocean and the Mediterranean Sea, between Algeria and Western Sahara”. [1a](Geography) The same source also noted, “Morocco covers an area of 446,550 sq km.” [1a](Geography) and that its capital is “Rabat”. [1a] (Government)
- 1.02 The population was estimated in July 2010 to have been 31,627,428. (CIA *World Factbook*) [1a] (People)
- 1.03 Europa World Online, accessed 2 August 2010, stated in its *Morocco Country Profile*, “The official language is Arabic, but a large minority speak Berber. Spanish is widely spoken in the northern regions and French in the rest of Morocco. The established religion is Islam, and most of the country’s inhabitants are Muslims. There are small minorities of Christians and Jews.” [2a] (Location, Climate, Language, Religion, Flag, Capital)
- 1.04 The United States Department of State *Background Note: Morocco*, published March 2010, noted, “Most people live west of the Atlas Mountains, a range that insulates the country from the Sahara Desert. Casablanca is the centre of commerce and industry and the leading port; Rabat is the seat of government; Tangier is the gateway to Spain and also a major port; ‘Arab’ Fes is the cultural and religious centre; and ‘Berber’ Marrakech is a major tourist centre.” [3a]
- 1.05 A list of public holidays can be found on the Moroccan Government’s official website, which can be accessed via the following link:
http://morocco.embassyhomepage.com/moroccan_public_holidays_morocco_holiday_resorts_easter_holidays_morocco_summer_holidays_morocco_christmas_holidays_morocco.htm [6a]

WESTERN SAHARA

- 1.06 The BBC News website on its *Regions and Territories: Western Sahara* page, updated 6 May 2010, noted, “A mainly desert territory in north-west Africa, Western Sahara is the subject of a decades-long dispute between Morocco and the Algerian-backed Polisario Front. The territory is phosphate-rich and believed to have offshore oil deposits. Most of it has been under Moroccan control since 1976.” [9a]
- 1.07 The United States Department of State *Background Note: Morocco*, published March 2010, noted, “The disputed territory of Western Sahara comprises another 267,028 sq. km.” and “The population of disputed territory Western Sahara is 385,000”. [3a]

See also [Section 28 Western Sahara](#)

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MAP



- 1.08 Infoplease Atlas Map, accessed 5 October 2010 [42a]
- 1.09 The UNHCR Cartographic Section map of Morocco, July 2005, can be accessed from the following link:
<http://www.un.org/Depts/Cartographic/map/profile/morocco.pdf> [43a]
- 1.10 The UNHCR Cartographic Section map of Western Sahara, January 2004, can be accessed from the following link:
<http://www.un.org/Depts/Cartographic/map/profile/wsahara.pdf> [43b]

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2. ECONOMY

- 2.01 The CIA *World Factbook*, updated 27 July 2010, observed:

“Economic policies pursued since 2003 by King Mohammed VI have brought macroeconomic stability to the country with generally low inflation, improved financial sector performance, and steady progress in developing the services and industrial sectors... Moroccan exports have dropped sharply since mid-2008 as a result of the decline in global phosphates prices - the bulk of Moroccan exports by value - and the global economic slowdown. The recession in Europe - Morocco's main export market -

also prompted a decline in the flow of foreign tourists and remittances, two primary sources of foreign currency. A record agricultural harvest, strong government spending, and domestic consumption, however, combined to offset losses from weak exports and helped GDP grow by 5.1% in 2009.” [1a]

2.02 The USSD Background Note, published March 2010, noted Morocco’s natural resources as “phosphate, fish, manganese, lead, silver and copper”, its agricultural products as “barley, citrus fruits, vegetables, olives, wine, livestock and fishing” and its industry types as “phosphate mining, manufacturing and handicrafts, construction and public works and energy.” [3a]

2.03 XE.com (accessed 2 August 2010) stated that the exchange rate was £1 = 13.48 Morocco dirhams. [4a]

2.04 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, stated:

“The minimum wage was 10 dirham (\$1.25) per hour in the industrialized sector and 52.50 dirhams (\$6.50) per day for agricultural workers. Informal businesses hired approximately 60 percent of the labour force and often ignored the minimum wage requirements. Neither minimum wage 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. Including traditional holiday-related bonuses, workers generally were paid the equivalent of 13 to 16 months’ salary each year.” [3b] (Acceptable Conditions of Work)

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3. HISTORY

INDEPENDENCE TO 1999

3.01 Freedom House, *Freedom in the World 2010 Country Report on Morocco*, published 3 May 2010, noted that:

“Morocco gained independence in 1956 after more than four decades of French rule. The first ruler after independence, King Mohamed V, reigned until his death in 1961. His son, the autocratic Hassan II, then ruled the country until 1999. Thousands of his political opponents were killed, tortured, arrested, or disappeared. This repression was particularly acute in the years following two failed coup attempts in 1971 and 1972. In 1975, Morocco and Mauritania occupied Western Sahara; after three years of fighting the Algerian-backed Polisario Front, a Sahrawi nationalist guerrilla movement, Mauritania pulled out of the territory, which was then annexed in full by Morocco. A planned referendum on Western Sahara’s future – attached to a UN-monitored ceasefire agreement in 1991 – never took place. In the last few years of his life, Hassan initiated a political opening in Morocco. Several political prisoners were released, independent newspapers began publishing, and a new bicameral parliament was established in 1997.” [5a]

WESTERN SAHARA

3.02 The USSD Background Note, published March 2010, noted:

“For more than 30 years, Morocco and the independence-seeking Polisario have vied for control of the Western Sahara, a former Spanish territory. Morocco's claim to sovereignty over the Western Sahara is based largely on a historical argument of traditional loyalty of Sahrawi tribal leaders to the Moroccan sultan. The Polisario claims to represent the aspirations of the inhabitants of Western Sahara for independence...

“After a period of hostilities, Mauritania withdrew from the territory in 1979 and signed a peace treaty with the Polisario, relinquishing all claims to the territory. Moroccan troops occupied the region vacated by Mauritania and later proclaimed the territory reintegrated into Morocco. Morocco subsequently built a fortified berm around three-fourths of Western Sahara and exercises de facto administrative control over 80% of the territory...

“In 1988, Moroccan and Polisario representatives agreed on a joint UN/OAU settlement proposal for a referendum, but, due to disagreements over who could vote and what options of self-determination could be voted on, it never took place. In 1991, the UN brokered a cease-fire and settlement plan and established the United Nations Mission for the Referendum in Western Sahara (known by its French acronym, MINURSO), which deployed a roughly 200-person monitoring force to the territory...

“The Western Sahara dispute remains the primary impediment to regional integration and development goals and Moroccan-Algerian relations ... Today, approximately 90,000 Sahrawi refugees live in camps around Tindouf, Algeria. The exact number of refugees living in these camps is not known, since there has never been a reliable census of the population. Several thousand Sahrawis also live in the Moroccan-controlled area of Western Sahara among a large number of Moroccan settlers. Morocco considers the Western Sahara part of its national territory, while the Polisario, with Algerian support, insists on the right of the people of the Western Sahara to self-determination.” [3a]

See [Section 28 Western Sahara](#)

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KING MOHAMED VI'S REIGN (1999 TO DATE)

3.03 The same source continued:

“King Mohamed VI inherited the throne in 1999 at age 35. He declined to expand political freedom much further in the first years of his reign, apparently aiming to check the increased influence of Islamist political parties. However, he removed long-time interior minister Driss Basri, who had led much of the repression under King Hassan, and allowed exiled dissidents to return to the country.

“Parliamentary elections held in 2002 were recognized as generally open. Over a dozen political parties participated, though independent journalists and other critics of the king were harassed and detained.

“In May 2003, local Islamist militants with links to Al-Qaeda mounted a series of suicide bombings targeting symbols of Morocco's Jewish community in Casablanca. The government responded by enacting a harsh antiterrorism law, but it was subsequently used to prosecute non-violent opponents of the king.

“In 2004, King Mohamed inaugurated the Equity and Reconciliation Commission (IER), tasked with addressing the human rights abuses perpetrated by the authorities from 1956 to 1999 and providing the victims with reparations. The commission, which was unprecedented in the Arab world, was headed by a former political prisoner and allowed victims to testify in public hearings. It submitted its final report to the king in 2006, including a series of recommendations for legal and institutional reforms designed to prevent future abuses. Critics of the IER have complained that it did not hold perpetrators to account for their actions, and that its recommendations have not led to major structural changes. Human rights abuses still occur on a regular basis, albeit on a smaller scale.” [3a]

2007 ELECTIONS

3.04 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, stated, “In the 2007 legislative elections, the king mandated the royally chartered and appointed CCDH (Consultative Council on Human Rights) to supervise and facilitate the work of domestic and international observers. In the June communal elections, the CCDH again organized a wide range of domestic observers, and all political parties considered the elections valid.” [3b] (Section 3: Elections and Political Participation)

3.05 The same source also commented, “The September 2007 parliamentary elections for the lower house went smoothly and were marked by transparency and professionalism. International observers judged that those elections were relatively free from government-sponsored irregularities.” [3b] (Introduction)

3.06 Freedom House, *Freedom in the World 2010 Country Report on Morocco*, published 3 May 2010, noted that:

“The 2007 elections for the Chamber of Representatives, the lower house of Parliament, drew the lowest turnout in Moroccan history, 37 percent. The Socialist Union of People's Forces (USFP), previously the lead party in the ruling coalition, fell to 38 seats. Its chief ally, the conservative Independence Party (Istiqlal), won a plurality of 52 seats. Opposition parties, which had criticized the elections' fairness, gained fewer seats than expected; the largest, the Islamist Justice and Development Party (PJD), placed second with 46 seats. Istiqlal leader Abbas el-Fassi was appointed prime minister.” [5a]

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2009 LOCAL ELECTIONS

3.07 The same source continued:

“El-Fassi appeared to have fallen out of favour by 2009, as former deputy interior minister Fouad Ali el-Himma, a close associate of the king, organized the Modernity and Authenticity Party (PAM) to contest local elections in June. The new party led the voting with more than 20 percent of local council seats, followed by Istiqlal with about 19 percent. Three other governing parties placed third, fourth, and fifth, leaving the PJD in sixth with less than 6 percent, though it reportedly did well in urban areas. Widespread vote buying, bribery, intimidation, and other forms of manipulation were reported, and analysts regarded the official turnout figure of 52 percent with some scepticism.” [5a]

See [Section 14 Political Affiliation](#)

4. RECENT DEVELOPMENTS JULY – OCTOBER 2010

WESTERN SAHARA

4.01 AfrolNews, in an article dated 1 July 2010, called *EU considers Western Sahara fisheries legal*, stated:

“The European Commission is defending its fisheries outside the Moroccan-occupied territory of Western Sahara as legal, despite protests from Saharawi authorities, UN specialists and the EU parliament.

“In a letter sent to the ‘Fish elsewhere’ campaign against the EU-Morocco fisheries deal, the European Commissioner for Maritime Affairs and Fisheries, Maria Damanaki, defends the controversial inclusion of occupied Western Sahara in the 2006 deal.

“The letter refers to a legal opinion about the resource exploitation in occupied territories made by UN specialist Hans Corell in 2002.

“Mr Corell, concluded that (economic) activities in a non-self-governing territory by an administering power are illegal ‘only if conducted in disregard of the needs and interests of the people of that territory’. This opinion was taken into consideration with negotiating the agreement in 2006,’ the letter says.

“According to Ms Damanaki's conclusions, Morocco's sale of fisheries rights outside Western Sahara to EU vessels therefore could not be termed ‘illegal’, as campaigners had argued.

“The letter further holds that the fisheries agreement ‘may have a positive effect on the Western Sahara economy, for example through landing of catches, embarkation of local seamen, and use of local ports.’ As such, the ‘needs and interests of the people of that territory’ had been taken into consideration.” [47a]

See [Section 28 Western Sahara](#)

FREEDOM OF SPEECH AND MEDIA

4.02 The Guardian.co.uk in a report dated 11 October 2010, called *The death knell for Morocco's free press*, noted, “Leading Moroccan journalist Ahmed Benchemsi has difficulty speaking about Nichane, the vibrant Arabic-language news magazine he started four years ago, in the past tense. A passionate advocate for secularism, gender equity and individual rights and a vociferous critic of Islamist ideologies, Benchemsi was forced last Friday to close Nichane after major state-owned corporations subjected it to an advertising boycott that drove down revenues by almost 80%.” [46a]

See [Section 15.03 Print Media](#)

SECURITY

- 4.03 The BBC News, in a report called *Moroccan police 'break up 18-strong militant cell'*, dated 11 August 2010, stated, "The police in Morocco have broken up a cell of 18 radical Islamist militants who were planning a series of attacks in the country, officials have said. Three of the suspects had previous convictions for terrorism, the interior ministry said in a statement. The cell 'was preparing to commit acts of terrorism and sabotage within national territory and against foreign interests in Morocco', it added." [9e]

Useful sources for further information

- 4.04 International Federation for Human Rights
<http://www.fidh.org/-english->
- Freedom House
<http://www.freedomhouse.org/template.cfm?page=1>
- Human Rights Watch
<http://www.hrw.org/>
- Afrik.news
<http://www.afrik-news.com/>

5. CONSTITUTION

- 5.01 The Moroccan Constitution was adopted in 1992 and amended on 13 September 1996. According to Article 1 of the 1996 Constitution, "Morocco shall have a democratic, social and constitutional Monarchy." A citizen's rights and duties are defined under the Articles in Chapter 1 of the Constitution. Article 5 states "All Moroccan citizens shall be equal before the law."
- 5.02 The Constitution can be accessed via the following link:

The Moroccan Embassy – The Constitution adopted on 13 September 1996
http://dcusa.themoroccanembassy.com/download/political/ConstitutionMaroc_mars07.pdf [6a]

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6. POLITICAL SYSTEM

- 6.01 Europa World Online, accessed 2 August 2010, noted in its Morocco Country Profile:
- "The 1992 Constitution (amended by referendum in 1996) provides for a modified constitutional monarchy, with an hereditary King as Head of State. Legislative power is vested in the Majlis an-Nuab (Chamber of Representatives), with 325 members directly elected, on the basis of universal adult suffrage, for five years, and in the Majlis al-Mustasharin (Chamber of Advisers), with 270 members chosen by electoral colleges (representing mainly local councils, with the remainder selected from professional associations and trade unions) for a nine-year term. Executive power is vested in the King, who appoints (and may dismiss) the Prime Minister and (on the latter's

recommendation) other members of the Cabinet. The King may also dissolve the legislature.” [2a]

- 6.02 Freedom House, in its report, *Freedom in the World 2010 – Morocco*, published 3 May 2010 stated, “Morocco is not an electoral democracy. Most power is held by the king and his close advisers. The monarch can dissolve Parliament, rule by decree, and dismiss or appoint cabinet members. He sets national and foreign policy, commands the armed forces, and presides over the judicial system. One of the king's constitutional titles is ‘commander of the faithful,’ giving his authority a religious dimension.” [5a]

See [Section 14 Political Affiliation](#) , [Section 3 History – 2007 Elections](#) and [2009 Local Elections](#)

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Human Rights

7. INTRODUCTION

- 7.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, summarised:

“Citizens did not have the right to change the constitutional provisions establishing their monarchical form of government or the establishment of Islam as the state religion. There were reports of torture and other abuses by various branches of the security forces. Prison conditions remained below international standards. Reports of arbitrary arrests, incommunicado detentions, and police and security force impunity continued. Politics, as well as corruption and inefficiency, influenced the judiciary, which was not fully independent. The government restricted press freedoms. Corruption was a serious problem in all branches of government. Child labour, particularly in the unregulated informal sector, remained a problem, and trafficking in persons continued.” [3b]

- 7.02 The areas of concern raised by Amnesty International in its *Report, 2010 – Morocco-Western Sahara*, published 28 May 2010, were:

“Attacks increased on freedom of expression, association and assembly in relation to issues viewed as integral to the state's internal or external security. Human rights defenders, journalists seen as transcending red lines in reporting on the monarchy, proponents of self-determination in Western Sahara, and members of the unauthorized political organization Al-Adl wal-Ihsan faced harassment, arrests and prosecutions. Terrorism suspects were arrested and detained, at times incommunicado. Arrests and collective expulsions of migrants continued. Perpetrators of ongoing and past human rights violations enjoyed almost total impunity.” [7a]

For information about specific human rights issues see sections following.

