



Morocco

Country Reports on Human Rights Practices - [2007](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 11, 2008

Morocco is a monarchy with a constitution, an elected parliament, and a population of approximately 34 million. According to the constitution, ultimate authority over all branches of government rests with King Muhammad VI, who presides over the council of ministers and appoints or approves members of the government. The king may dismiss ministers, dissolve the parliament, call for new elections, and rule by decree. In the bicameral legislature, the lower house may dissolve the government through a vote of no confidence. The September 7 parliamentary elections for the lower house went smoothly and were marked by transparency and professionalism, according to international observers. The country has 35 political parties. The civilian authorities generally maintained effective control of the security forces.

Citizens did not have the right to change the constitutional provisions establishing their monarchical form of government or the rules related to the religion of Islam. Reports of torture by various branches of the security forces persisted. Prison conditions remained below international standards. Reports of arbitrary arrests, incommunicado detentions, and police and security force impunity continued. The judiciary was still subject to executive branch influence and was not fully independent. The government restricted freedoms of speech, press, and religion. Trafficking in persons continued, and child labor, particularly in the unregulated informal sector, remained a problem. Civilians generally maintained effective control of the security forces.

Morocco implemented significant measures during the year which resulted in the advancement of human rights, including the government's revision of the Nationality Code to permit Muslim women to transmit citizenship to children and its publishing of domestic violence statistics. In September an overall civic commitment to developing a culture of human rights was reflected in parliamentary elections which were monitored by domestic and international groups.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

On March 11, Abdelfattah Raydi detonated a bomb inside an Internet cafe, killing himself and injuring four others. Raydi reportedly argued with the son of the cafe's owner, who prevented him from accessing jihadist Web sites.

On April 10, police officers raided the home of suspected Islamist militants. Three of the suspects died when they detonated explosive belts and one was shot and killed by the police.

On April 14, two brothers, Muhammad and Omar Bata, blew themselves up within seconds of each other on the street in Casablanca. One woman passing by at the time was injured in the blasts.

On July 7, Dada Ould Hamma Ould Nafaa, a Sahrawi prisoner in Agadir, died, reportedly due to poor or inadequate medical care. The government produced documents showing that he had received regular medical examinations and that his allegations of abuse had been investigated by a doctor. Human rights activists continued to dispute that claim.

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

In 2005 government border guards shot and killed four African migrants trying to enter illegally the Spanish enclave of

Melilla. According to a government report, two other migrants later died from multiple wounds. The victims were part of a large wave of individuals who attempted to breach or climb the border fence. The government stated that a total of 11 migrants died in the incident. The government repatriated the remains of the illegal migrants killed in the incident.

Although a court of appeal in Nador upheld the legality of the shootings, the government changed procedures after the incident to allow for alternatives to deadly force in the event of a similar incident. Border guards have been redeployed to intercept and divert migrants before they reach the enclave's choke points.

b. Disappearance

There were no reports of politically motivated disappearances. In 2005 the government identified between 80 and 100 individuals in a mass grave in Casablanca. The individuals had disappeared during 1981 demonstrations against food price increases.

In 2004 King Muhammad VI formed the Justice and Reconciliation Authority (known as IER) to investigate forced, long-term disappearances of opponents of the government and its policies between independence in 1956 and 1999. From January 2004 to November 2005, the IER investigated allegations of egregious human rights abuses and determined levels of compensation for confirmed cases of arbitrary detention and disappearance. The IER received 22,000 applications, assessed 16,861 of these, and concluded that an indemnity should be paid, as well as ongoing medical assistance and rehabilitation, in 9,779 cases. Human rights groups and families continued to claim that the IER did not acknowledge all cases of disappearances, many from the Western Sahara.

In its January 2006 final report, the IER announced that it had resolved 742 disappearance cases and that another 66 outstanding cases would be further investigated by a follow-up committee of its successor body, the Consultative Council on Human Rights (CCDH).

