

AMNESTY INTERNATIONAL PUBLIC STATEMENT

Index: MDE 29/007/2014

26 November 2014

Morocco/Western Sahara: Lift restrictions on associations

Undue restrictions on freedom of expression and association of groups critical of Morocco's human rights record, including Amnesty International, are casting a shadow on the World Human Rights Forum due to open tomorrow in Marrakech. The Forum risks ringing hollow unless the authorities lift restrictions on human rights groups and allow international organizations such as Amnesty International unfettered access to the country.

Amnesty International has been facing restrictions since the launch of its global campaign against torture earlier this year. The Moroccan authorities banned an Amnesty International youth camp due to take place in September and denied entry to an Amnesty International fact-finding delegation in October. A second fact-finding visit scheduled for November was cancelled by the organization after the Moroccan authorities imposed conditions amounting to restrictions on it taking place.

The credibility of the upcoming human rights conference has been dented by a decision by eight groups, including leading human rights associations, to shun the event in protest at a spate of bans on public activities they were organizing. They announced their decision in a joint press conference in Rabat on 24 November.

These groups include the Moroccan Association for Human Rights (AMDH), the Moroccan League for the Defence of Human Rights (LMDH), the Amazigh Observatory for Rights and Liberties, the Moroccan branch of the World Water Contract Association, the Moroccan branch of the Association for the Taxation of Financial Transactions and Aid to Citizens (ATTAC-Morocco), the Justice and Charity (Al-Adl Wal Ihsan) movement's human rights group, Freedom Now, and the Rabat co-ordinating committee of the 20 February movement. Most bans have targeted the AMDH, which has seen many of its activities blocked, including assemblies and ordinary meetings, youth summer camps, in addition to human rights training and higher profile events for the general public.

The Moroccan authorities banned the 16th annual Amnesty International Youth Camp, which was planned to take place in Bouznika, near the capital Rabat, in the first week of September, although the organization complied with Moroccan legislation when preparing the event. The authorities did not notify Amnesty International of their decision, which the organization learned through a press release issued by the official news agency Maghreb Arabe Presse (MAP). The youth camp, which draws young Amnesty International members from the Middle East and North Africa region and from Europe, had been taking place every year without interference since 1998.

The LMDH saw a closed meeting planned for 27 September in the Bouhhal Centre in Rabat blocked by the authorities. The human rights association's president told Amnesty International that the Ministry of Youth and Sports, which owns and manages the venue, made an unusual request that the group obtain prior authorization from the Interior

Ministry. He said the Ministry failed to put this new requirement in writing despite his request that they do so, given that it had no legal basis. He told Amnesty International that an official from the Ministry explained that new instructions had been circulated to add a requirement for prior authorization by the Interior Ministry for human rights groups seeking to use public venues.

The AMDH had a public event on “Media and democracy” due to take place on 27 September at Morocco’s National Library in Rabat banned. Local officials claimed the human rights group had not adequately notified authorities, despite the organization’s assurance it had complied with legal requirements under Morocco’s 1958 royal decree on public gatherings. One week before the World Human Rights Forum, the Rabat Administrative Court vindicated the AMDH by ruling that the Interior Ministry’s ban was unlawful, and ordered the ministry to pay the human rights group 100,000 Moroccan dirhams (approximately 9,000 euros) in compensation.

Two members of the AMDH remain behind bars for reporting that they were assaulted after taking part in peaceful protests. In June and July, Oussama Housne and Wafae Charaf, were convicted on charges of “falsely reporting” that unidentified individuals had previously abducted and tortured them. They were sentenced to prison terms of three and two years respectively. The courts also ordered them to pay compensation for “slander” of the police although neither of them had accused the police. Their prosecution and imprisonment raised fears that victims of police torture or other abuses might be deterred from coming forward. Amnesty International has called for their immediate release.

The restrictions on these different groups have come in the wake of remarks made by the Interior Minister to the Moroccan parliament on 15 July that “some domestic associations and entities work under the cover of defending human rights”, but are in fact deliberately making baseless accusations of human rights violations by Morocco’s security forces in an attempt to “drive some of the international organizations to take hostile positions towards Morocco’s interests”. He said these interests included “its territorial sovereignty”, an apparent reference to Morocco’s disputed territorial claim over Western Sahara.

Eight Sahrawi groups, including the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State (ASVDH) and the Collective of Sahrawi Human Rights Defenders (CODESA), have also announced that they will not participate in the World Human Rights Forum, citing continuing restrictions on freedom of association in Western Sahara among other reasons. Sahrawi groups are among a number of associations facing long-standing obstacles to obtaining official registration from the Moroccan authorities. For instance, the Moroccan authorities continue to consider the ASVDH an unregistered association, despite a favourable ruling by an administrative court in 2006 confirming that the association had been established in compliance with registration requirements. Such registration is essential for groups to operate legally, have official premises, hold public events, and apply for funding.

Other human rights groups in Morocco affected by obstacles to registration include several branches of the AMDH, as well as Freedom Now. A newcomer to Morocco’s human rights scene, Freedom Now is a press freedom organization founded by human rights defenders, prominent figures and independent journalists, including Ali Anouzla, whose news website Lakome was closed after his prosecution under anti-terrorism legislation. Ali Anouzla remains on trial for allegedly “advocating” terrorism after reporting on a video by the armed group al-Qa’ida in the Islamic Maghreb (AQIM). Amnesty International has repeatedly called on the Moroccan authorities to drop all charges against him and end a prosecution it fears has come as punishment for his

editorial independence and criticism of the authorities.

In May, local authorities refused to accept registration documents submitted by Freedom Now and to issue a receipt confirming the date that it filed its declaration, a procedure it is obliged to follow according to the law. The procedure enables Freedom Now to operate legally unless the authorities lawfully oppose its registration within 60 days. In June, police barred access to premises where Freedom Now had planned to hold a public event. In July, an administrative court rejected the group's application for judicial review of the authorities' denial of registration on procedural grounds, arguing that, as an unregistered organization, Freedom Now could not engage in litigation.

Finally, on 12 October 2014, Moroccan authorities denied entry to an Amnesty International delegation planning to document the situation of migrants and refugees in the north of the country and at the borders with the Spanish enclaves of Ceuta and Melilla. A second fact-finding visit scheduled to begin on 9 November, which authorities were informed of more than two weeks in advance, was cancelled by the organization after the Moroccan authorities made its entry conditional on prior meetings in Rabat to agree on the parameters of the visit, conditions amounting to restrictions. Amnesty International has experienced no such constraints on its work documenting human rights violations in the country since the expelling of an Amnesty International in 1990, following which the organization was denied entry to Morocco for three years.