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8. SECURITY FORCES

OVERVIEW

- 8.01 Janes's, in its *Sentinel Security Assessment*, updated 5 March 2010, said of the military, “The military is a key conservative element of the Moroccan establishment, and although it has had a chequered history of loyalty to the monarchy (it attempted coups against King Hassan II in 1970 and 1972) it is now firmly under the control of the palace and fears of military unrest during the succession period of 1999 proved unfounded.” [8a]
- 8.02 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, summarised the security forces:

“The security apparatus includes several police and paramilitary organizations with overlapping authorities. The National Police (DGSN) manages the border and immigration services, as well as internal law enforcement, and reports to the Ministry of Interior (MOI). The General Directorate of Territorial Security (DGST) and the auxiliary forces are separate entities that have security responsibilities and also report to the MOI. The Royal Gendarmerie reports to the Ministry of Defence and is responsible for law enforcement in rural regions and on national highways. The judicial police - the

main federal investigative body - is a hybrid DGSN and MOJ (Ministry of Justice) entity. It investigates violations of criminal law, terrorism, organized crime, and white-collar crime under MOJ prosecutors. The Department of Royal Security reports to the palace.” [3b] (Section 1d)

POLICE

8.03 Janes’s, in its *Sentinel Security Assessment: Armed Forces*, updated 5 March 2010, noted:

“The national civilian police force is run by the General Office of National Security (Direction Générale de la Sûreté Nationale: DGSN), and comes under the control of the Ministry of the Interior. It is organised on the basis of 37 local districts. The force has centralised special functions such as diplomatic protection, criminal investigation and the investigation of fraud. Besides the traditional maintenance of law and order, the police are also involved in internal security in urban areas and the control of dangerous drugs. Every urban centre has a police detachment. In rural areas, policing duties are mainly the responsibility of the Gendarmerie Royale, a paramilitary force that is formally part of the armed forces... To boost state security, the DGSN has been overseeing a major drive to issue biometric identity cards to all citizens.” [8a]

8.04 The same source noted that the total strength of the police force was estimated at 150,000. [8a]

ARMED FORCES

8.05 Janes’s, in its *Sentinel Security Assessment: Police*, updated 5 March 2010 noted, “The minimum age required by Moroccan national law for voluntary recruitment in the armed forces has been raised from 18 to 20 years.” [8a]

8.06 The same source stated that the army has a strength of 13,000 personnel, the navy 7,800 and the air force 13,000. [8a]

8.07 Janes’s also noted:

“As head of state, the King of Morocco is also commander in chief of the armed forces. Responsibility for defence is delegated through the prime minister to the minister delegate in charge of the administration of national defence....Morocco's Army is organised within two zones - the Northern Zone, which is responsible for the defence of Morocco itself and the Southern Zone, which handles all operations connected with Western Sahara. Although no figures are publicly available, the bulk of the army is deployed to the Southern Zone. The major bases/HQs are at Rabat and Agadir.” [8a]

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HUMAN RIGHTS VIOLATIONS BY GOVERNMENT FORCES

8.08 The USSD 2009 report recorded:

“Corruption and impunity remained problems and reduced police effectiveness and respect for the rule of law. It was general knowledge that petty corruption was widespread among the police and gendarmes, and broader, systemic corruption undermined both law enforcement and the effectiveness of the judicial system. The MOI

increased investigations of abuse, human rights violations, and corruption. During the year the government reported that it prosecuted 282 security officials for crimes ranging from ‘assault and battery leading to death’ to petty bribery throughout the country and the Western Sahara. There were prosecutions against approximately 190 employees of the judicial police, the royal gendarmerie, the auxiliary forces, the royal navy, and prison guards for bribery and influence misuse; most other cases were for physical abuse or mistreatment. The government prosecuted 117 officials, including security service personnel, for corruption in the first 11 months of the year. Despite these investigations and prosecutions, other investigations did not result in disciplinary action or judicial proceedings, and many more incidents of corruption never were investigated. Cases often languished in the investigatory or trial phases without resolution.” [3b] (Section 1d)

- 8.09 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, commented, “Police are rarely held accountable for violating human rights.” [10a]

Arbitrary arrest and detention

- 8.10 The USSD 2009 report stated, “The law does not prohibit arbitrary arrest or detention, and police used both practices. Police did not always observe due process. According to local NGOs and associations, police did not always identify themselves when arresting suspects or consistently obtain warrants. Police reportedly held some detainees without charging them. It was common practice for security forces to arrest a group of persons, take them to a police station to be questioned, and release them without charge hours or even days later.” [3b] (Section 1d)
- 8.11 Freedom House, in its report, *Freedom in the World 2010 – Morocco*, published 3 May 2010 noted, “Arbitrary arrest and torture still occur, though they are less common than under King Hassan. The security forces are given greater leeway for abuse with detainees advocating independence for Western Sahara.” [5a]

See [Section 3 History – Western Sahara](#) and [Section 28 Western Sahara](#)

- 8.12 Amnesty International, in its report, *Challenging Repression: Human Rights Defenders in the Middle East and North Africa*, published 11 March 2009, stated:

“In May 2003, a few days after bomb attacks in Casablanca, the authorities in Morocco adopted an anti-terrorism law amending the Criminal Procedure Code and the Penal Code. This law contains a vague definition of ‘terrorism’, opening the possibility that the law could be used to repress opposition groups. It also increases police powers to search property and monitor communications, and extends the maximum legal limit for garde à vue (pre-arraignment detention) to 12 days. In addition, the law allows judicial authorities in terrorism cases to further delay contact between detainees and their lawyers for 48 hours after the first extension of the initial 96 hours of garde à vue detention. This means that a detained person can be denied contact with their lawyer for up to six days. Long periods without access to legal counsel makes detainees even more vulnerable to torture or other ill-treatment, as well as affecting their right to an adequate defence.” [7b]

See also [Section 3 History – King Mohamed VI’s Reign](#)
[Section 8.13 Torture](#)

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Torture

- 8.13 The USSD 2009 report noted, “The law prohibits such practices, (torture and other cruel, inhuman, or degrading treatment or punishment) and the government denied that it used torture. However, numerous NGO reports and media articles alleged that members of security forces tortured and abused individuals in their custody, particularly during transport and pre-trial detention.” [3b](Section 1c)
- 8.14 The USSD 2009 report continued:
- “The CCDH [Advisory Council on Human Rights] reported an overall decline in incidents of torture and other abuses during the year, and independent news media and human rights groups, including the Moroccan Association for Human Rights (AMDH) and the Moroccan Organization for Human Rights (OMDH), made fewer reports denouncing such abuses in internationally recognized Morocco than in past years. There was no such decline in reports from Western Sahara. The penal code stipulates sentences of up to life imprisonment for public servants who use or allow the use of violence against others in the exercise of their official duties...
- “The government continued to improve implementation of the 2006 law against torture, which requires judges to refer a detainee to a forensic medicine expert when the detainee or his or her lawyer requests it or if judges notice suspicious physical marks on a detainee. The government reported that as of September, the public prosecutor had requested medical examinations for six persons, and judges had requested 21 medical examinations. The total of 27 requests represented a decrease from 2008's total of 49, which the government suggested reflected an overall reduction in allegations of torture throughout the country. Media and human rights NGOs documented cases in which the anti-torture law provision was not implemented.” [3b](Section 1c)
- 8.15 Freedom House, in its report, *Freedom in the World 2010 – Morocco*, published 3 May 2010 noted, “Intelligence agencies continued to interrogate terrorism suspects at an unacknowledged detention centre at Temara, near Rabat, according to numerous reports from detainees. Many suspects alleged that police tortured them under interrogation, while holding them in pre-charge custody for longer than the 12-day maximum the law provides for terrorism cases.” [5a]

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See also [Section 8.05 Arbitrary arrest and detention](#), [Section 14.13 Al-Ad wal-Ihsan](#) and [Section 28 Western Sahara](#)

AVENUES OF COMPLAINT

- 8.16 Amnesty International's report, *Morocco/Western Sahara: Broken Promises: The Equity and Reconciliation Commission and its Follow-up*, published 6 January 2010, stated:
- “Since the early 1990s, there have been efforts to ‘turn the page’ on past human rights violations through the release of hundreds of political prisoners and prisoners of conscience, the introduction of some legal and institutional reforms and the financial compensation of a number of victims of human rights violations and their families. However, it was the establishment and work of the Equity and Reconciliation Commission (Instance Équité et Réconciliation, IER), following King Mohamed VI's

decision in November 2003 approving the IER's creation, that truly signalled a symbolic break with the past." [7e]

Equity and Reconciliation Commission (IER)

8.17 The same source continued:

"The IER, which was mandated to enquire into gross human rights violations that occurred between 1956 and 1999 particularly enforced disappearance and arbitrary detention with the aim of ensuring that such violations are never repeated, gave birth to hopes that a genuine effort was under way to address the legacy of the past. Its creation signalled that there was strong political will at the highest level of the state to improve the human rights situation in Morocco and Western Sahara. Indeed, the IER's work was unprecedented in acknowledging the Moroccan government's responsibility for committing grave human rights violations in the past and in seeking to provide redress for its many victims. However, the IER was born with serious flaws that partially explain its failure to deliver on all the promises of equity and reconciliation. The IER's mandate did not encompass all human rights violations committed between 1956 and 1999, and regrettably, despite outcries by victims and human rights organizations, excluded the identification of perpetrators of grave human rights violations. While the IER interpreted its mission more widely and addressed certain violations initially left outside its mandate, it was not as innovative and assertive in challenging the exclusion of justice from its work. Particularly disappointing was its failure even to recommend that perpetrators of human rights violations are held accountable. To date, the overwhelming majority of Moroccan officials alleged to have committed gross human rights violations during the period covered by the IER's mandate have not been brought to justice; and there are no indications of the authorities' intention to do so in the future. Instead, the official discourse promotes the notion of 'reconciliatory justice rather than accusatory justice', which translates into impunity for grave human rights violations..." [7e]

Advisory Council on Human Rights (CCDH)

8.18 The same source continued:

"After the IER ended its mandate in November 2005, the Advisory Council on Human Rights (Conseil Consultatif des Droits de l'Homme, CCDH), the national institution for the protection and promotion of human rights, was tasked by the King with following-up the IER's work and implementing its recommendations. A major responsibility entrusted to the CCDH has been putting in place a reparation programme for victims including following-up on the decisions made by the IER on financial compensation and other forms of reparation. While over 17,000 individuals have been awarded financial compensation by September 2009 according to the CCDH, and a smaller number of victims have also benefited from other forms of reparation such as health care and restoration of employment; questions remain as to the reparation scheme's ability to meet victims' needs. A major shortcoming is the lack of an appeal mechanism enabling victims to challenge the decisions in their cases – particularly regrettable given the fact that complaints persist regarding the transparency and equity of the reparation programme. Other tasks performed by the CCDH in the framework of its follow-up to the IER included investigating 66 pending cases of enforced disappearance that the IER did not clarify and advocating for institutional and legal reforms." [7e]

8.19 The United Nations Development Programme, *Arab Human Rights Index* noted, "The Human Rights Consultative Council - Kingdom of Morocco: This council was

established by the King. It is a national, non-partisan, and independent institution entrusted with the tasks of advising, proposing and taking initiatives to defend and to protect human rights. The council has established constructive relations with both the political and civil communities by following an open and responsive policy, while preserving its own independence.” [11a]

- 8.20 The UNHCR *Conclusions and recommendations of the Committee against Torture: Morocco*, published 5 February 2004, noted:

“The Committee takes note of the following positive new developments: The broadening of the mandate of the Consultative Council on Human Rights (CCDH); the appointment of a ‘mediator’, the Diwan al-Madhalim, responsible for considering cases of human rights violations submitted to him and for forwarding to the competent authorities the requisite proposals and recommendations; the establishment of the Mohamed VI Foundation for the reintegration of prisoners, which is presided over by the King himself; the establishment of the Human Rights Documentation, Information and Training Centre; the prison reform, including the adoption of measures to assist persons subjected to any form of detention or imprisonment, notably juveniles in the child protection centres, and the implementation of measures to ensure medical care and training for detainees and prisoners.” [31b]

- 8.21 The Advisory/Consultative Council on Human Rights has its own website which can be accessed via the following link:
<http://www.ccdh.org.ma/?lang=en> [50]

See also [Section 12 Prison conditions](#)

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9. MILITARY SERVICE

- 9.01 The Coalition to Stop Child Soldiers in its *Global Report 2008 - Morocco and Western Sahara*, published 20 May 2008, noted, “Morocco reportedly moved to abolish compulsory military service in 2006 as a result of fears that the army was being infiltrated by members of armed Islamist opposition groups. Morocco’s junior defence minister was quoted by news agencies as saying that ‘This text of law came to abolish the obligatory military service with immediate effect, according to the instructions of his Majesty King Mohammed, the commander-in-chief and the chief of staff of the royal armed forces.’” [12a]

- 9.02 Immigration and Refugee Board of Canada, in its report, *Morocco: Whether military service is compulsory for men in Morocco; whether all persons of age receive a call-up notice; penalties imposed upon those who refuse to enlist; whether persons who refuse to serve are prosecuted (2004-2007)*, published 31 October 2007, recorded,

“The Deputy Head of Mission at the Embassy of Morocco in Ottawa stated in a telephone interview with the Research Directorate that conscription was eliminated on 31 August 2006 by government decree (9 Oct. 2007). The Research Directorate was unable to obtain a copy of the decree within the time constraints of this Response. Media and non-governmental sources corroborate that Morocco ended mandatory military conscription in 2006 (The Weekly Standard 2 Oct. 2006; Jamestown Foundation 15 Feb. 2007; IOL 30 Nov. 2007; Washington Post 29 Sept. 2006).” [13a]

See also [Section 8 – Security forces](#)

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10. JUDICIARY

ORGANISATION

10.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, noted:

“There are four levels in the common law court system: communal and district courts, courts of first instance (regional courts), the appeals court, and the Supreme Court. All decisions in criminal and civil matters in which the penalty exceeds 330 dirhams (\$40) may be appealed to the courts of first instance. Regional courts are subdivided into civil, commercial, administrative, penal, and rabbinical sections. Cases may be appealed from the regional courts to the appeals court. There were no restrictions on appeals at this level.

“Serious state security charges against civilians, including those relating to the monarchy, Islam, or territorial integrity, are typically tried in civilian courts. Cases regarding treason must be tried before a military court. Cases regarding territorial integrity can also be referred to a military court. Judgments by military tribunals may be appealed.” [3b] (Section 1e)

10.02 The Ministry of Justice has its own website which can be accessed via the following link: <http://www.justice.gov.ma/an/Actualites/Listes.aspx> [44]

INDEPENDENCE

10.03 The USSD 2009 report observed, “The constitution provides for an independent judiciary, but in practice the courts were not always independent. According to observers, corruption remained prevalent. Judges did not consistently base rulings on new laws and, at times, referred to outdated laws in their decisions.” [3b] (Section 1e)

PENAL CODE

10.04 The Moroccan Penal Code 1962 can be accessed via the following link (the text is in French and the translation facility will need to be used):

World Intellectual Property Organisation, Moroccan Penal Code 1962
http://www.wipo.int/wipolex/en/text.jsp?file_id=190413 [49a]

FAIR TRIAL

10.05 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, commented, “Police arrested seven non-violent Sahrawi activists on October 8 (2009) upon their return from openly visiting the Polisario-run refugee camps near Tindouf, Algeria. A Casablanca judge referred their case to a military court on the grounds that the alleged offences included harming ‘external state security,’ by ‘causing harm to Morocco’s territorial integrity.’ The referral of civilians to a military court, where the

procedural rights of defendants are abridged, was a rare and ominous development.” [10a]

10.06 The USSD 2009 report observed:

“Defendants are presumed innocent. The law provides for the right to a fair public trial for all citizens; this did not always occur in practice, especially for those protesting the incorporation of the Western Sahara into the country. Juries are not used, following principles of the Napoleonic legal system.

“Although the government claims that accused persons generally are brought to trial within two months, prosecutors may request as many as five additional two-month extensions of pre-trial detention. Technically an accused person may be kept in detention for as long as one year prior to trial. Authorities routinely held detainees beyond the one-year limit.” [3b] (Section 1e)

10.07 The USSD 2009 report continued:

“Defendants have the right to be present at their trial and to timely consultation with an attorney, although these rights were not always enforced in practice. Attorneys were not appointed in all cases, or if provided, were poorly paid or provided in an untimely fashion, often resulting in inadequate representation. According to law, defendants in criminal and human rights cases have access to government evidence against them. In practice judges sometimes prevented or delayed access. Some judges denied defence requests to question witnesses and to present mitigating witnesses or evidence.” [3b] (Section 1e)

10.08 Amnesty International in its *Report 2010 - Morocco and Western Sahara*, published 28 May 2010, noted, “Dozens of Sahrawis were prosecuted on violent conduct charges in connection with demonstrations held in 2009 or previous years; the court proceedings reportedly failed to satisfy international standards of fair trial.” [7a]

See also [Section 28 Western Sahara](#)

WOMEN

10.09 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, noted, “Portions of the penal code remain discriminatory against women, and enforcement of amendments made in 2003 has proven difficult... Despite these improvements on the books, implementation has faced resistance from some judges and police, especially in rural areas, diminishing the real effect of the reforms.” [5c](Non-discrimination and access to justice)

10.10 The Human Rights Education Association gives a full translation of The Moroccan Family Code (Moudawana) of February 5, 2004: [24a]
<http://www.hrea.org/moudawana.html>

See also [Section 21 Women](#)

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11. ARREST AND DETENTION – LEGAL RIGHTS

- 11.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, observed:

“Police may arrest following a general prosecutor's issuance of an oral or written warrant; in practice warrants were sometimes issued after the arrest. Authorities denied defendants' access to counsel or family members during the initial 96 hours of detention under terrorism-related laws or 48 hours of detention for other charges, during which police interrogated detainees and abuse or torture was most likely to occur.

“Under the antiterrorism law, after the first 96 hours, two additional 96-hour extensions are allowed at the prosecutor's discretion. Under the law a person may be detained without trial for as long as one year while an investigating magistrate completes work.

“According to NGOs, as many as 90 percent of incarcerated minors were in pre-trial detention. The law provides for a limited system of bail, but bail was rarely granted. The law does not require 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 when the criminal penalty exceeds five years in prison. In practice effective counsel was not always provided. Police were required to notify a detainee's next of kin of the arrest as soon as possible after the initial 48-hour, incommunicado detention in non-terrorism cases, unless arresting authorities applied for and received an extension from a magistrate; this provision was not always respected. Because of delays in notifying family, lawyers sometimes were not informed promptly of the date of arrest and were not able to monitor compliance with administrative detention limits, which authorities exceeded when individuals were suspected of links to terrorism.” [3b](Section 1d)

- 11.02 The same source noted, “Pre-trial detainees, who made up 21 percent of the 377,092 persons charged with crimes in 2008, were not held separately from convicts due to a lack of prison space. During the first six months of the year, 14,364 persons were held in pre-trial detention.” [3b](Section 1e)

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POLITICAL PRISONERS AND DETAINEES

- 11.03 The USSD 2009 report noted:

“Legislation does not define or recognize the concept of a political prisoner. The government did not consider any of its prisoners to be political prisoners, stating that all individuals charged with crimes were charged under common criminal law. Several NGOs, including AMDH (Moroccan Association of Human Rights), Sahrawi organizations, and Berber activist groups, charged the government with detaining persons for political activities or beliefs under cover of criminal charges, such as AMDH members arrested on charges of failing to show ‘due respect’ to the king.” [3b](Section 1e)

See also [Section 14.11 Al-Adl Wal-Ihsan](#)

- 11.04 Human Rights Watch, in a report entitled *Morocco: Release or Try Sahrawi Activists Held 10 Months*, published 2 August 2010, stated:

“Moroccan authorities should release three well-known Sahrawi activists held since October 8, 2009, on charges of ‘harming state security,’ or provide them with a prompt and transparent trial, Human Rights Watch said today. If Morocco insists on going forward with such a trial, it should be transferred from the military to a civilian court, Human Rights Watch said.