The IER's mandate did not allow it to make public the names of individuals responsible for the human rights abuses. Its final report included a series of recommendations to advance ongoing reform, including consolidating constitutional guarantees of human rights, combating impunity, strengthening judicial independence, and creating follow-up mechanisms.

In November the CCDH completed all of the compensation and identification process for Morocco and Western Sahara, with the exception of 24 cases including that of missing independence activist Mehdi Ben Barka. On July 10, the CCDH president signed a formal accord with the prime minister requiring the government to provide free lifetime health care for IER-certified victims. The government announced it had issued benefits to 12,000 families and individuals and extended coverage to a total of 45,000 individuals through joint and extended family coverage health care cards to individuals with approved cases.

The government further reported that the CCDH launched three initiatives, totaling approximately \$6.9 million (52.9 million dirhams), as part of its regional reparation program to address lingering issues in areas affected by adverse governmental policies between the 1970s and 1990s.

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

The law prohibits such practices and the government denied the use of torture; however, members of the security forces abused individuals in their custody, according to domestic and international human rights organizations, prisoners, and detainees. 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.

According to the minister of justice, authorities prosecuted 17 members of the security services for human rights violations including torture during the year. Verdicts were not known in most of the cases, but two officers were convicted and sentenced to 10 years' imprisonment in the 2005 beating death of Western Saharan activist Hamdi Lembarki.

In March 2006 the government enacted a specific antitorture law. By law pretrial investigating judges must refer a detainee to a forensic medicine expert if asked to do so or if judges notice suspicious physical marks on a detainee. During the year, according to the government, at least a dozen cases were referred to doctors. In at least three of those cases, the doctors found sufficient evidence of injury to warrant further investigation. Results of the investigations were not available at year's end.

On July 11, the government opened the trial of 52 individuals arrested in August 2006 as part of the so-called Ansar El Mehdi case on charges of conspiring to overthrow the monarchy through terrorism. Many of the defendants claimed to the media, to nongovernmental organizations (NGOs), and in court that they had been mistreated and denied permission to call mitigating witnesses. At year's end the defendants were awaiting a verdict.

On May 1 in Agadir, union activists Abd el Rehim Qarad, of the National Syndicate for Farmers, and Mahdy El Barboushy, of the Moroccan Association for Human Rights, were arrested during a demonstration. On May 10, based on signed confessions, they were sentenced to two years in prison and fined approximately \$1,200 (10,000 dirhams) for insulting the monarchy. The two claimed their confessions were extracted under torture.

Prison and Detention Center Conditions

Prison conditions remained poor and generally did not meet international standards. Extreme overcrowding, malnutrition, and lack of hygiene continued to aggravate the poor health conditions inside prisons. During the year the government completed one new prison, continued construction on eight new facilities, and renovated several more. During the year six education centers served the prison population, offering primarily vocational instruction. Pretrial detainees were not held separately from convicts.

Prisoners may choose either to continue their education and receive high school or university diplomas or to learn a trade. According to media reports, 30,000 inmates participated in prison education programs since 2001.

In its annual report published on November 22, the Moroccan Observatory of Prisons (OMP), an NGO that receives limited government funding, stated that the prison system was overcrowded and failed to meet fully local and international standards. It also stated that current prison capacity was sufficient for only half of the prison population. Approximately 60,000 detainees lived in less than 16 square feet per person.

During the year the government reported that 279 prison guards and managers received human rights training at the Penal Training Center in Ifrane. In addition, 30 managers in the United Kingdom and another 25 managers in Belgium received such training.

On September 25, 200 prisoners at Sale prison went on a hunger strike to protest prison conditions, torture, and the denial of their rights under the law. The hunger strike reportedly began in protest of the death of Muhammad Nahari, who died as a result of food poisoning in September. The Ministry of Justice (MOJ) denied any mistreatment of these prisoners. The hunger strike, which grew to 400 participants, ended on October 29 after prisoners met with CCDH and a coalition of NGOs, including the Moroccan Organization of Human Rights (OMDH), Moroccan Association for Human Rights (AMDH), and the OMP. The report later issued by the NGOs found that prison administrators had violated prisoners' rights but also that some of the prisoner's claims were unfounded. The NGOs called for a full investigation.