“Ali Salem Tamek, Brahim Dahane, and Ahmed Naciri are among seven Sahrawi activists who Moroccan police arrested immediately upon their return from visiting Sahrawi refugee camps in Tindouf, Algeria.” [10b]

See also [Section 8 Security Forces](#), [Section 12 Prison Conditions](#) and [Section 28 Western Sahara](#)

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12. PRISON CONDITIONS

- 12.01 Kings’ College, London’s *World Prison Brief*, last updated 17 June 2010, provided detailed information about the number of prisoners held in Morocco:
http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=34
[40a]
- 12.02 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, stated:

“Prison conditions remained poor and generally did not meet international standards. Overcrowding, malnutrition, and lack of hygiene characterized the conditions inside prisons. A February report by the Moroccan Observatory of Prisons (OMP), an umbrella grouping of lawyers promoting better conditions for prisoners, stated that prisons were overcrowded, prone to violence, and failed to meet local and international standards. It also stated that current prison capacity was sufficient for only half the prison population. The government acknowledged that its 59 prisons held about 76,000 inmates in early November, 40 percent more than they were designed to hold. That capacity allowed 16 square feet per inmate, far short of the international standard of 97 square feet. The pardon of 26,498 persons during the year reduced overcrowding.

“The OMP reported that more than 100 inmates died in 2008 from various causes, which it and other NGOs blamed in large part on poor conditions and inadequate health care. The government acknowledged that providing adequate care was difficult given the overcrowded conditions. The Directorate General for Prison Administration (DGAP) employed 107 general practitioners and kept a number of medical specialists on contract to provide inmates with care as needed.” [3b](Section 1c)

- 12.03 IPS (Inter Press Service News Agency) reported in an article of 28 August 2008, called *Firing Squads Silent - but Death Hovers*:

“Morocco’s death row prisoners - some 150 inmates - are living in sub-human, ‘life-threatening conditions’, according to leading NGOs and rights activists. ‘The general

situation of Morocco's prison inmates, especially those on death row, is absolutely catastrophic and inhumane,' Mohamed Kouhlal, a writer specialising in human rights issues, told IPS.

"Conditions on death row were 'even worse than execution itself', added Al El Ouakili, a well-known writer and death penalty abolitionist campaigner.

"Kouhlal and El Ouakili are two of several activists who have written investigative reports recently on the situation in Moroccan jails. These have been confirmed by photographs smuggled out of prison showing inmates packed into cells like sardines without an inch of room to stand and step between dozens of prostrate bodies. These have appeared on Internet blogs.

"On Jul. 8, ten NGOs also issued a joint statement calling on the government to introduce urgent reforms for the health and welfare of the prison inmates, especially those on death row.

"The NGOs acted after the general delegate of the penal services Hafid Benhachem refused to meet them to discuss their 'grave concerns'". [14a]

12.04 The same source continued:

"Earlier, the Moroccan Prisons Watch, an independent organisation monitoring prison conditions, issued its own critical report on conditions in Moroccan jails. It highlighted the under-funding by the authorities which made it impossible to provide the minimum essential sanitary conditions for the health of inmates.

"Humidity is causing serious illnesses such as asthma, skin and eye diseases,' Khalid Dimal, a journalist on the al-Massae weekly, told IPS, adding that inmates were not being issued with clothing or shoes.

"The ever-present threat of execution for those on death row is also causing serious mental illnesses,' Kouhlal added.

"Dimal said the prison authorities often failed to provide adequate medical treatment for sick prisoners. 'It's up to the whim of the prison authorities whether medicines are authorised,' he charged, 'and when they are issued, it is always cheap medicines and weeks late.'" [14a]

12.05 Magharebia, in an article called *New report reveals problems of Moroccan prison system*, dated 30 November 2007, stated:

"Morocco's penal institutions are beset by problems of overcrowding, increasing corruption and access to drugs, despite ongoing surveillance and search efforts by law enforcement authorities. This was the assessment published in the Moroccan Prison Observatory's (OMP) 2006 report, issued on 22 November (2007).

"Justice Minister Abdelwahed Radi has publicly acknowledged the problems of overcrowding. At a November 20th meeting with members of parliament, he commented, 'Penal institutions, when they are full, cannot offer decent living conditions.'

"Radi said that to make prisons more humane, twenty more penal institutions should be built and a further 1.2 billion dirhams added to the justice ministry's budget.

“At present, accommodation capacity is sufficient for just half of the prison population. 60,000 detainees are sharing prison space between them, with less than 1.5 square meters per person. The additional funding would allow them up to 3.5 square meters. International standards require nine or more. There are currently 59 penal institutions in Morocco, with a single main prison in Kenitra. By the end of 2008, the opening of another main prison is planned for Safi, with space for 2,500 detainees.

“The justice ministry has already planned the construction of some 17 new penal institutions. There are eight more projects to be finalised, offering an overall area of 270,000 square meters. Certain renovations of overcrowded existing facilities have also been planned, especially the prisons in Asilah, Tangier and Marrakesh.

“The OMP has asked the authorities to introduce alternative non-custodial sentences by reforming the penal and procedural codes.

“OMP Secretary-General Abderrahim Jamaï has also drawn attention to the situation of the country's under-age prisoners. He said the three existing correctional establishments in Morocco remain insufficient, especially if authorities want their policy of reintegrating minors into work and society to succeed.

“Regarding mistreatment and suspicious deaths in prison, the OMP has called on authorities to begin an urgent inquiry and to force provincial control committees to do their jobs. Jamaï said the committees – established under articles 620 and 621 of the penal procedural code – have failed in their mission. He says they have never published reports on the prison situation and have not paid attention to activity within the prisons. He has appealed for national independent oversight for penal institutions.

“The OMP report also talks of the difficult working conditions for 5,288 prison workers, many of whose salaries are less than 2,000 dirhams, and who have no social security provision. ‘We must improve conditions for these workers, both in terms of resources and morale,’ Jamaï said, ‘so they can carry out their training and education under conditions which satisfy international agreements on human rights.’

“Of the 59 penal institutions in Morocco at present, 14 were built before independence, 27 date from the period between 1956 and 2000, and 18 were commissioned between 2001 and March 2006.” [20d]

See also [Section 13 Death Penalty](#)

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JUVENILES

12.06 The USSD 2009 report noted:

“Although the law dictates that juvenile prisoners be separated from adults in prisons, this did not always occur in practice. There are only three juvenile detention centres. Due to the lack of juvenile prison facilities, authorities often held juveniles together with adults, particularly in pre-trial detention and in police stations. Human rights groups reported the abuse of younger offenders by other minors, older inmates, and prison guards. Local NGOs estimated there were at least 4,000 juveniles in the prison system. Offenders convicted of minor crimes are often placed in the same cell as those convicted of more serious offences.” [3b](Section 1c)

See also [Section 22 Children](#), [Section 13.03 Death Penalty](#) and [Section 11.01 Arrest and Detention – legal rights](#)

WOMEN

- 12.07 With regard to women prisoners, the USSD 2009 report noted, “Government figures indicate that only 3 percent of prisoners were women, and there was less overcrowding in the women's sections. Women were held separately from men.” [3b](Section 1c)

See also [Section 13.03 Death Penalty](#) and [Section 21 Women](#)

13. DEATH PENALTY

- 13.01 Hands Off Cain, on its database, accessed 18 August 2010, gave details of the laws relating to the death penalty in Morocco:

“Morocco retains the death penalty for ordinary crimes and military crimes. Art. 16 of the Moroccan penal code provides the death penalty for aggravated murder, torture, armed robbery, arson, treason, desertion and attempt on the King's life. Following the May 16, 2003, bombings in Casablanca in which 43 people lost their lives, the government has started a real and proper war on terrorism. A new anti-terrorist law passed by parliament in May 2003 broadened the range of capital crimes by making ordinary crimes punishable by life imprisonment under the Criminal Code eligible for the death penalty if designated as terrorist crimes ... The death penalty is subject to pardon, which remains the constitutional prerogative of the Sovereign. King Mohammed VI has never yet signed a death warrant since taking power in July 1999.” [15a]

- 13.02 The same source stated that Morocco was “Abolitionist de facto” and “Date of last execution: 1993”. [15a]

- 13.03 FoxNews.com reported in an article, dated 29 July 2010, called *Moroccan King Pardons Nearly 25,000 Prisoners*:

“King Mohammed VI pardoned nearly 25,000 prisoners Wednesday, including pregnant women, foreigners and some on death row, in a traditional royal gesture as this North African country feted the 10th anniversary of his coronation... The 24,865 prisoners accorded a royal pardon included pregnant women, children, the aged and 659 foreigners convicted in Morocco, the Justice Ministry said. Most of those pardoned were being freed from jail. However, some received reduced sentences — including 32 inmates on death row whose sentences were reduced to life in prison.” [16a]

- 13.04 The Amnesty International report, *Death Sentences and Executions 2009*, published in March 2010, noted that in 2009 at least 13 death sentences were issued and that “Although the authorities in several states [in North Africa] carried out high numbers of executions, in several others - such as ... Morocco/Western Sahara – governments maintained longstanding moratoriums on executions even though the death penalty remained in force for a range of crimes and death sentences continue to be imposed.” [7d]

See also [Section 12 Prison Conditions](#)

14. POLITICAL AFFILIATION

For information about freedom of expression generally, see [Freedom of speech and media](#). See also [human rights institutions, organisations and activists](#) for information about the restrictions placed on members of civil society.

FREEDOM OF POLITICAL EXPRESSION

14.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, recorded, “The law provides for regular, free elections based on universal suffrage, including elections to a bicameral parliament. Citizens elect municipal councils directly; citizens indirectly elect regional councils through representatives. Citizens vote for the legislature from which the government is drawn; therefore, they had an indirect say in choosing parts of the executive branch. Citizens did not have the right to change the monarchical form of government.” [3b] (Section 3)

14.02 Freedom House in its report, *Freedom in the World 2010 - Morocco*, published 3 May 2010, stated:

“Morocco is not an electoral democracy. Most power is held by the king and his close advisers. The monarch can dissolve Parliament, rule by decree, and dismiss or appoint cabinet members. He sets national and foreign policy, commands the armed forces, and presides over the judicial system. One of the king’s constitutional titles is ‘commander of the faithful,’ giving his authority a religious dimension.

“The lower house of Parliament, the Chamber of Representatives, has 325 directly elected members who serve for five-year terms. Members of the 270-seat upper house, the Chamber of Counsellors, are chosen by an electoral college to serve nine-year terms. Thirty seats in the lower house are reserved for women, and under a rule that took effect in 2009, women are guaranteed 12 percent of the seats in local elections.

“Given the concentration of power in the monarchy, the country’s fragmented political parties and even the cabinet are generally unable to assert themselves. The most vocal opposition party that remains respectful of the monarchy is the PJD [Justice and Development Party], which fared poorly in local elections in 2009. The popular Justice and Charity Movement, an Islamist group, is illegal but generally tolerated by the authorities. Other, more explicitly non-violent Islamist groups that criticize the monarchical system are harassed by authorities and not permitted to participate in the political process.” [5a]

FREEDOM OF ASSOCIATION AND ASSEMBLY

14.03 The USSD 2009 report noted:

“The constitution provides for freedom of assembly and association within the limits provided by law. Although sit-ins, demonstrations, and protests occurred, in practice the government used administrative delays and other methods to suppress or

discourage demonstrations. The government also prohibited or failed to recognize associations it deemed unqualified for NGO status.

“The MOI (Ministry of Interior) required permission for public assemblies. During the year police forcibly prevented and disrupted some demonstrations and mass gatherings. The media and NGOs made fewer reports of police disrupting peaceful demonstrations in the country, and violent police actions were fewer than in previous years.” [3b] (Section 2b)

14.04 The same source also noted, “By law and in practice, the government reserved the right to restrict presentations or discussions questioning the legitimacy of the monarchy, Islam, or the status of Western Sahara and did so on some occasions. There was political and religious activism on university campuses during the year, which the government generally tolerated. Islamist groups wielded considerable influence on campuses. In some cases they controlled student unions and acted to constrain academic freedom.” [3b] (Section 2a)

14.05 The International Federation for Human Rights, in its report, *Observatory for the Protection of Human Rights Defenders Annual Report 2009 - Morocco and Western Sahara*, published 18 June 2009, stated:

“While freedom of assembly is guaranteed by Dahir (Royal Decree) No. 1-58-377 of 1958 on Public Gatherings, the police, on several occasions in 2008, resorted to disproportionate use of force to disperse sit-ins or gatherings of people protesting for their rights to be respected. For instance, several sit-ins held in 2008 by the National Association of Unemployed Graduates in front of the Parliament in Rabat were violently dispersed by the police, leaving many injured. Similarly, on April 12, 2008, the police brutally repressed a sit-in against rising prices held in front of Parliament by the Joint Committees for the Fight Against the High Cost of Living and the Deterioration of Public Services.” [17a]

14.06 The following link provides useful information on this topic:

Human Rights Watch, *Freedom to Create Associations – A Declarative Regime in Name Only*, 7 October 2009

<http://www.hrw.org/en/reports/2009/10/07/freedom-create-associations> [10c]

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OPPOSITION GROUPS AND POLITICAL ACTIVISTS

14.07 Freedom House in its report, *Freedom in the World 2010 - Morocco*, published 3 May 2010, stated:

“Freedom of assembly is not well respected, and protests in Western Sahara especially have been controlled through violence and threats. According to Human Rights Watch (HRW), Moroccan authorities confiscated passports of Sahrawi activists in 2009 and prevented some from leaving the country. Civil society and independent nongovernmental organizations are quite active, though the authorities monitor Islamist groups and arrest suspected extremists. While NGOs in Morocco operate with more freedom than in many other Arab states, groups that offend the government face harassment.” [5a](Political rights and civil liberties)

- 14.08 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, published 20 January 2010, recorded:

“Morocco boasts thousands of independent associations. However, government officials arbitrarily impede the legalization of some organizations, undermining their freedom to operate. Groups affected include those defending the rights of Sahrawis, Amazighs (Berbers), sub-Saharan immigrants, and unemployed university graduates, as well as charitable, and cultural and education associations whose leadership includes members of Justice and Spirituality, one of the country's largest Islamist movements.” [10a](Freedom of Association, Assembly, Movement)

- 14.09 The USSD 2009 report noted, “Organizations supporting self-determination for Western Sahara were not permitted to register, including ASVDH (Saharawi Association of Victims of Grave Human Rights Abuses) and the Sahrawi Collective of Human Rights Defenders. Unregistered organizations cannot access government funds or legally accept contributions. ASVDH remained unregistered despite a 2005 Agadir administrative court decision requiring authorities to register it.” [3b](Freedom of Association)

See also [Section 28 Western Sahara](#)

- 14.10 The same source noted, with reference to political parties:

“Political parties faced government-imposed restrictions. The MOI must approve political parties, and legislation placed conditions on the establishment and functioning of political parties. The law requires parties to hold annual national congresses and to include women and youth in the leadership structures. Public funding is based on a party's total representation in parliament and the total number of votes it received nationally. Only registered members of a particular party may make private contributions. The MOI can disband a party if it does not conform to the provisions stated in the law. To create a new party, organizers must submit to the MOI a declaration signed by at least 300 co-founding members from at least eight of the 16 regions of the country.

“In 2007 the government declared the Amazigh Democratic Party illegal on the grounds that it violated a constitutional ban against ethnic political parties. On January 2008 the ban was upheld on appeal. Although there was significant participation by centrist parties such as the Popular Movement that identify themselves as representing Amazigh interests, segments of the Berber political movement felt that their requests for greater cultural, political, and economic autonomy were not given a fair hearing.” [3b](Section 3)

Al-Adl wal-Ihsan

- 14.11 The United States Department of State report, *2009 Report on International Religious Freedom - Morocco*, published 26 October 2009, stated, “The Government does not recognize al-Adl wal-Ihsan (Justice and Good Works, or AWI), an organization that rejects the king's spiritual authority. The AWI advocates an Islamic state, continues to organize and participate in political demonstrations, and operates websites, although the Government does not allow the public distribution of its published materials.” [3c]
- 14.12 Amnesty International, in its *Report 2010 - Morocco/Western Sahara*, published 28 May 2010, stated, “Members of Al-Adl wal-Ihsan continued to face harassment. The group's

spokesperson, Nadia Yassine, had been awaiting trial since 2005 for allegedly defaming the monarchy. Her trial was again postponed, to January 2010.” [7a]

- 14.13 Afrik.news in an article dated 10 September 2010, called *Morocco's Al Adl wal Ihsan: The King's Islamist canker* reported, “The families of seven members of the Islamist movement Al Adl wal Ihsan (Justice and Spirituality) announced on September 1 that they had filed a lawsuit against the police for ‘torturing’ them while in custody. The Adlist activists, who were recently arrested in Fez, are suspected of having kidnapped and tortured a lawyer. But they claim they are innocent, arguing that there is a plot to conspire against them. According to them, their confession was obtained under torture.” [22b]

[See also Section 11.03 Political Prisoners and Detainees](#)

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15. FREEDOM OF SPEECH AND MEDIA

This section should be read in conjunction with [political affiliation](#) and [human rights institutions, organisations and activists](#) for an appreciation of freedom of expression generally.

- 15.01 The BBC in its *Moroccan Country Profile*, updated 27 May 2010, gave a brief overview, “The broadcast media are either dominated by the state or reflect the official line. However, the private press has succeeded in breaking taboos over some sensitive topics, including allegations of high-level corruption.” [9b](Media)
- 15.02 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, noted, “The law generally provides for freedom of speech and of the press; however, the government compromised this law in practice. Criticism of Islam, the monarchy, and territorial integrity (the issue of Western Sahara) is prohibited by law.” [3b](Section 2a)

PRINT MEDIA

- 15.03 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, published 20 January 2010, noted:

“Press freedom declined in 2009. The press law provides prison terms for ‘maliciously’ spreading ‘false information’ likely to disturb the public order or for speech that is defamatory, offensive to members of the royal family, or that undermines ‘Islam, the institution of the monarchy, or [Morocco's] territorial integrity.’ After the Arabic daily Akhbar al-Youm published on September 26 a cartoon about a cousin of King Mohammed VI, authorities froze its bank account and sent police to shut down its editorial offices - actions that have no basis in Moroccan law. A court on October 30 ordered the closure of Akhbar al-Youm's offices and sentenced the cartoonist and director of publication to fines and suspended prison terms. Idriss Chahtane, editor of al-Mish'al weekly, went to prison on October 15, the day a court of first instance sentenced him to a one-year term for maliciously publishing ‘false news’ about the king's health. On August 1 the minister of the interior ordered the seizure of the new issues of TelQuel and Nichan because the two weeklies had published the result of a public opinion poll on King Mohammed VI, even though the results were favourable.

Disregarding the applicable law, the authorities then destroyed copies of the issues before the publisher could appeal the seizure in court.” [10a](Media Freedom)

- 15.04 Paris-based Reporters Without Borders noted in an article on its website called *Warnings for the independent press*, dated 13 May 2003:

“‘The person of the king is inviolable and sacred,’ according to article 23 of the Moroccan constitution. ‘The Moroccan political system has a name, the makhzen, and the king is its cornerstone,’ says Ahmed Benchemsi, editor of the weekly *Tel Quel*. ‘Not being free to include him in an analysis leads straight to schizophrenia: you write one thing but think the opposite. You choose a number of scapegoats... whom you rail at all the more furiously because you are forbidden to mention the palace, the most important political actor in this country.’” [51a] The full report can be accessed via the following link:

<http://en.rsf.org/morocco-warnings-for-the-independent-press-13-05-2003,06801.html>

- 15.05 Freedom House, in its report, *Freedom of the Press 2009 – Morocco*, published 1 May 2009, noted, “While government censorship occurs, self-censorship is far more widespread, as journalists fear heavy fines, prison sentences, or extralegal intimidation and physical violence in retribution for their stories.” [5b]

- 15.06 The BBC in its *Moroccan Country Profile*, updated 27 May 2010, listed the major newspapers published in Morocco:

“Le Matin - semi-official daily
Al-Massae - private, daily
Assabah - private, daily
Liberation - private, daily
L'Economiste - business daily
Telquel - private, news weekly” [9b](Media)

- 15.07 Freedom House, in its report, *Freedom of the Press 2009 – Morocco*, published 1 May 2009, noted, “Foreign publications are widely available in Morocco, and the Ministry of Communication accredited 115 foreign journalists during the year. However, the ministry also banned the distribution of the French weekly *L'Express* at various times, and cancelled the accreditation of pan-Arab satellite channel Al-Jazeera's bureau chief for allegedly publishing false information.” [5b]

- 15.08 Freedom House, in its report, *Freedom of the Press 2009 – Morocco*, published 1 May 2009, observed, “Libel remains a criminal offence that carries large fines, and the use of the judiciary to settle scores with critical journalists has been an issue of concern for years.” [5b]

- 15.09 The USSD 2009 report stated:

“In the latter half of the year, a trend toward restricting freedom of the press emerged, with a marked increase in media restrictions. Figures provided by the government showed an increase in total cases from 45 in 2008 to 56 during the year. These numbers included cases the government initiated as well as private citizens' libel complaints. Numerous human rights groups criticized the steady stream of criminal prosecutions, newspaper closings, and libel suits.

“The anti-terror law and the press code impose financial penalties on journalists and publishers who violate restrictions related to defamation, libel, and insults including critical discussion of the monarchy, state institutions, territorial integrity, and Islam. Prison sentences may be imposed on those convicted of libel.” [3b] (Section 2a)

See also [Section 19.03 LGBT – Treatment of and attitudes of state authorities](#) and [Section 19.08 LGBT – Societal treatment and attitudes](#)

RADIO AND TV

- 15.10 Freedom House, in its report, *Freedom of the Press 2009 – Morocco*, published 1 May 2009, observed, “King Mohamed VI and the government wield considerable control over the editorial content of domestic broadcast media. The king has the authority to name the heads of all public radio and television stations, as well as appoint the president and four board members of the High Authority for Audio-Visual Communication, which issues broadcast licenses. The government has the power to revoke licenses and suspend or confiscate publications.” [5b]
- 15.11 Freedom House in its report, *Freedom in the World 2010 - Morocco*, published 3 May 2010, noted, “The state dominates the broadcast media, but residents have access to foreign satellite television channels.” [5a]

INTERNET

- 15.12 Freedom House, in its report, *Freedom of the Press 2009 – Morocco*, published 1 May 2009, recorded, “Approximately 19 percent of the population regularly accessed the internet in 2008. There is no official legislation regulating internet content or access, but the government occasionally blocks certain websites and online tools, including Google Earth and LiveJournal.” [5b]
- 15.13 Freedom House in its report, *Freedom in the World 2010 - Morocco*, published 3 May 2010, noted, “The authorities occasionally block websites and internet platforms, while bloggers and other internet users are sometimes arrested for posting content that offends the monarchy. In December 2009, a blogger and an internet cafe owner were sentenced to four months and one year in jail, respectively, for disseminating information about student protests.” [5a]
- 15.14 The USSD 2009 report stated, “There are neither specific laws nor a body of judicial decisions concerning Internet content or access. The government did not usually restrict access to the Internet. Individuals and groups were able to engage in peaceful exchange of views via the Internet, including by e-mail. The International Telecommunication Union reported there were 33 Internet users per 100 inhabitants in 2008.” [3b](Section 2a)

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16. HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 16.01 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, published 20 January 2010, noted:

“Morocco boasts thousands of independent associations. However, government officials arbitrarily impede the legalization of some organizations, undermining their freedom to

operate. Groups affected include those defending the rights of Sahrawis, Amazighs (Berbers), sub-Saharan immigrants, and unemployed university graduates, as well as charitable, and cultural and education associations whose leadership includes members of Justice and Spirituality, one of the country's largest Islamist movements.

“The government generally tolerates the work of the many human rights organizations active in Rabat and Casablanca. In northern Morocco, authorities on February 17, 2009 arrested Chekib el-Khayari, president of the Association for Human Rights in the Rif, after he accused certain Moroccan officials of complicity in narcotics trafficking. On June 24 a Casablanca court convicted el-Khayari of ‘gravely insulting state institutions’ and minor currency violations, and sentenced him to three years in prison and a heavy fine. He was still in jail awaiting his appeal as of November.”^[10a] According to the campaigning group ENCOD he is still imprisoned as at 27 May 2010. ^[18a]

- 16.02 Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, published 20 January 2010, continued:

“Authorities generally do not hamper foreign human rights groups visiting Morocco, although the security forces sometimes question Moroccans who have had contact with them. Beginning in October the police enforced new restrictions on groups visiting the homes of Sahrawi activists, breaking up at least seven such visits on the grounds that visitors would henceforth require clearance for such meetings. Most types of outdoor gatherings require authorization from the Interior Ministry, which can refuse permission if it deems them liable to ‘disturb the public order.’ Although many of the frequent public protests run their course undisturbed, baton-wielding police have brutally broken up others.” ^[10a]

- 16.03 The International Federation for Human Rights, in its report, *Observatory for the Protection of Human Rights Defenders Annual Report 2009 - Morocco and Western Sahara*, published 18 June 2009, stated:

“In 2008, several human rights defenders who denounced abuses perpetrated in the context of the fight against terrorism (enforced disappearances, abductions, arrests without warrants, torture to extract confessions, etc.) were harassed by authorities because of their commitment in defending the rights of suspected terrorists... In 2008, members of the Saharawi Association of Victims of Grave Human Rights Violations Committed by the State of Morocco (ASVDH), an association that is not recognised by the Moroccan authorities,¹⁹ continued to be subjected to prosecution and to obstacles to their freedom of movement.” ^[17a]

- 16.04 With regard to international actors, Human Rights Watch, in its *World Report 2010 – Morocco/Western Sahara*, published 20 January 2010, noted, “A European parliamentary delegation conducted a fact-finding mission to Morocco and Western Sahara in January 2009 that Morocco had blocked for three years. The delegation said it was able to conduct its visit without obstacles. Among its recommendations was that Morocco ‘ensure that the clauses relating to territorial integrity do not apply to the mere expression of opinions, including those in support of independence, provided that they respect the principle of non-violence.’” ^[10a]

- 16.05 The United States Department of *State Country Report on Human Rights Report 2009: Morocco*, published 11 March 2010, stated:

“The government's attitude toward international human rights organizations varied, depending on the sensitivity of the issues. Domestic and international human rights groups generally operated without government restriction (apart from those that favoured independence for Western Sahara and some Berber organizations), and they investigated and published findings on human rights cases. Government officials were generally cooperative and responsive to their views.

“Domestic and independent human rights NGOs the government recognized included the OMDH (Moroccan Organisation for Human Rights) ... OMDH and AMDH (Moroccan Association for Human Rights) were considered the main human rights NGOs. AMDH did not cooperate officially with the government but usually shared information on an informal basis with both the government and government affiliated organizations. The government sometimes met with and responded to inquiries and recommendations of these groups. Other groups that worked with the government to try to improve human rights conditions or investigate alleged abuses included Friends of the Centre for Reform and the Protection of Youth, more commonly known as Association Mama Assia, which focused on working with youth in the prison system. The government also cooperated with the Forum for Truth and Justice, OMP (Moroccan Observatory of Prisons), and the local branch of Amnesty International.

“International NGOs such as HRW, Reporters Without Borders, and AI cooperated with the government on several human rights projects and generally reported unrestricted operation...

“The last visit by a UN Special Rapporteur took place in 2006 by the Special Rapporteur on the Right to Education. A Special Rapporteur visit on adequate housing was pending approval at year's end [2009].

“The CCDH (Consultative Council on Human Rights) advised the king on human rights issues. A non-judicial ombudsman considered allegations of governmental injustices, but in practice the CCDH filled many of the roles of national social ombudsman. Although there was some media criticism of the difficulties the CCDH has faced in implementing the institutional changes recommended by the IER, human rights NGOs and the public generally viewed the organization as a credible and proactive government advocate for institutional protection of human rights and seeking redress in individual cases.” [3b] (Section 5)

16.06 The United Nations Development Programme, *Arab Human Rights Index* lists the major Human Rights Organisations operating in Morocco:
<http://www.arabhumanrights.org/en/hrorgs/country.asp?cid=12> [11a]

16.07 The following link provides useful information on this topic:

Human Rights Watch, *Freedom to Create Associations – A Declarative Regime in Name Only*, 7 October 2009

<http://www.hrw.org/en/reports/2009/10/07/freedom-create-associations> [10c]

See also [Section 28 Western Sahara](#)

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17. FREEDOM OF RELIGION

17.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, recorded, "The constitution provides for freedom of religion and stipulates that Islam is the official state religion. According to the constitution, 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 law proscribes efforts to proselytize Muslims. Civil law does not prohibit voluntary conversion." [3b](Section 2c)

17.02 The BBC News website reported on 12 March 2010 in a report called *Morocco defends expulsion of Christian workers*:

"Morocco says it will take a tough line on proselytism - seeking converts from another religion - two days after it expelled 20 Christian workers. Communications Minister Khalid Naciri warned that the government would be 'severe with all those who play with religious values'. Religious freedom is guaranteed under Moroccan law but proselytism is banned. Some Christian groups claim the authorities are deliberately trying to restrict their work in the country. The expelled Christians had run a children's home called Village of Hope near the town of Ain Leuh in the Middle Atlas Mountains. The home housed 33 children who, it is claimed, would otherwise have been abandoned... The 20 foreign workers were given just a few days' notice to cease their activities and leave the country, a statement on the group's website said. They were accused of trying to convert the children in their care to Christianity. The group's statement says it had always been open about its Christian beliefs with the authorities, and for 10 years had been allowed to take in and foster abandoned children. It says the deportation is part of a nationwide crackdown against Christians living in Morocco and has appealed to the king to overturn the ban." [9c]

17.03 The following links provide further useful information on the above topic:

US Department of State, *International Religious Freedom Report 2009: Morocco*, published 26 October 2009

<http://www.state.gov/g/drl/rls/irf/2009/127354.htm> [3c]

US Department of State, *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010

<http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136075.htm> [3b] (Section 2c: Freedom of Religion)

Freedom House, *Freedom in the World 2010 – Morocco*, published 3 May 2010

<http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7881> [5a] (Political Rights and Civil Liberties)

Amnesty International

Report 2010 – Morocco/Western Sahara

<http://www.unhcr.org/refworld/country,,,MAR,,4c03a812c,0.html> [7a] (Freedom of religion)

Freedom House, *Women's Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010

<http://freedomhouse.org/template.cfm?page=384&key=260&parent=24&report=86> [5c] (Autonomy, Security and Freedom of the Person)

18. ETHNIC GROUPS

18.01 The CIA *World Factbook: Morocco*, stated that the ethnic make up of the Moroccan people was “Arab-Berber 99.1 per cent, other 0.7 per cent, Jewish 0.2 per cent.” [1a]

18.02 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, stated:

“Approximately 60 percent of the population claimed Amazigh heritage, including the royal family. Amazigh cultural groups contended that their traditions and language were being lost rapidly to Arabization. The government provided television programs in the three Berber dialects of Tarifit, Tashelhit, and Tamazight (the dialect spoken by the Amazigh Berbers). The government also offered Berber language classes in the curriculum of some 3,470 schools; the language offered varied according to the main dialect spoken in each region. Programs in one of the three Berber dialects were increasingly available on both radio and television. The government also implemented compulsory Berber instruction for students at the MOI's School for Administrators in Kenitra.

“Although the country is majority Amazigh, rural areas that are predominantly Amazigh are the poorest in the country. Illiteracy in some areas runs as high as 80 percent, and authorities often do not provide basic governmental services.

“The Amazigh political and cultural movement also demanded that Berber be made an official language on par with Arabic and French. Some members of the Amazigh community have described difficulty registering traditional names of children with authorities, who declined to recognize non-Arab names.” [3b](National/Racial/Ethnic Minorities)

See also [Section 28 Western Sahara](#)

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19. LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

19.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, stated, “The penal code criminalizes homosexual activity, but these provisions were infrequently enforced. Homosexual conduct was addressed in the media and in public with more openness than in previous years. There were no reports of societal violence based on sexual orientation.” [3b] (Section 6: Societal abuses, Discrimination and Acts of Violence Based on Sexual Orientation and Gender Identity)

LEGAL RIGHTS

19.02 Sodomy Laws, a database of anti-gay legislation around the world, accessed 17 August 2010, described the relevant law in Morocco, “Homosexuality is criminalized under Section 489 of the Penal Code [of 26 November 1962] which provides a penalty of between 6 months and 3 years' imprisonment and additional fines from 120 to 1000 Dirhams for ‘lewd or unnatural acts with an individual of the same sex’.” [19a]

TREATMENT BY, AND ATTITUDE OF, STATE AUTHORITIES

19.03 Amnesty International, in its *Report 2009 - Morocco/Western Sahara*, published 28 May 2009, reported, "In November (2008), an appeal court upheld the conviction and heavy fine imposed by a lower court on the editor in-chief of Al-Massaa for defamation of assistant Crown Prosecutors in Ksar el-Kebir, for having suggested that a Crown Prosecutor was present at the alleged 'gay marriage'. It appeared that the fine might cause the newspaper to cease publication." [7c]

See also [Section 15 Freedom of Speech and Media](#)

19.04 Human Rights Watch, *World Report 2009 - Morocco/Western Sahara*, published 14 January 2009, stated, "After raucous anti-gay demonstrations in the city streets, a court in Ksar el-Kbir, under penal code article 487, sentenced six men to between four and 10 months in prison on December 10, 2007, for committing homosexual acts, even though the prosecution introduced no evidence that acts violating the article had occurred. An appeals court upheld the verdicts on January 15, 2008." [10d]

19.05 The Immigration and Refugee Board of Canada, in a report called *Morocco: The treatment of homosexuals, including protection offered by the state and the attitude of the population*, published 5 March 2007, stated:

"According to the director of prevention programs for men who have sex with men of the Moroccan Association for the Fight Against AIDS, [translation] 'there is no state protection' for Moroccan homosexuals (24 Jan. 2007).

"...Corroborating sources indicate that there is no organization in Morocco that defends the rights of Morocco's gay community. The President of the ALCS [Association marocaine de lutte contre le sida] stated that there is [translation] 'only the ALCS, which does not work with homosexuals in general, but with male professionals to raise awareness and prevent the transmission of sexually transmitted infections and AIDS'." [13b]

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SOCIETAL TREATMENT AND ATTITUDES

19.06 The Immigration and Refugee Board of Canada, in a report called *Morocco: The treatment of homosexuals, including protection offered by the state and the attitude of the population*, published 5 March 2007, stated:

"In 23 January 2007 correspondence, the President of the ALSC stated that, although homosexuality is quite common in Morocco, homosexuals are stigmatized. An article in the Moroccan daily *Aujourd'hui le Maroc* states that Moroccan homosexuals are subject to [translation] 'jeers and public condemnation' and that [translation] 'those who are regularly called 'fags' rarely go out in public' (11 June 2004). Another *Aujourd'hui le Maroc* article indicates that [translation] 'homosexuality in Morocco is tolerated behind closed doors but repressed in public' (*Aujourd'hui le Maroc* 11 June 2004, 15 June 2004). In 24 January 2007 correspondence, the ALCS director of prevention programs for men who have sex with men provided the following information. The director stated that although one progressive French-language media outlet has made some progress in dealing with the topic of homosexuality, [translation] 'Moroccan society is still largely homophobic.' He also indicated that Moroccan homosexuals [translation] 'keep their

homosexuality to themselves,' and that those who come out are [translation] 'rejected' by their friends and family. Moreover, Moroccan society does not even [translation] 'suspect' that lesbians exist." [13b]

- 19.07 Afrik.news, in an article, dated 4 May 2010, called *Being Gay in Morocco*, interviewed Samir Bergachi, general coordinator of Kif-Kif, "an association that fights for the rights of lesbian, gay, bisexual and transgender and intersex people in Morocco, founded in 2004."

"...The idea of Kif-Kif was born after an incident in Titouane in 2004, during which the police arrested 42 homosexuals at a birthday party. The case triggered an uproar in the local media. Associations that usually intervened on human rights issues were silent. Students were expelled from universities; young people were thrown out of their homes. We told ourselves, with friends from other associations, that we would make sure this never happened again. We met in Tangier two months after the incident, and implemented a plan to reintegrate the affected youth into society.