The government permitted visits during the year by independent human rights observers, including local and international human rights groups and the media.

The government permitted the OMP to visit prisons and detention centers unhindered throughout the year to observe conditions and hear complaints.

d. Arbitrary Arrest or Detention

The law does not prohibit arbitrary arrest or detention, and police used both practices. Police did not always observe due process; in practice, according to local NGOs and associations, they did not always identify themselves when arresting suspects or always obtain warrants. Police also reportedly held some detainees without charging them.

Role of the Police and Security Apparatus

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

The DGSN manages the border and immigration services. The main federal investigative body, the National Brigade, investigates violations of the penal law, terrorism, organized crime, and white-collar crime. The DGST and the Auxiliary Forces have security functions.

While the police were effective, corruption and impunity remained a problem. The MOI increased investigations of police abuse and corruption, but they rarely resulted in reported disciplinary action or judicial proceedings. Cases usually languished in the investigatory or trial phases without reaching resolution.

On August 30, the police chief in Rabat was charged with alleged participation in a drug smuggling and prostitution ring. His case was pending before the courts at year's end.

In September 2006 the MOJ removed eight security service members and four government officials accused of illegal behavior and dismissed them from the force.

In October 2006 the MOI disbanded the Urban Security Group (GUS), which had developed a reputation for corruption and abuse. GUS personnel became part of the general police ranks.

During the year there was one reported judicial prosecution for police abuse. In December three gendarmes (rural police officers) were put on trial in the town of Inezgane for allegedly offering to accept a bribe. A man offered to pay the officers for their help in convincing a woman who accused him of rape to withdraw her charges. The case was pending at year's end.

Between July and October, a private citizen activist filmed gendarmes accepting bribes and posted the videos on the Internet site YouTube.com. The postings eventually led to the arrest and prosecution of nine gendarmes and the creation of a new undercover police unit that utilized this strategy to monitor the gendarme's behavior, as well as the blocking of YouTube.com for four days.

On December 6, six security agents, three members of auxiliary forces, three civil servants from the MOI, and 11 others went on trial for involvement in a criminal ring that acquired forged documents through the palace and used identity theft to receive fraudulent government benefits. At year's end the case had not been resolved.

Arrest and Detention

Police may make an arrest following a general prosecutor's issuance of an oral or written warrant; in practice warrants were sometimes issued after the fact. Authorities denied defendants' access to counsel or family members during the initial 96 hours of detention, 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.

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

According to the law, all defendants have the right to be represented by attorneys and, if a defendant cannot afford private counsel, a court-appointed attorney must be provided when the criminal penalty is more than five years in prison. In practice effective counsel was not always provided. The police were required to notify a person's next-of-kin of an arrest as soon as possible after the initial 48-hour incommunicado detention in nonterrorism cases, but this provision was not always respected. Because of delays in notifying family, lawyers were not always informed promptly of the date of arrest and were not able to monitor compliance within the administrative detention limits. Detention limits were exceeded when individuals were suspected of terrorism or were linked to terrorism. Several defendants in the Ansar El Mehdi case waited as long as eight months before being allowed to consult a lawyer, forcing delays in the mass trial. The Association El Nacir, an NGO which advocates on behalf of jailed Islamists, estimated that 200 individuals remained in custody without charge at year's end as a result of terror-related dragnets.

During the year law enforcement efforts focused arrests more narrowly than the previous broad dragnets used following the 2003 Casablanca attacks.

Amnesty

The number of individuals granted amnesty during the year was 36,340, of which 33,054 were given amnesty in honor of the birth of the king's daughter. On December 20, the king pardoned 426 prisoners on the occasion of the Feast of the Sacrifice.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary; however, in practice the courts were not always independent. According to observers, corruption remained prevalent. Judges also did not always base rulings on new laws and at times referred to outdated laws in their decisions.