"...More than 90% of our activities are based in Morocco. These activities include, cultural, educational, sexual education classes. We also work with psychologists and doctors. Sometimes, homosexuals are not welcome by medical practitioners. In cases like these, we guide them toward doctors who work with us. Our work also consists of exposing gay culture in the Grand Maghreb, where it is nonexistent. It should be noted that we have started from scratch." [22a]

- 19.08 Magharebia, in an article of 27 May 2010, called *Gay Magazine 'Mithly' Debuts in Morocco* reported:

"In a move that probes the limits of freedom of expression in Morocco, a group of gays and lesbians is working to raise their community's profile by publishing a trail-blazing magazine.

"The organisation Kif Kif released a limited number of copies of the first edition of Mithly in April, without applying for a government licence that they claim would have been denied.

"'We didn't submit a formal application; we knew it would be rejected,' Mithly staff member Karim S., who asked that his last name be withheld to protect his privacy, told Magharebia.

"...The source also said that refusing to give a distribution licence to a magazine for gays and lesbians does not constitute any breach of law or suppression of the right to expression, because the law bans any publication that violates public ethics and morals.

"Despite the obstacles, Kif Kif is determined to press on, Samir S. said. If the magazine does not obtain official permission to go to print, the staff will resort to online publishing.

"Despite such plans for bridge-building, Mithly is already encountering public opposition.

"The personal liberty of homosexuals is their own affair, but to publicly display their sexual orientation threatens society's values, Mustapha Khalfi, a member of the Islamist-leaning Justice and Development Party, told the local press last week." [20a]

- 19.09 MadiKazemiblogspot, a campaigning website, featured, on 18 July 2010, a blog by James M Dorsey (a freelance journalist) called *Morocco's Queer Uprising*:

“While Mithly hopes to steer debate in Morocco and the Arab world about homosexuality into calmer, more rational waters, it does not want to rock the boat in a country where authorities are among the more relaxed in the Arab world because of tourism that has attracted a high-end gay community. Gay activists fear that a more open Mithly presence in Morocco could further fuel Islamist and populist protests and force the government to crack down in a bid to prevent the Islamists from gaining the high ground.

“... Islamist agitation has already increased homophobia in Morocco in recent months. 'The constant attacks on homosexuals by the Islamist parties and newspapers worry us,' says Mourad, a Mithly journalist.

“...Kif-Kif, the Madrid-based Moroccan organisation for lesbians, transsexuals and homo- and bisexuals and publisher of Mithly, estimates that some 5000 people have been jailed in Morocco or forced to emigrate because they are gay. Conservatives have demanded that Mithly be banned and that homosexual 'sleeper cells' be hunted down like terrorists. 'Homosexuality is against the future of humanity,' said Mustapha Khalifi, editor of the conservative newspaper Attajdid. Khalifi called on the government to 'ban this publication that hurts the Islamic values of the Moroccan society'.

“Attajdid, widely seen as an Islamist mouthpiece, campaigned unsuccessfully against a planned concert by gay British pop star Elton John in Rabat. The newspaper claimed the singer's performance was part of a plot to 'homosexualise' Morocco.” [21a]

See also [Section 15 Freedom of Speech and Media](#)

Lesbians

19.10 The Immigration and Refugee Board of Canada, in its report *Morocco: Situation of lesbians; treatment by the authorities and society; state protection available; assistance or other organizations for the homosexual community in Morocco, including bars, restaurants, etc*, published 3 June 2004, stated, regarding the situation of lesbians:

“The Let's Go travel guide Website indicated that '[I]esbianism is almost unheard of and unrecognized'. Tel Quel noted the lack of support from feminist and human rights associations; fundamentalists accuse feminist associations of allowing themselves to be manipulated by foreign influence.

“In an article entitled 'Être lesbienne au Maroc,' which appeared in the magazine Kelmaghreb, a lesbian writer stated that there are no laws to support women, aside from those regarding wives and mothers. She added that, after a certain age, unmarried women are subjected to social pressures because an unmarried woman [translation] 'weighs' on Moroccan society.” [13c]

See also [Section 19.06](#) above

Transgender persons

19.11 No information could be found on transgender persons.

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20. DISABILITY

20.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, recorded:

“The law provides for regulations and building codes that ensure access for persons with disabilities, but the government did not effectively implement the laws and programs. Although building codes require accessibility for all, the codes were rarely enforced, and in many cases, builders and building inspectors were unaware of laws requiring accessibility. The Ministry of Social Development, Family, and Solidarity has responsibility for protecting the rights of persons with disabilities and attempted to integrate persons with disabilities into society by implementing a quota of 7 per cent for persons with disabilities in vocational training in the private and public sectors. In 2008 the government created 217 integrated classes for children with disabilities. In practice integration was largely left to private charities. Typically, families supported persons with disabilities. A limited number survived by begging.” [3b](Section 6: Persons with Disabilities)

20.02 Human Rights Watch, in its *World Report 2010 –Morocco/Western Sahara*, published 20 October 2010, noted, “Morocco ratified the International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities on April 9 (2009).” [10a](Key International Actors)

20.03 Details of statutory disability benefits in Morocco are outlined in the Morocco country summary of the United States Social Security Administration’s *Social Security Programs throughout the World: Africa, 2009*, released August 2009:
<http://www.ssa.gov/policy/docs/progdesc/ssptw/2008-2009/africa/morocco.html> [23a]

20.04 Handicap International set up a programme in Morocco in 1993, following a request from the country's authorities. The Morocco page of their website can be accessed via the following link:
http://www.handicap-international.org.uk/where_we_work/africa/morocco [48a]

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21. WOMEN

OVERVIEW

21.01 The UN Treaty Collection database states that Morocco is not a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) but has accession with several declarations and reservations on 21 June 1993. [27a]

21.02 The most recent CEDAW reviews in February 2008 can be accessed via the following links:

<http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWSR822.pdf> [26a]

<http://www2.ohchr.org/english/bodies/cedaw/docs/CEDAWSR823.pdf> [26b]

21.03 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, noted, “The constitution prohibits discrimination based on race, gender, disability, language, or social status. In practice

societal discrimination against women continued to be a problem, particularly in rural areas.” [3b](Section 6)

21.04 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, noted, “Women’s rights groups and individual activists have collaborated with the government to improve the rights of all women, but true equality remains a distant goal. While the recent legal reforms have allowed the government to promote a modern and democratic image of Morocco at the international level, bringing certain benefits to society at large, more needs to be done to translate these changes into tangible gains for individual women in their daily lives.” [5c](Introduction)

21.05 The same source also stated:

“Women – usually urban and educated – can be found on school boards, in parent-teacher associations, and in neighbourhood associations. In this capacity, they are able to participate in and influence local community life, policies, and social development. Although a trust in women’s leadership abilities is growing among the youth, societal resistance to women as leaders, even at the community level, is still strong.

“Part of this resistance comes from the rather passive and negative image of women that is presented in the Moroccan media, which constantly associate them with the home and the upbringing of children, and downplay their achievements in the public sphere. Female academics, journalists, filmmakers, and civil society activists have made various attempts to alleviate the harm caused by such portrayals. Although male broadcasters, talk-show hosts, and radio announcers outnumber their female counterparts, the latter are increasingly attracting attention from the public and are influential in opinion-making.

“The mainstream media do not reflect the real progress made by women, and rarely use gender-sensitive language. Although they have attempted to tackle issues such as sexual harassment, domestic violence, and gender roles, these efforts have been insufficient. There is a proliferation of magazines in Arabic and French that focus on women’s interests, but they tend to be geared toward elite and educated women. Rural and semi-urban women are marginalized in the media generally due to poverty and illiteracy.” [5c](Social and Cultural Rights)

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LEGAL RIGHTS

21.06 The Human Rights Education Association gives a full translation of The Moroccan Family Code (Moudawana) of February 5, 2004:
<http://www.hrea.org/moudawana.html> [24a]

21.07 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, stated:

“It is at the level of the law that Moroccan women’s rights have achieved the most significant gains, and the last five years have been particularly rich in this regard. A revised nationality code passed in 2007 eased women’s ability to pass citizenship to their children, the country lifted its reservations to CEDAW in 2008, and the Moudawana enacted in 2004 is now considered one of the most progressive legal texts in the Arab

world. However, the implementation of that law is still problematic, and little headway is being made despite the sustained efforts of both women's rights activists and the government.

“According to Article 5 of the 1996 constitution, ‘all Moroccan citizens shall be equal before the law.’ Although the constitution does not specifically prohibit gender-based discrimination, as a practical matter Morocco's laws have become more attentive to the needs of female citizens in recent years. Even so, social and cultural constraints, as well as a certain reluctance to fully implement the laws, have yet to be overcome.

“...Legal and societal barriers often obstruct women's access to the justice system, especially in rural areas. Although women enjoy equal testimony rights in most civil and criminal cases, the court gives their testimony half the weight of a man's when it comes to family matters. In addition, many women are reluctant to defend their rights in court, particularly if male family members are responsible for the violations or if it is perceived that their legal action could damage their family reputation. It is also customary for men to file court papers on behalf of women in rural areas, where illiteracy rates remain high. However, in some aspects, access to justice has improved in recent years. Family courts and the training of judges to staff these courts have served to create a friendlier environment for women. In addition, a fund has been established to guarantee payment of alimony and child support pursuant to an enforceable judgment.” [5c](Non-discrimination and Access to Justice)

21.08 With regard to the penal code, the report continued:

“Portions of the penal code remain discriminatory against women, and enforcement of amendments made in 2003 has proven difficult. Previously, under Article 418, only a man was given a reduced sentence for assaulting or murdering his wife or her partner if he caught them committing adultery. This leniency has now been extended to female defendants as well. In addition, under Article 491, the state can now prosecute an adulterous spouse in lieu of either wronged spouse if the latter is out the country; previously, the state would only stand in for an absent husband. Despite these improvements on the books, implementation has faced resistance from some judges and police, especially in rural areas, diminishing the real effect of the reforms.

“Article 490 of the penal code criminalizes extramarital sex for women, calling for punishments ranging from one month to one year in jail. These cases are rarely taken to court, since a conviction depends on either eyewitness testimony or a confession by one of the perpetrators. An unmarried woman's pregnancy is proof of sexual relations and may lead to criminal prosecution, while the fault of her male partner is not established by law.” [5c] (Non-discrimination and Access to Justice)

21.09 The USSD 2009 report stated, “Implementation of the family law remained a concern because it is largely dependent on the judiciary's ability and willingness to put it into practice. Due to its controversial nature, the law was written to provide broad interpretive latitude to individual judges, not all of whom agreed with its intent. Corruption among working-level clerks in the courts and a lack of knowledge about its provisions among lawyers also constituted obstacles.” [3b](Section 6)

21.10 The same source continued, “Legally there are few obstacles to women's participation in business and other economic activities. Women are able to travel, receive loans, and start businesses without their husband's or father's permission.” [3b](Section 6)

- 21.11 The IPS News article, *New Law, But the Same Old Men*, published 30 July 2009, provides useful information on this topic and can be accessed via the following link: <http://ipsnews.net/news.asp?idnews=47895> [14b]

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POLITICAL RIGHTS

- 21.12 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, stated:

“...In the last decade, many [women] have been appointed as cabinet ministers, diplomats, and judges, and thanks to implementation of a quota system, the number of women in the 325-seat lower house of Parliament rose from two in 1997 to 34 after the 2007 elections. Another quota rule recently boosted women's representation in local government as well. However, more than five decades after independence, women's participation in political life is still hampered by socio-cultural constraints, including the conservative notion that women's voices are awrah (not to be exposed in public, as with certain parts of the body). In addition, patriarchal and undemocratic structures within political parties tend to exclude women and youth, limiting their access to politics.

“...Women have had the right to vote and compete for office since 1956, but the character of their engagement has been heavily influenced by traditionalist and Islamist political trends.

“...Nevertheless, women generally, and rural women in particular, are frequently unaware of their political rights. There is a genuine communication problem in Morocco. Most literature regarding women's rights, political or otherwise, is written in Arabic and French, meaning it is inaccessible to large numbers of women. Some NGOs use Moroccan Arabic (Darija) and Berber in their outreach campaigns, but these efforts are insufficient, particularly in light of the high illiteracy rates among women.” [5c](Political Rights and Civic Voice)

- 21.13 The UN Development Fund for Women (UNIFEM) in a report, published June 2010, *Democracy: With Women, For Women (Assessment)*, in its chapter on Morocco called *Making Gender Integral to Traditional Justice*, noted:

“In 2007, the CCDH embarked on a project to bring women and gender perspectives into community reparation processes related to the commission's work. The impact of political violence on women had been little discussed, even though women suffered oppression themselves or through the experiences of spouses and relatives... The project has brought gender into Morocco's process of transitional justice. It has raised the visibility of the impacts of political violence on women, while putting in place new mechanisms to ensure that women participate in and benefit from reconciliation.” [25a]

The report can be accessed via the following link:

http://www.unifem.org/attachments/products/UNDEF_Round_I_Evaluation_web_1.pdf

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SOCIAL AND ECONOMIC RIGHTS

21.14 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, recorded, “In the past, women's rights activists argued that the laws were not designed to address real problems, but now that most relevant statutes have been reformed, reality has in many ways failed to catch up to the laws. While health and demographic statistics have improved in recent years, large disparities remain between urban and rural areas, and the media have helped to perpetuate harmful social and cultural attitudes toward women.” [5c](Social and Cultural Rights).

21.15 Human Rights Watch, in its report, *Freedom to Create Associations – A Declarative Regime in Name Only*, 7 October 2009, recorded:

“(An) association that faces possible obstacles to registering because of its name is Neither Whores nor Submissives (NPNS). The organization, created in France, advocates on behalf of the rights of girls and women, particularly in poor and working-class settings and wherever they are at risk of violence and face pressure to adhere to religiously-inspired norms of behaviour.

“After the French daily *Le Monde* reported on February 20, 2009, that NPNS planned to open a branch in Morocco, Minister of Interior Chekib Benmoussa issued a statement announcing that should NPNS ever apply for legal recognition, authorities would not allow it. Minister Benmoussa explained, ‘The approach taken by this association, which has conducted respectable work in France, does not correspond to the approach that has been adopted in Morocco for treating issues related to the status of women.’ He added, ‘Morocco has several national and international associations that are active in protecting and promoting women’s rights and that fully respect our values and traditions.’ Minister Benmoussa did not frame his objection in terms of any of the criteria provided by article 3 for nullifying an association.

“Yet, in a reflection of the frequent paradoxes found in the exercise of civil liberties in Morocco, the NPNS president travels frequently to Morocco to represent the organization and is well received, according to Mar Merita Blat, manager of NPNS’s international section.” [10c](page 35)

Marriage

21.16 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, recorded:

“Despite improvements, it remains difficult for women to negotiate their full and equal marriage rights. Article 19 of the 2004 family law fixes the minimum age for marriage at 18 for both men and women, in accordance with certain provisions of the Maliki school of Sunni jurisprudence. Women who have attained this age may contract their own marriages without the consent of their fathers. However, judges are empowered to waive the minimum age rule, and as a practical matter they are very reluctant to uphold it. About 10 percent of marriages in Morocco involve underage girls, according to the Democratic League for the Rights of Women (LDDF), and such unions have increased in rural areas. The LDDF also warned against what it described as ‘too many exceptions’ in the case of polygamy. The family law (Articles 40-46) allows polygamy only when it is approved by a judge, who must verify that the husband can provide equally for each wife and their respective children. Women have the right to forbid

polygamy as a condition in their marriage contracts. Moreover, the first wife must give her consent for a second marriage, and the prospective new wife must be informed of the husband's marital status. In practice, however, a first wife who lacks financial independence may feel compelled to agree to polygamy.” [5c](Autonomy, Security and Freedom of the Person)

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Divorce

21.17 The same source continued:

“The 2004 family law gives women the right to file for divorce based on harmful behaviour by the husband, such as abandonment or failure to provide financial support. Divorce due to irreconcilable differences, initiated by either spouse, is also possible, as is divorce by mutual consent. The latter type of divorce can include khula, in which the woman obtains a divorce by providing the husband with financial compensation, traditionally by returning her dowry. Husbands can still initiate divorce through ‘repudiation,’ but the practice is now subject to more judicial oversight, and husbands can grant their wives the authority to use repudiation as well (Articles 78-93).

“By law, all divorces go through a reconciliation period and should be finalized within six months, but in reality, divorce remains a tedious procedure that may drag on for many months. The results are often advantageous to the husbands due to bribery of the judge and the weight of tradition, which stigmatizes women's appearance in court. Existing social conditions also mean that the wife is sometimes unable to pay the court expenses because of poverty. Social norms encourage men to neglect to pay the nafaqa, or maintenance owed by a man to his ex-wife, and khula divorces are abused as an opportunity to extort money from women eager for a divorce. However, amendments to khula procedures under the 2004 law permit arbitration by a judge when the parties cannot agree to a final amount.” [5c](Autonomy, Security and Freedom of the Person)

Widows and single mothers

21.18 The same source also noted, “Although welfare is available to divorcees and widows, it is not offered to single mothers as such. Even in instances where they are entitled to welfare, poor or illiterate women often have difficulty maintaining the necessary paperwork and making frequent visits to the relevant offices.” [5c](Social and Cultural Rights)

Custody

21.19 The same source added, “Under Article 171 of the family law, a mother is the first choice for custody of her child, followed by the father and then the maternal grandmother... However, a divorced woman with children over the age of seven will lose custody at her ex-husband's request if she remarries.” [5c](Autonomy, Security and Freedom of the Person)

Reproductive rights and contraception

21.20 The USSD 2009 report stated:

“According to law, contraception is legal, and in practice most forms were widely and freely available. It is government policy that couples be able to decide freely and

responsibly the number, spacing, and timing of their children and that they have the information and means to do so free from discrimination. The Ministry of Health ran two programs: one with mobile clinics providing maternal and child health and family planning services in remote rural areas and the other involving systematic home visits to encourage the use of contraception and to provide family planning and primary health care services.

“Beginning in late 2008, emergency contraception (EC) became available. In practice NGOs report that women often faced obstacles in obtaining EC from pharmacies. Access to contraception and skilled attendance at delivery and in postpartum care were available for women with adequate financial resources.” [3b](Section 6)

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Economic participation

21.21 The USSD 2009 report noted, “According to the Moroccan Association of Women Entrepreneurs, more than 5,000 female entrepreneurs operated businesses in the country's formal economic sectors; in addition, nearly 2.7 million women worked outside the home, although 75 percent of these women worked in the informal sector.” [3b](Section 6)

21.22 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, recorded:

“The combination of poor education and societal pressure to work in certain professions or industries has led most working women to take up low-paying jobs. For example, many women work in the textile industry (where they represent 71 percent of the workforce), the agricultural sector (which employed 61.4 percent of working women as of 2007), or as domestic servants.

“... [Women are prohibited] from performing dangerous work, barring them from some occupations, and construction and mechanical jobs are commonly reserved for men. However, some occupations that have traditionally been assigned to men are beginning to open to women, including law enforcement. Beyond such formal employment, large numbers of women are involved in informal economic activity that can be performed at home – like preparing food products for sale on the street – or in semiprivate spaces such as bathhouses.

“[The] 2003 labour code mandates equal pay for work of equal value, but because women are often concentrated in lower-ranking positions in practice, their wages are significantly lower than those of men. There is also a greater social tolerance for women's unemployment than for men's, as men are deemed to bear the responsibility for supporting their families financially.” [5c](Economic Rights and Equal Opportunity)

Education

21.23 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, noted:

“The main cause of the vulnerability of working women is a lack of education. According to the World Bank, 43.2 percent of adult women (age 15 and above) were literate ... Women are legally free to access education at all levels and are protected from gender-

based discrimination within the education system. No gender-based admissions requirements are in place, and men and women are able to attend the same classes and study the same subjects once enrolled. Yet girls continue to lag behind boys in enrolment rates, with 44.8 percent of girls attending secondary school and 10.7 percent pursuing higher education as of 2007 ... Social preferences tend to direct female students toward certain subjects, such as teaching and medicine, and a woman's family exercises a good deal of influence over her choice of field of study." [5c](Economic Rights and Equal Opportunity)

See also [Section 22.24 Children - education](#)

Freedom to travel

- 21.24 The same source noted, "The 2004 reforms to the family law improved Muslim women's freedom of movement. Women now have the legal right to travel freely both domestically and abroad, but deeply ingrained social and cultural norms restricting women's ability to travel alone have hardly changed. In their implementation of the new family law, some judges tend to adhere to the traditional divisions between the male-dominated public space and the private space assigned to females." [5c](Autonomy, Security and Freedom of the Person)

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VIOLENCE AGAINST WOMEN

- 21.25 The USSD 2009 report stated, "Reports by women's shelters were limited in scope regarding the scale of violence against women and noted the government's failure to implement existing legislation. According to women's rights organizations, a government campaign to prevent violence against women launched in 2006 had little follow-through, and major legal reforms were still needed." [3b](Section 6)
- 21.26 The Freedom House report *Women's Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, noted, "Sexual assault and rape are both criminalized under the penal code, although spousal rape is not. The maximum sentence for each crime is five years in prison. Given prevailing societal concepts of personal and family honour, victims of sexual violence rarely come forward for fear of shaming their families." [5c](Non-discrimination and Access to Justice)
- 21.27 The same source also noted, "Sexual harassment on the streets has decreased but is still a problem." [5c](Non-discrimination and Access to Justice)
- 21.28 The USSD 2009 report stated, "Sexual harassment in the workplace is a criminal offence, but only when committed by a superior, and it is defined as an abuse of authority. Authorities did not effectively enforce the law. According to the government, although the law allows victims to sue employers, few did so out of fear of losing their job or difficulty in proving a case." [3b](Section 6)

See also Section 21.32 below.

- 21.29 UNIFEM (UN Development Fund for Women), in a report of 21 August 2008, called *HRH Princess Lalla Meryem of Morocco Says NO to Violence against Women*, stated:

“HRH Princess Lalla Meryem of Morocco signed on to UNIFEM’s Say NO to Violence against Women campaign on her country’s behalf on 10 November 2008. Princess Lalla is President of the National Union of Moroccan Women and the National Monitoring Agency for Children’s Rights, and sister of His Majesty King Mohammed VI of Morocco.

“In her letter of transmittal to the Minister of Social Development, Family and Solidarity, she expressed her support for the global movement to end violence against women, and her commitment to the empowerment of Moroccan women and to their social, economic and cultural development.” [25b]

Domestic violence

21.30 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, noted:

“No laws specifically prohibit domestic violence, though general prohibitions against assault found within the penal code are theoretically applicable to such situations. Physical abuse is grounds for divorce, but the wife must be able to call on witnesses to support her claims. If she is unable to prove her case, the authorities will return a woman to her abuser’s home, leaving her in a worse situation than before she filed the complaint. Consequently, few women report domestic abuse.

“Sexual assault and rape are both criminalized under the penal code, although spousal rape is not. The maximum sentence for each crime is five years in prison. Given prevailing societal concepts of personal and family honour, victims of sexual violence rarely come forward for fear of shaming their families...Article 475 of the penal code stipulates that a kidnapper or seducer of a minor girl can be acquitted if he marries her.” [5c](Non-discrimination and Access to Justice)

21.31 Magharebia, in an article of 1 April 2008, called *Morocco seeks to criminalise violence against women*, reported:

“A newly-launched initiative by the Moroccan government to crack down on violence against women ranges from setting up more battered women’s shelters to revising the Penal Code in order to criminalise gender-based violence...

“Preparing a draft bill to outlaw violence against women, however, will be the primary focus, said the Ministry’s director for women’s affairs, family and children, Naima Benyahya. Although the Moudawana, or Family Code, was expanded in 2006 to give women more rights in marriage and divorce, it is now time to re-open the debate and expand the Penal Code, she said.

“We need to give a precise definition of violence against women, add new provisions to the Penal Code to combat this problem and repeal others such as that concerning the proof which women must provide in cases where violence has occurred in isolation, with no witnesses,” Minister Skalli explained to Magharebia, adding that a woman’s word should be taken as proof, as happens in other countries.

“She also highlighted the fact that the draft law was inspired by the principles of Islam, the values of Moroccan society and the progress already made by the country in protecting women’s rights.

“Officials say a number of gaps in the law are hindering the campaign against violence. In addition, any plan to reform existing law and assure implementation of new legislation is compromised by a lack of specialist judges and staff experienced in social action...

“Domestic violence stems from a male chauvinist mentality, Skalli argues, which is why her department, in partnership with the ministries of Education and Islamic Affairs, plans to launch awareness-raising campaigns to foster a culture of sexual equality.” [20b]

Honour crimes

- 21.32 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, noted, “‘Honour killings,’ in which women are murdered by family members for perceived sexual or moral transgressions, do occur in Morocco but are rather rare compared with some other countries in the region. As with other forms of gender-based violence, honour killing is traditionally seen as a private issue, meaning police are rarely summoned and are hesitant to intervene.” [5c](Non-discrimination and Access to Justice)

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Government and NGO assistance available

- 21.33 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, noted:

“In February 2007, the Ministry of Social Development, Family, and Solidarity presented a draft bill offering a legal framework for protecting women's rights by providing safe spaces for female victims of violence. If a woman is a victim of violence perpetrated by her employer, she will be provided with a safe harbour in her workplace and, depending on her condition, reduced work hours or temporary cessation of work. Support networks and shelters for abused women started to appear in big cities like Casablanca, Rabat, and Fes in 2002.

“On February 2, 2009, the Union for Women's Action and the Anaruz network launched an initiative to organize public forums aimed at sensitizing local communities to the plight of female victims of violence, set up ‘listening centres’ where abused women are encouraged to speak about their traumatic experiences, and create a free telephone hotline to give legal help and counselling to women. A victim can either file a complaint with the court or, if she can afford it, hire a lawyer to handle the case...

“Women's rights groups and other civil society actors work freely and effectively to improve the status of women's personal autonomy and security. Their activities include national and international networking, tending directly to the victims of violence, and campaigns aimed at sensitizing the general public to the issues surrounding gender-based violence and implementation of the family law. The impact of these efforts has been tremendous, but they must be increased in rural and semi-urban areas.” [5c](Non-discrimination and Access to Justice)

- 21.34 Magharebia, in an article of 1 April 2008, called *Morocco seeks to criminalise violence against women*, reported, “Minister of Social Development, Family and Solidarity Nouzha Skalli, who announced the action plan on March 27th [2008], said it includes establishing 16 new centres this year for women who have been the victims of violence, conducting a national survey to determine the prevalence of gender-based violence and

setting up a pilot rehabilitation centre aimed at helping men control violent behaviour caused by psychiatric problems.” [20b]

21.35 The USSD 2009 report stated:

“In 2007 the Ministry of Social Development, Family, and Social Security recorded 14,617 cases of violence against women, including rape. In addition to the government centres, two NGOs operated counselling centres for legal and social services. The Anaruz Network (31 call-in listening centres) reported 16,527 complaints of physical and sexual violence in 2007. The Democratic League for the Rights of Women (LDDF), with 12 centres, reported 3,569 cases of violence in the same year. Counselling centres exist exclusively in urban areas. Services for victims of violence in rural areas are limited to local police.

“In February the Union for Women's Action, an NGO working against all forms of discrimination against women, and the Anaruz Network launched a (sic) to raise awareness for victims of violence. It took place in 16 municipal districts of Casablanca.

“Many recognized NGOs worked to advance women's rights and promote women's issues. Among these were the Democratic Association of Moroccan Women, the Union for Women's Action, the Democratic League for the Rights of Women, 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, promoted literacy, and taught women basic hygiene, family planning, and child care.” [3b](Section 6)

See also [Section 16 Human Rights Institutions, Organisations and Activists](#)

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22. CHILDREN

OVERVIEW

22.01 The UN Treaty Collection database noted that Morocco signed *The Convention on the Rights of the Child* on 26 January 1990 and ratified it on 21 June 1993. [27b]

22.02 The *Morocco-Unicef Country Programme Evaluation* report of December 2004 noted:

“Morocco’s adherence to international conventions and the political will that exists at the highest levels to improve the legal background in order to advance children’s and women’s rights have caused the Government to adopt major legal reforms in the last few years.

“The new Family Code, adopted in 2004 and supported by H.M. King Mohammed VI, establishes the equality and joint responsibility of spouses, a change that is conducive to taking a decisive step towards gender equality. The Code introduces new rules providing for compulsory intervention of the office of the public prosecutor and the judicial system in all family matters, especially those pertaining to divorce and child custody. It raises the legal age for marriage from 15 to 18 for girls, establishes restrictions to polygamy and contains several other provisions improving the legal situation of women and children.”

The full report can be accessed via the following link:

http://www.unicef.org/evaldatabase/files/English_Morocco_CPE_final.pdf
[28a]

22.03 UNICEF, on its Morocco page, accessed 22 September 2010, gave basic statistics relating to children:

http://www.unicef.org/infobycountry/morocco_statistics.html
[28b]

22.04 An undated report by Nadia Sebti, a programme officer at the Centre for Human Rights and Democracy in Morocco, called *Situation on the Rights of Child in Morocco*, can be accessed via the following link:

http://www.swisshumanrightsbook.com/SHRB/shrb_02_files/347_21%20sebti.pdf
[29]

Basic legal information

22.05 The UNHCR, Committee of the Rights of the Child: *Meeting, Morocco* 22 October 1996, gave the following legal information:

- Age of civil majority – 20 years
 - Age of majority for criminal matters – 16 years
 - Legal age of marriage – boys – 18 years
- [30b]

22.06 IPS News, in an article of 30 July 2009 called *New Law, But the Same Old Men*, stated, “The new Moroccan family law [January 2004] was designed to give women equal rights in the family... the legal age for marriage for girls was raised from 15 to 18.” [14b]

22.07 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, noted:

“(Another) problem facing abandoned children of both sexes was their lack of civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. If a father did not register his child, the child was without civil status and the benefits of citizenship. It is possible for an individual to self-register, but the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time.” [3b] (Section 6)

See also [Section 26 Citizenship and Nationality](#)

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LEGAL RIGHTS

22.08 The USSD 2009 report noted, “Since 2007 the law has permitted female citizens to pass nationality to their children. Previously, nationality was passed only through the father.” [3b](Section 6)

22.09 The same source added:

“The legal age of marriage is 18 years, but parents may secure a waiver from a judge for underage marriage. The LDDF issued a report criticizing the government for the relative ease with which an underage marriage waiver can be obtained. According to

the LDDF, the number of requests for minor marriages has increased on average 25 percent per year over the last three years. The report also criticized the judiciary for approving 90 percent of all petitions in 2008, blaming the phenomenon on corruption and the conservative mindset of judges. An NGO reported that in many cases, a couple was already effectively in a marriage by consensus of their families when a request for underage marriage came before a judge for approval.” [3b](Section 6)

VIOLENCE AGAINST CHILDREN

22.10 The USSD 2009 report stated:

“Although NGOs, human rights groups, media outlets, and the UN Children's Fund (UNICEF) claimed that child abuse was widespread throughout the country, there were no conclusive government statistics on the extent of the problem. The most reliable recent information was a joint MOJ UNICEF study in 2006 that found that child abuse occurred not only in families, but was also committed by police, schools, employers, and even charitable institutions. Anecdotal evidence also showed that abuse of children serving as domestic servants was a problem.” [3b](Section 6)

See also [Section 22.17 Domestic servants](#) below

22.11 UN Committee on the Rights of the Child (CRC), in its report, *UN Committee on the Rights of the Child: Concluding Observations, Morocco, 17 March 2006*, with reference to *The sale of children, child prostitution and child pornography* stated, “The Committee welcomes a number of measures taken by the State party to implement and strengthen the protection of the rights covered by the Optional Protocol, including changes in the Penal Code criminalizing child pornography, sex tourism, sexual abuse and trafficking in persons.” [30a]

The full report can be accessed via the following link:

<http://www.unhcr.org/refworld/publisher,CRC,CONCOBSERVATIONS,,45377ed80,0.html>

See also [Section 23 Trafficking](#)

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Child labour

22.12 The USSD 2009 report stated:

“The law protects children from exploitation in the workplace and prohibits forced or compulsory labour; however, the government did not effectively implement these laws, except in organized labour markets.

“According to government statistics, during the first half of the year, 94 inspections led to citations being issued for 39 instances of employment of children younger than 15. A total of 184 site visits and 616 investigations uncovered 19 cases of children between the ages of 15 and 18 being employed.

“The inspection visits found that most child labourers worked in the sectors of carpentry and forestry (23 percent), mechanical (19 percent), and construction (12 percent). Non-compliance with child labour laws was common, particularly in agriculture. In 2006

domestic and international NGOs reported that as many as 87 percent of the country's underage workers worked on family farms.

“According to the labour law, the minimum age for employment in all sectors is 15 years. Children younger than six years of age are prohibited from working more than 10 hours per day, with a break of at least one hour. Children younger than 16 are not permitted to work between the hours of 9 p.m. and 6 a.m. in non-agricultural work or between 8 p.m. and 5 a.m. in agriculture. The law prohibits employment of children younger than 18 in stone quarries, mines, or any other positions the government considers hazardous.

“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 textiles, carpets, and light manufacturing. Children's safety and health conditions and wages were often substandard.” [3b](Section 6)

22.13 The same source also stated:

“The Ministry of Employment is responsible for implementing and enforcing child labour laws and regulations. The law provides for legal sanctions against employers who recruit children under the age of 15, with fines ranging from 27,000 to 32,000 dirhams (\$3,250 to \$3,900). Legal remedies to enforce child labour 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 five to 10 years.”

“...Under the 2006-15 National Plan of Action for Children, the government expanded coordination with local, national, and international NGOs on education and training programs during the year. The Ministry of Employment and Professional Training, led by the Office of the Director of Work, in conjunction with NGOs, oversaw programs to deal with the issue of child labour. The programs sought to decrease incidents of child labour through awareness raising, financial assistance to needy families, and lowering obstacles to school attendance.” [3b](Section 6)

22.14 The UNICEF website on its Morocco Newsline page, in an article dated 1 June 2007, called, *Queen Rania, Eminent Advocate for Children, shares Morocco's successes* stated:

“During an official visit to the Kingdom, Her Majesty Queen Rania of Jordan today witnessed examples of innovative projects being implemented [in Morocco]...Queen Rania – in her capacity as UNICEF's first Eminent Advocate for Children – visited the Fkih Mohamed Tahiri School in Fez, which offers former child labourers the opportunity to acquire formal education and to integrate with other children.

“The school is part of a model programme initiated by Her Royal Highness Princess Lalla Meryem, President of the National Observatory for Children's Rights (ONDE). Known as the Prevention and Elimination of Child Labour Programme, it is supported by the International Programme on the Elimination of Child Labour (IPEC) and UNICEF.

“The child labour programme has transformed [the life] of 700 children under the age of 12 in Fez. But not every Moroccan child has had the same chance. Hundreds of thousands of children continue to be exploited in the informal sector. According to figures from the 2000 national employment survey, 11 per cent of children between the

ages of 7 and 14 work. This translates into 600,000 children, more than half of whom have never gone to school.” [28e]

22.15 The same source went on to say:

“In recent years, the government and civil society in Morocco have taken several other measures to combat child labour, including the harmonization of national legislation with international norms and standards. The new labour code forbids employment of children under 15 and strengthens sanctions against those who employ children, while the penal code introduces new sanction against child exploitation.

“The silence surrounding the issue of girls employed as domestic workers was broken in 2001, thanks to a public awareness campaign launched under the patronage of Princess Lalla Meryem. A law prohibiting the use of young maids under 15 is now being considered, and several agreements between ONDE and public and private partners offer income-generating activities to reward families who withdrew their daughters from domestic labour.” [28e]

22.16 The United States Department of Labour report, *2008 Findings on the Worst Forms of Child Labour - Morocco*, published 10 September 2009 gives detailed statistical and other useful information on this topic, and can be accessed via the following link. [45a]

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4aba3ece37&skip=0∓coi=MAR&querysi=trafficking&searchin=fulltext&display=10&sort=date>

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Domestic Servants

22.17 The USSD 2009 report observed:

“The labour code does not cover domestic labour and, therefore, does not prohibit the employment of child maids. NGOs estimated that, at year's end, 66,000 to 88,000 children worked illegally as domestic servants, many of them young girls.

“Credible reports of physical and psychological abuse of domestic servants were common. Some orphanages were accused of complicity in the practice. The public generally accepted the concept of adoptive servitude, and parents of children involved were frequently complicit and typically received compensation for their children's work. Most child domestics received food, lodging, and clothing instead of monetary payment. Children were also ‘rented’ to street businessmen by their parents or other relatives to beg. Parents received a fee for the use of their children, and the person ‘renting’ the child kept a portion of the day's income from the child's begging. The government put in place programs to combat and discourage these practices.” [3b](Section 6)

22.18 The USSD 2009 report added:

“The formal and informal sectors continued to flout the application of the legal minimum employment age. According to MOJ [Ministry of Justice] officials, no one has been convicted for employing a child domestic. Labour inspectors responsible for enforcing the labour code do not have jurisdiction to inspect private residences. The Ministry of

Social Development, Family, and Solidarity has proposed legislation that would substantially increase the fines for employing a child domestic and provide an enforcement mechanism. The informal sector, where the majority of children work, was not monitored by the Ministry of Labour's small cadre of labour inspectors. There were no labour inspectors dedicated solely to child labour issues.

“According to reports, police, prosecutors, and judges rarely enforced legal provisions on child abuse or on ‘forced labour in cases involving child domestics,’ and few parents of children working as domestics were willing or able to pursue legal avenues that were likely to provide any direct benefit.” [3b](Section 6)

- 22.19 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010 - Morocco*, published 3 March 2010, noted, “The institution of slavery was outlawed in the first half of the 20th century. However, women, including non-citizen women, are not protected from slavery-like practices. Poor girls from rural areas are often employed as maids in cities, exposing them to exploitation by both their families and their employers. They are subject to severe restrictions on movement, physical or sexual abuse, non-payment of wages, and threats.” [5c]
- 22.20 The UNICEF website on its Morocco Newslines page in an article dated 1 June 2007, called, *Queen Rania, Eminent Advocate for Children, shares Morocco's successes* noted, “The silence surrounding the issue of girls employed as domestic workers was broken in 2001, thanks to a public awareness campaign launched under the patronage of Princess Lalla Meryem. A law prohibiting the use of young maids under 15 is now being considered, and several agreements between ONDE [National Observatory for Children's Rights] and public and private partners offer income-generating activities to reward families who withdrew their daughters from domestic labour.” [28e]

See also [Section 23 Trafficking](#)

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CHILDCARE AND PROTECTION

- 22.21 UNICEF on its *Morocco – Background information*, website page, accessed 22 September 2010, stated, “Child protection is still a new field in Morocco, but several major questions involving street children, domestic workers, child abuse and exploitation are being raised and recognized by the government and local authorities.” [28b]
- 22.22 A further report on the UNICEF website called ‘*Child-Friendly Cities’ initiative launched in Morocco*, dated 17 December 2009 noted:
- “As part of activities commemorating the 20th anniversary of the Convention on the Rights of the Child, the presidents of five pilot municipalities have signed a commitment aimed at creating a ‘Child-Friendly City’ (CFC) by 2011...
- “Developed with UNICEF support, the CFC initiative aims to involve villages, towns and cities in the implementation of the Convention on the Rights of the Child in the management of local affairs.

“The CFC initiative provides universal references that have been adapted to the context of Morocco. It is led by the Directorate General of Local Authorities (Ministry of Home Affairs) and UNICEF.

“The presidents of the five municipalities said they want to join the CFC to help design and implement municipal development plans that will take into account the priorities of children and youth. These municipalities include rural and urban areas to reflect the diversity of children’s various environments.

“The CFC will also promote children’s education and citizenship as well as community integration and participation.” [28d]

22.23 The USSD 2009 report noted:

“The Ministry of Social Development, Family, and Solidarity launched a decade-long national plan in 2006 to address child abuse that included programs to target the issue of child domestics and street children. The plan called for establishing child protection units in Casablanca, Tangier, Fes, Marrakesh, Agadir, and Laayoune (Western Sahara). The units would coordinate their work and share statistics with other local agencies, monitor child abuse, offer counselling and legal guidance, and promote children's rights. By year's end only the Casablanca unit was operational.” [3b](Section 6)

EDUCATION

22.24 The USSD 2009 report noted, “The constitution provides for compulsory, free, and universal education for children between six and 15 years of age.” [3b](Section 6)

22.25 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010: Morocco*, published 3 March 2010, stated, “Although imperfect, the amendments to the [nationality] code provide significant benefits for children with Moroccan mothers and non-citizen fathers who were previously excluded from receiving the free education and health care available to citizens.” [5c](Non-discrimination and Access to Justice)

22.26 The USSD *Background note: Morocco*, published March 2010 noted, “...many children - particularly girls in rural areas - do not attend school, and most of those who do drop out after elementary school. The country's literacy rate reveals sharp gaps in education, both in terms of gender and location; while country-wide literacy rates are estimated at 39.6% among women and 65.7% among men, the female literacy rate in rural areas is estimated only at 10%.” [3a]

22.27 The same source also noted that “Morocco is home to 14 public universities.” [3a]

22.28 The UNHCR *Report of the Special Rapporteur on the right to education, Mission to Morocco (27 November-5 December 2006)* provides further useful information on this topic and can be accessed via the following link:
<http://www2.ohchr.org/english/bodies/hrcouncil/docs/8session/A.HRC.8.10.Add2.doc>
 [31a]

See also [Section 21.22 Women - Education](#)

HEALTH AND WELFARE

22.29 The website of the United Nations Children’s Fund (UNICEF), accessed on 27 September 2010, stated, “Social Protection of vulnerable population remains a high

priority and a concern in Morocco. Only 30 per cent of the population has access to medical insurance, with the subsidies system remaining unequal as it benefits all the total population – including the rich – and hence fails to target the poorest...Neonatal mortality remains a grave concern in Morocco.” [28b]

- 22.30 The same source added, “Social Policy is a growing priority in Morocco. In 2009, with the support of UNICEF, Morocco held – with the presence of the Prime Minister – its first forum on social policy and child rights, during which a national debate on child poverty and child-based social budgeting began.” [28b]

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23. TRAFFICKING

- 23.01 United States Department of State, *Trafficking in Persons Report 2010 - Morocco*, published 14 June 2010, stated:

“Morocco is a source, destination, and transit country for men, women, and children who are subjected to trafficking in persons, specifically forced labour and forced prostitution. Children are trafficked within the country from rural areas to urban centres to work as maids or labourers, or for commercial sexual exploitation. Moroccan men, women, and children are exploited for forced labour and prostitution in European and Middle Eastern countries. Young Moroccan girls from rural areas are recruited to work as child maids in cities, but often experience non-payment of wages, threats, and physical or sexual abuse, and sometimes face restrictions on movement. These practices indicate that these girls are subjected to involuntary servitude. Moroccan boys experience forced labour as apprentices in the artisan and construction industries and in mechanic shops...

“The Government of Morocco does not comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government convicted one person who subjected a 13 year-old child domestic worker to forced labour, though it continued to lack overall progress in the following areas: convicting and punishing trafficking offenders with punishments commensurate with the heinous nature of the offence; proactively identifying trafficking victims among vulnerable groups; and ensuring that foreign trafficking victims are not subject to arrest and deportation. The government also continues to conflate migrant smuggling and human trafficking.” [3d]

- 23.02 With regard to prosecution the report continued:

“The Government of Morocco made progress in investigating trafficking offences and punishing trafficking offenders during the reporting period. Moroccan law appears to prohibit all forms of trafficking. Its Penal Code prohibits forced child labour through Article 467, forced labour through Article 10, and forced prostitution and prostitution of a minor through Articles 497-499. The Government of Morocco reports that it also employs the Immigration Law of 2003 and other statutes, such as those prohibiting kidnapping, fraud, and coercion, to prosecute trafficking offences; however, it has not provided any information on cases tried under these laws. Penalties prescribed by these various statutes for sex trafficking offences are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In contrast, penalties prescribed for labour trafficking offences appear not to be sufficiently stringent; penalties

for child labour under Article 467 range from one to three years' imprisonment, while general penalties for forced labour under Article 10 are limited to fines for first-time offenders or six days' to three months' imprisonment for repeat offenders...The government reported that it broke up 130 trafficking or smuggling rings in 2009. However, the government made no distinction between migrant smuggling and trafficking, so it was unclear how many, if any, were truly human trafficking rings." [3d]

23.03 The report analysed the protection offered by the government:

"Morocco made limited progress in protecting victims of trafficking over the last year. Foreign trafficking victims are often treated as undocumented migrants, subject to arrest and deportation. Government officials continued to detain and deport large numbers of undocumented sub-Saharan migrants without taking adequate steps to identify trafficking victims among them...Undocumented migrants – some of whom may have been trafficking victims – reportedly suffered physical abuse at the hands of Moroccan police. Government-operated Child Protection Units in Casablanca and Marrakesh offered assistance to street children and other victims of violence, abuse, and sexual exploitation, possibly including victims of trafficking. The government also operated a hotline that referred women and children who are victims of violence and sexual assault to women's groups for possible assistance. It is uncertain if any trafficking victims were identified or protected through the hotline in the reporting period. According to the Ministry of Foreign Affairs, Moroccan diplomatic missions provided assistance to Moroccans who were trafficked abroad." [3d]

23.04 The report added, with regard to prevention:

"The Moroccan government made some efforts in preventing human trafficking over the last year. The government included anti-human trafficking modules in training programs for the Royal Gendarmerie, the Auxiliary Forces, and the police. In April 2009, the Ministry of Justice conducted an awareness raising course for magistrates about victim protection and working with trafficking victims who have been affected by violence or sexual exploitation. The government's labour inspectors, who were appointed as child labour focal points in each of the 45 inspector offices, received training from an international organization during the year. Authorities did not raise public awareness of the commercial sexual exploitation of children and women and did not take any reported measures to reduce the demand for commercial sex acts...Morocco is not a party to the 2000 UN TIP Protocol." [3d]

23.05 The Freedom House report, *Women's Rights in the Middle East and North Africa 2010 - Morocco*, published 3 March 2010 noted, "Poor girls and women are also trafficked abroad for commercial sex and involuntary servitude, though the government has been cracking down on human trafficking operations in recent years. Several women's NGOs have demanded legal protection for exploited female trafficking victims, and their efforts have led the Ministry of Employment to announce that a bill addressing the issue is imminent." [5c]

See also [Section 22.12 Child Labour](#)

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24. MEDICAL ISSUES

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

24.01 The World Health Organisation (WHO) Country Cooperation Strategy Morocco (2009-2013) stated:

“Morocco currently has 2552 basic health care facilities, i.e. a ratio of 1 facility per 11 700 population, compared to 1 per 29 500 in 1960. Despite this increase in basic infrastructure, access to care remains difficult, mainly for populations with low resources. 25% of the Moroccan population lives more than 10 km away from a basic health facility. Health care utilization in the public sector remains very limited, with a rate of use of curative services of 0.5 consultations per inhabitant per year, a figure that can be considered low in relation to the needs of the population. In terms of design, planning and monitoring, the network of basic health care facilities does not include the private sector which has nearly 5800 physicians in general medical practice. This reflects a lack of complementarity between these two sectors.

“With its 128 hospital facilities and 26 250 beds, the hospital network is another challenge in the development of provision of care in Morocco. In addition to funding, hospitals in Morocco need a more modern technical platform and reinforced skills.” [32a]

24.02 The report analysed the number of health professionals:

“Human resources have increased substantially over the past 40 years, with the density of human resources having increased ... when the density of paramedical staff grew from 1 nurse per 2700 population in 1960 to 1 per 1000 in 2007. Despite these efforts, Morocco is one of the 57 countries listed by WHO as suffering from an acute shortage of health personnel. The density of trained birth attendants is below 2.28 per 1000 population, WHO’s critical staffing threshold. This shortage is exacerbated by the lack of a proactive and consistent policy for the development of human resources for health.” [32a]

24.03 With regard to accessibility to drugs, the report stated, “Economic accessibility of medicines remains the main concern of the health system despite the efforts made in recent years by the Ministry of Health in terms of pricing policy, for reduced taxation of some essential medicines, exemption from value added tax (VAT) and the reduction of tariffs for others, as well as in encouraging the manufacture and use of generic medicines.” [32a]

24.04 Pacific Prime, in its *Morocco Medical Insurance News* webpage, accessed 29 September 2010, noted, “Most common prescriptions and over the counter medicines are available in the cities, and major cities also have emergency pharmacies.” [36a]

24.05 The Consulate General of the USA in Casablanca provides a list of some medical facilities and physicians in Morocco. The list can be accessed via the following link: http://casablanca.usconsulate.gov/list_of_physicians.html [33a]

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HIV/AIDS – ANTI-RETROVIRAL TREATMENT

24.06 UNAIDS, in its country situation analysis of Morocco, dated July 2008, stated:

“The senior level political commitment offers a favourable environment for the response to AIDS through a continuous mobilization of various ministry sectors, and the reinforcement of civil society intervention capacities. The implementation of the 2007-2011 National Strategic Plan, which determined the objectives and targets for ‘universal access’ has been effectively launched...Access to HIV voluntary counselling and testing has made progress thanks to the efforts of the NGOs involved and the Ministry of Health.

“Access to antiretroviral therapy is granted to all diagnosed people living with HIV. The launch of the 6th round of the Global Fund proposal contributed to a significant increase in the funding of partners’ activities. The different actions undertaken to date are now considered as best practices in the MEAN region, in particular the social communication campaign, the implementation of the harm reduction programme, outreach interventions for sex workers, and the activities related to antiretroviral therapy access. An effective coordination network has been established among the international partners, which enabled harmonizing their support initiatives. The challenges that still hinder the implementation of the different initiatives are related to the high illiteracy rates, the difficulty of reaching exposed populations in hard to reach areas or in rural areas, the illegal characteristic of prostitution, as well as the dogma, stigma and discrimination for people living with HIV.” [34a]

24.07 The WHO report, *Scaling up priority HIV/AIDS interventions in the health sector, Progress Report 2010*, published September 2010, provides useful information on this topic and can be accessed via the following link:

http://www.who.int/hiv/pub/2010progressreport/full_report_en.pdf [32b]

24.08 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, noted, “Women and men had equal access to diagnostic services and treatment for sexually transmitted infections, including HIV/AIDS...There was a stigma attached to being tested for HIV/AIDS. Persons living with HIV/AIDS in the country faced discrimination and had limited treatment options.” [3b](Section 6)

CANCER TREATMENT

24.09 The Programme of Action for Cancer Therapy (PACT), in an interview with Professor Brahim El Gueddari, Director of the Institut National d'Oncologie (INO) in Rabat, posted on its website, and accessed 29 September 2010, stated, “Currently Morocco has about ten medical centres (including private and military facilities) offering cancer treatment, equipped with a total of 10 linear accelerators, 8 Cobalts and 22 brachytherapy machines.” [35a]

KIDNEY DIALYSIS

24.10 An article, dated 14 December 2006, on the Magharebia website, called *Morocco lacks resources to treat kidney patients*, stated:

“There are just 131 kidney dialysis centres in Morocco - 12 at universities, 37 public ones, nine are part-public, 71 are private, and 2 are military. There are 131

nephrologists, 665 nurses and 373 care assistants, as well as 21 general practitioners shared across 10 centres with nephrologists and 11 centres without nephrologists.

“According to the Moroccan Health Ministry, 4,845 patients are currently being offered kidney dialysis -- which is 162 per million people in the country.” [20c]

MENTAL HEALTH

24.11 The WHO *Mental Health Atlas 2005*, on its *Morocco Country Profile*, stated:

“Mental health is a part of primary health care system. Actual treatment of severe mental disorders is available at the primary level. Outpatient clinics are integrated to some extent into the primary health care system. Two hundred health centres spread over the country offer mental health services within primary health care. Regular training of primary care professionals is carried out in the field of mental health. Training on primary mental health care is integrated in basic academic courses of general physicians, in faculties of medicine and in the institutes of health works (Instituts de Formation en Carrières de Santé: IFCS). There are community care facilities for patients with mental disorders. The community programme includes the family which plays an important role in the therapeutic programme.

“The following therapeutic drugs are generally available at the primary health care level of the country: carbamazepine, phenobarbital, phenytoin sodium, sodium valproate, amitriptyline, chlorpromazine, diazepam, fluphenazine, haloperidol, lithium, levodopa.

“Other drugs are available in the primary health centres.” [32c]

See also [Section 20 Disability](#)

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25. FREEDOM OF MOVEMENT

25.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco*, published 11 March 2010, noted:

“The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation. These rights were generally respected in practice although the government restricted movement in areas regarded as militarily sensitive, including the demilitarized zone in Western Sahara.

“The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.” [3b](Section 2d)

25.02 Amnesty International’s *Report 2010 - Morocco/Western Sahara*, published 28 May 2010 noted, “The authorities restricted the movement of Sahrawi activists and human rights defenders, preventing them from observing trials, documenting violations and meeting foreigners.” [7a]

See also [Section 27 Exit and return](#)
[Section 21.09 Women – legal rights](#)

Section 28 Western Sahara**26. CITIZENSHIP AND NATIONALITY**

- 26.01 The website, Serving History, accessed 29 September 2010, gave details of the Moroccan Nationality Code:

“The Code

The code covering the Moroccan nationality was issued in 1958, two years after the independence of Morocco. The code has seven chapters and 46 articles. The main blocks of the code are the following:

“Nationality by Filiation

Since the last update, the Article 6 of the Moroccan code of nationality says: a child born of a Moroccan father or a child born of a Moroccan mother is a Moroccan citizen.

“Nationality by the Effect of the Law

According to Article 7, any child born in Morocco, of a Moroccan mother and a foreign father, is a Moroccan citizen provided that she has, at the time of the declaration, a usual and regular residence in Morocco.

Any child born in Morocco of foreign parents who themselves were born after the bringing of the law into force is a Moroccan citizen article 9. People who have obtained Moroccan nationality by the effect of the law can claim the same rights as a Moroccan having nationality of origin by filiation.

“Dual Citizenship

A person having a dual nationality does not lose Moroccan nationality. However, that can create problems for people who also have nationality of countries that do not allow their nationals to have multiple citizenship.” [37a]

This website provides further useful information on this topic:

http://www.servinghistory.com/topics/Moroccan_nationality_law::sub::The_Code [37a]

- 26.02 The Freedom House report, *Women’s Rights in the Middle East and North Africa 2010 – Morocco*, published 3 March 2010, stated:

“Thanks in part to the efforts of women’s groups, particularly the Democratic Association of Moroccan Women; a new nationality code was passed in January 2007, thereby improving gender equality with respect to citizenship rights. Article 7 of the new law, which came into force in April 2008, enables women married to non-citizen men to pass their nationality to their children. However, the only children eligible for citizenship under this provision are those of a Moroccan woman and a Muslim non-citizen man who married in accordance with the Moudawana. In practical terms, Moroccan women married to non-Muslim men and those married outside of the country and its laws are excluded by the code. Furthermore, while foreign wives may receive Moroccan citizenship within five years of marriage to a Moroccan man, the foreign husbands of Moroccan women remain altogether ineligible for Moroccan citizenship. Although

imperfect, the amendments to the code provide significant benefits for children with Moroccan mothers and non-citizen fathers who were previously excluded from receiving the free education and health care available to citizens.” [5c](Non-discrimination and access to Justice)

See also [Section 22.07 Children – basic legal information](#)

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27. EXIT AND RETURN

27.01 The US Department of State *Country Report on Human Rights Practices 2009: Morocco* (USSD 2009 report), published 11 March 2010, noted, “The MOI restricted the freedom of civil servants to travel outside the country, including teachers and military personnel. Civil servants and soldiers must obtain written permission from their ministries to leave the country. The law provides for forced exile.” [3b](Section 2d)

27.02 Amnesty International’s *Report 2010 - Morocco/Western Sahara*, published 28 May 2010, noted, “[Sahrawi activists] were banned from travelling abroad and had their identification and travel documents confiscated.” [7a]

See also [Section 25 Freedom of Movement](#)
[Section 28 Western Sahara](#)

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28. WESTERN SAHARA

OVERVIEW

28.01 The United States Department of State *2009 Human Rights Report: Western Sahara: (USSD 2009 report Western Sahara)*, published 11 March 2010, stated:

“Morocco claims the Western Sahara territory and administers Moroccan law through Moroccan institutions in the estimated 85 percent of the territory it controls. However, Morocco and the Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro (Polisario), an organization that has sought independence for the formerly Spanish territory since 1973, disputes Morocco's sovereignty. The population of the territory was approximately 405,000, an estimated 100,000 of whom were attributable to Moroccan in-migration.” [3e]

GEOGRAPHY

28.02 The CIA *World Factbook*, profile of Western Sahara, updated 12 August 2010, stated that it is situated in “Northern Africa, bordering the North Atlantic Ocean, between Mauritania and Morocco.” [1b]

28.03 The UNHCR Cartographic Section map of Western Sahara, January 2004, can be accessed from the following link:
<http://www.un.org/Depts/Cartographic/map/profile/wsahara.pdf> [43b]

HISTORY 1975 - 2009

28.04 The USSD 2009 *Western Sahara* report noted:

“The Moroccan government sent troops and settlers into the northern two provinces after Spain withdrew in 1975 and extended its administration over the third province after Mauritania renounced its claim in 1979. Moroccan and Polisario forces fought intermittently from 1975 until a 1991 ceasefire and the deployment of a UN peacekeeping contingent, the UN Mission for a Referendum in Western Sahara (MINURSO), whose mandate does not include human rights monitoring.

“Sahrawis, literally ‘people of the desert’ in Arabic, live in the south of internationally recognized Morocco, in the territory controlled by Morocco (‘Western Sahara’), in Algeria, and to a lesser extent in Mauritania. In the late 1980s, Morocco constructed a 1,250-mile stone and sand wall known as the ‘berm’ that marks the effective limit of Moroccan administrative control.

“In 1988 Morocco and the Polisario agreed to settle the dispute over sovereignty by referendum. The parties did not resolve disagreements over voter eligibility and which options for self-determination (integration, independence, or something in between) should be on the ballot; consequently, a referendum never took place.” [3e]

28.05 The CIA *World Factbook*, profile of Western Sahara, updated 12 August 2010, stated:

“...A UN-organized referendum on the territory's final status has been repeatedly postponed. In April 2007, UN-sponsored talks between representatives from the Government of Morocco and the Polisario Front to negotiate the status of Western Sahara, which stalled in April 2008, resumed in August 2009. Rabat has put forward an autonomy proposal for the territory, which would allow for some local administration while maintaining Moroccan sovereignty. The Polisario, with Algeria's support, demands a popular referendum that includes the option of independence.” [1b]

28.06 The European Strategic, Intelligence and Security Centre's report, *The Polisario Front: Credible Negotiations Partner or After-effect of the Cold War and Obstacle to a Political Solution in Western Sahara?*, published November 2005, gives a detailed review of the situation and also includes maps of the region:

<http://www.esisc.org/documents/pdf/en/the-polisario-front.pdf> [41a]

CURRENT ADMINISTRATIVE SITUATION

28.07 The USSD 2009 *Western Sahara* report stated, “Morocco considers the part of the territory that it administers to be an integral part of the kingdom with the same laws and structures conditioning the exercise of civil liberties and political rights. Accordingly, ultimate authority rests, de facto, with King Mohammed VI, and human rights conditions in the territory tended to converge with those in the kingdom.” [3f]

28.08 The Minority Rights Group International report, *State of the World's Minorities and Indigenous Peoples 2010 - Western Sahara*, published 1 July 2010, noted:

“The struggle for self-determination of Western Sahara continued in 2009 despite Morocco's hardening position. In 2007, the UN attempt to break the deadlock over Western Sahara brought Polisario and Moroccan authorities together for the first time in ten years. But two years on, this spirit of open dialogue seems to have dissipated. UN

Security Council Resolution 1754 in April 2007 called for the two parties to hold unconditional talks to achieve 'a mutually acceptable political solution providing for the self-determination of the people of Western Sahara'. However, Security Council Resolution 1871 of April 2009 effectively downgraded the previous resolution and urged the parties 'to hold small, informal talks in preparation for a fifth round of negotiations'.

“The apathy of the international community towards Western Saharan demands appears unchanged, particularly after the European Union (EU), in May 2009, launched fresh negotiations with Morocco, reviving agreements which had previously been cancelled. These focused on the fisheries sector; while Moroccan waters are relatively rich in fishery resources, the most abundant fisheries are found off the coast of Western Sahara.” [38a]

See also [Section 4.01 Recent Developments – Western Sahara](#)

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HUMAN RIGHTS

28.09 The UN High Commissioner for Refugees, in his *UNHCR/CBM Western Sahara: Fact Sheet, August 2010*, published August 2010, stated:

“Since 2004, UNHCR/CBM [UNHCR Confidence Building Measures] has had a head office in Laayoune and an office in Rabouni (near Tindouf), Algeria. The two offices carry out activities which benefit the Sahrawi refugees in the refugee camps near Tindouf and their relatives in the [Western Sahara] Territory. The CBM programme has 51 personnel, including international, national and IUVs...

“UNHCR has been promoting Confidence Building Measures, in cooperation with Morocco and the POLISARIO and the support of Algeria and Mauritania, to facilitate contact between the Sahrawi refugees in camps near Tindouf, Algeria and their relatives in Western Sahara. The current measures include family visits between the two locations by air and free telephone services in the camps for refugees to call relatives in Western Sahara.” [31c]

The fact sheet can be accessed via the following link:

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4caee4042&skip=0&coi=ESH&querysi=Polisario&searchin=fulltext&display=10&sort=date> [31c]

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Saharawi Activists

28.10 The Observatory for the Protection of Human Rights Defenders *Annual Report 2009: Morocco and Western Sahara*, published 18 June 2009, stated:

“In 2008, Saharawi human rights defenders continued to be subjected to harassment of all kinds... members of the Saharawi Association of Victims of Grave Human Rights Violations Committed by the State of Morocco, an association that is not recognised by the Moroccan authorities, continued to be subjected to prosecution and to obstacles to

their freedom of movement... Furthermore, in 2008, Moroccan police broke up several demonstrations organised in the cities of Western Sahara to denounce human rights violations and claim the right of the Saharawi people to self-determination; they proceeded to arrest and intimidate some of the protesters... Finally, police violence against Saharawi human rights defenders generally went unpunished.” [17a]

The full report can be accessed via the following link:

<http://www.fidh.org/IMG/pdf/MMO-UK.pdf> [17a]

28.11 The Minority Rights Group International report, *State of the World's Minorities and Indigenous Peoples 2010 - Western Sahara*, published 1 July 2010, noted, “In order to clamp down on civil society demands for self-determination, Morocco has had recourse to its nationality law. Aminatou Haidar, a vocal human rights defender was in 2009 refused the right of entry into Western Sahara by Moroccan authorities. Following a hunger strike of 34 days, she was allowed to return.” [38a]

28.12 The Amnesty International *Report 2010 – Morocco/Western Sahara*, published 28 May 2010, noted:

“The authorities tightened restrictions on expression in favour of self-determination for the people of Western Sahara. Sahrawi human rights defenders, activists and others faced continuing harassment, including close surveillance, threats and assault at the hands of security officials, and prosecution on politically motivated charges, apparently to deter or punish them for expressing their views and documenting human rights... The authorities restricted the movement of Sahrawi activists and human rights defenders, preventing them from observing trials, documenting violations and meeting foreigners. Some were banned from travelling abroad and had their identification and travel documents confiscated... Dozens of Sahrawis were prosecuted on violent conduct charges in connection with demonstrations held in 2009 or previous years; the court proceedings reportedly failed to satisfy international standards of fair trial. Some Sahrawis who advocated independence for Western Sahara were harassed and beaten by Moroccan security forces.” [7a]

28.13 The Human Rights Watch, *World Report 2010 - Morocco/Western Sahara*, published 20 January 2010, noted, “Numerous Sahrawis were charged or imprisoned (in 2009) because of their peaceful advocacy of self-determination for the contested Western Sahara. Politically motivated restrictions on the right to travel increased.” [10a]

28.14 Further information on Western Sahara can be found via the following links:

Freedom House, *Freedom in the World 2010 - Western Sahara (Morocco)*, 1 June 2010
<http://www.unhcr.org/refworld/country,,,ESH,,4c1a1e962,0.html> [5d]

UN Security Council, *Report of the Secretary-General on the situation concerning Western Sahara*, 6 April 2010
<http://www.unhcr.org/refworld/country,,,ESH,,4bd001ec2,0.html> [39a]

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Annex A

CHRONOLOGY OF MAJOR EVENTS

The following is taken from the BBC Timeline: Morocco, updated 12 September 2010. [9d]

1912

Morocco becomes a French protectorate under the Treaty of Fez, administered by a French Resident-General. Spain continues to operate its coastal protectorate. The sultan has a largely figurehead role.

1921-6

Tribal rebellion in Rif Mountains is suppressed by French and Spanish troops.

1943

Istiqlal - Party of Independence - founded to press for independence.

1956

March

End of French protectorate after unrest and strong nationalist sentiment. Spain keeps its two coastal enclaves. Sultan Mohammed becomes king in 1957.

1961

Death of King Mohammed; King Hassan II comes to power.

1963

First general elections.

1965

Social unrest: King Hassan declares a state of emergency and suspends parliament.

1971

Failed attempt to depose king and establish republic.

1973

Polisario movement formed; aims to establish an independent state in Spanish Sahara, a territory south of Morocco controlled by Spain. The group has Algerian support.

1975

November

The Green March: King Hassan orders 350,000 civilian volunteers to cross into Spanish Sahara.

December

Spain agrees to leave Spanish Sahara, soon to become Western Sahara, and to transfer it to joint Moroccan-Mauritanian control. Algeria objects and threatens military intervention. Moroccan forces enter and occupy the territory.

1976

Moroccan and Algerian troops clash in Western Sahara. Algeria announces the formation of the Saharawi Arab Democratic Republic (SADR) with a government-in-exile. Morocco and Mauritania divide-up Western Sahara.

1976

Onwards

Fighting between Moroccan military and Polisario forces; the war is a considerable financial drain on Morocco.

1983

Summit between King Hassan and Algerian president prompts thaw in relations. King cancels planned elections amid political unrest and economic crisis.

1984

Morocco leaves the Organisation of African Unity in protest at the SADR's admission to the body. Polisario claims to have killed more than 5,000 Moroccan soldiers between 1982-85.

1988

Resumption of full diplomatic relations with Algeria.

1991

UN-monitored ceasefire begins in Western Sahara, but the territory's status remains undecided and ceasefire violations are reported. The following decade sees much wrangling over a proposed referendum on the future of the territory but the deadlock is not broken.

1998

Morocco's first opposition-led government comes to power.

1999

King Hassan II is succeeded by his son, Mohammed VI.

2001

November

King Mohammed starts a controversial tour of Western Sahara, the first by a Moroccan monarch for a decade.

2002

July

Morocco and Spain agree to US-brokered resolution over the disputed island of Perejil. Spanish troops had taken the normally-uninhabited island after Moroccan soldiers landed on it and set up tents and a flag.

December

Morocco and Spain hold their first talks since their conflict over Perejil. In January 2003 they agree to return ambassadors.

2003

February

Casablanca court jails three Saudi members of al-Qaeda for 10 years after they were accused of plotting to attack US and British warships in the Straits of Gibraltar.

May

More than 40 killed when suicide bombers attack several sites in Casablanca, including a Spanish restaurant and Jewish community centre.

2004

- February Powerful earthquake hits the north; more than 500 people are killed.
- July Free trade agreement with the US comes into effect. It follows Washington's designation of Morocco as a major non-Nato ally.
- 2005**
- September Hundreds of African migrants try to storm Morocco's borders with the Spanish enclaves of Melilla and Ceuta. Morocco deports hundreds of the illegal migrants.
- December Truth commission investigating human rights abuses during the rule of King Hassan II says 592 people were killed between 1956-99.
- 2006**
- January Spanish Premier Jose Luis Rodriguez Zapatero visits the Spanish enclaves of Melilla and Ceuta. He's the first Spanish leader in 25 years to make an official visit to the territories.
- April Chinese President Hu Jintao visits, signs a series of trade agreements.
- 2007**
- January Five men freed from US custody at Guantanamo Bay in 2004 are cleared of terrorism-related charges by a court in Morocco.
- April Three suspected suicide bombers blow themselves up in Casablanca, a few weeks after a suicide blast in an internet cafe weeks earlier.
- Two suicide bombers blow themselves up outside US diplomatic offices in Casablanca.
- Morocco unveils an autonomy blueprint for Western Sahara to the United Nations. Independence movement Polisario rejects the plan and puts forwards its own proposal.
- June Morocco and the Polisario Front hold UN-sponsored talks in New York but fail to come to any agreement.
- September Parliamentary elections. The conservative Istiqlal party, a member of the ruling coalition, wins the most votes.
- November Spanish King Juan Carlos visits Ceuta and Melilla, angering Morocco which demands the return of the enclaves.
- 2008**
- February Police arrest 36 people allegedly linked to Abdelkader Belliraj, a Belgian-Moroccan accused of leading the local branch of al-Qaeda.
- April Spanish police arrest two Moroccans wanted over 2003 Casablanca bombings, plan extradition.
- Nine prisoners convicted over 2003 Casablanca suicide bombings escape from Kenitra gaol north of Rabat.

- May Security forces say they have dismantled an al-Qaeda-affiliated network planning attacks at home and in Belgium.
- June Court convicts 29 men from "Tetouan cell" for holding illegal meetings and recruiting Moroccans to fight in Iraq.
- July Police arrest 35 people accused of recruiting for al-Qaeda in Algeria and Iraq and planning attacks in Morocco.
- August Morocco arrests 15 people who made up alleged al-Qaeda-affiliated 'Fath al-Andalous' group.
- September US Secretary of State Condoleezza Rice visits as part of North African tour. Discusses anti-terrorism measures, political reform and the Western Sahara.
- Fouad Ali al-Himma, a confidant of King Mohammed, forms an alliance around his new Authenticity and Modernity Party. The party has the potential to dominate parliament.
- October Alleged al-Qaeda leader in Morocco, Abdelkader Belliraj, goes on trial accused of planning to kill senior officials. He was extradited in February from Belgium.
- Court sentences more than 40 people to long prison sentences over Casablanca internet cafe suicide bombing that injured three.
- December Two Moroccan men, Abdelilah Ahriz and Hicham Ahmidan, sentenced to 20 and 10 years in jail respectively in Morocco over Madrid train bombings of 2004.
- 2009**
- February Islamist Saad Housseini given 15-year sentence over 2003 Casablanca bombings that killed 45 people. Also wanted in Spain over Madrid bombings.
- March Morocco breaks off relations with Iran after Iranian politician said Bahrain used to be Iranian province.
- July Alleged al-Qaeda leader in Morocco, Abdelkader Belliraj, imprisoned for life on being found guilty of leading an Islamist militant group and committing six murders in Belgium.
- 2010**
- August Tension between Spain and Morocco over incidents near the border with the Spanish enclave of Melilla.

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Annex B

LIST OF ABBREVIATIONS

| | |
|-----------------|---|
| AI | Amnesty International |
| CEDAW | Committee on the Elimination of All Forms of Discrimination Against Women |
| CPJ | Committee to Protect Journalists |
| EU | European Union |
| FCO | Foreign and Commonwealth Office (UK) |
| FGM | Female Genital Mutilation |
| FH | Freedom House |
| GDP | Gross Domestic Product |
| HIV/AIDS | Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome |
| HRW | Human Rights Watch |
| IDP | Internally Displaced Person |
| IFRC | International Federation of Red Cross and Red Crescent Societies |
| IMF | International Monetary Fund |
| IOM | International Organisation for Migration |
| NATO | North Atlantic Treaty Organisation |
| NGO | Non Governmental Organisation |
| OCHA | Office for the Coordination of Humanitarian Affairs |
| ODIHR | Office for Democratic Institutions and Human Rights |
| ODPR | Office for Displaced Persons and Refugees |
| OECD | Organisation of Economic Cooperation and Development |
| OHCHR | Office of the High Commissioner for Human Rights |
| OSCE | Organisation for Security and Cooperation in Europe |
| RSF | Reporters sans Frontières |
| STD | Sexually Transmitted Disease |
| TIP | Trafficking in Persons |
| UN | United Nations |
| UNAIDS | Joint United Nations Programme on HIV/AIDS |
| UNHCHR | United Nations High Commissioner for Human Rights |
| UNHCR | United Nations High Commissioner for Refugees |
| UNICEF | United Nations Children's Fund |
| UNODC | United Nations Office on Drugs and Crime |
| USAID | United States Agency for International Development |
| USSD | United States State Department |
| WHO | World Health Organization |

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Annex C

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