In June 2005 the Supreme Council of the Judiciary initiated disciplinary proceedings against seven judges for possible corruption. The government dismissed one of the judges, temporarily dismissed three others, allowed two early retirements, and found one not guilty.

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 made in criminal and civil matters in which the penalty exceeds approximately \$42 (330 dirhams) may be appealed to the courts of first instance. The regional courts are subdivided into civil, commercial, administrative, penal, and rabbinical sections. Cases may be appealed from the regional courts to the appeals court.

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

Trial Procedures

The law provides for the right to a fair public trial for all citizens. However, according to NGOs, a fair public trial did not always occur in practice, especially for those protesting the incorporation of Western Sahara. Juries are not used.

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

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

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

In some cases appeals courts may be used as a second reference for courts of first instance, although they primarily handled cases involving crimes punishable by five years or more in prison.

The Supreme Court may overturn an appellate court's ruling on procedural grounds only. As a result, appeals were infrequent. An investigation by an examining magistrate was mandatory only when life imprisonment or the death penalty was a probability.

Family courts adjudicated divorce and child custody cases according to the family law. These courts addressed family issues for Muslim citizens, and judges were trained in Shari'a (Islamic law) as applied in the country and in the requirements of the 2004 family law. Family matters for Jewish citizens were handled by the parallel legal system available to them.

Political Prisoners and Detainees

The law does not distinguish political and security cases from common criminal cases. The government did not consider any of its prisoners to be political prisoners. The government stated that it detained individuals under criminal law only. Several NGOs, including the AMDH, Sahrawi organizations, and Berber activist groups, however, charged the government with detaining persons for political activities or beliefs under cover of criminal charges, such as AMDH members arrested for shouting antimonarchy slogans.

Civil Judicial Procedures and Remedies

The judiciary, while generally effective, is not fully independent and was subject to influence, particularly in sensitive cases such as those dealing with the monarchy, Western Sahara, and religion. There are administrative as well as judicial remedies for alleged wrongs.

A national ombudsman resolves civil matters when the judiciary is unable to do so. The CCDH also serves as a conduit through which citizens offer complaints about government malfeasance or human rights violations.

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

The constitution states that an individual's home is inviolable and that a search may only take place with a search warrant;

however, authorities sometimes ignored these provisions in practice. The law stipulates that a prosecutor may issue a search warrant on good cause, particularly in cases of suspected terrorism. Plainclothes security officers who did not identify themselves or present search warrants conducted home searches.

As in 2006, authorities again reportedly searched and closed the homes of members of the Justice and Charity Organization (JCO), an Islamist opposition sociopolitical group which chooses not to participate in electoral politics. Members allegedly used these homes as "open houses" where they held politically oriented meetings.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law generally provides for freedom of speech and of the press. The government generally respected these rights in practice. The law does not permit criticism of Islam, the monarchy, and territorial integrity (the inclusion of the Western Sahara) in public, and the law was frequently enforced.

According to government statistics, a total of 26 complaints against the press were lodged during the year. One case resulted in a prison sentence, at least three in suspended sentences, and five in fines; the rest were pending at year's end. None led to an acquittal.

In recent years publications that tested these boundaries received swift penalties. In an August statement the international NGO Reporters Without Borders (RSF) reported that at least 34 media institutions had been censored and at least 20 journalists had been prosecuted under press, penal, or antiterror laws since the beginning of King Muhammad VI's reign in 1999.

The antiterrorist law and the press code impose financial penalties on journalists and publishers who violate the restrictions related to defamation, libel, and insults including critical discussion of the monarchy, state institutions, territorial integrity, and Islam. Prison sentences can also be imposed on those convicted of libel. The press code lists threats to public order as one of the criteria for censorship. The government also has the ability to revoke licenses and to suspend and confiscate publications. Within these very broadly construed limits, politically diverse newspapers and weeklies published news and commentary often critical of nonsensitive policies and personalities.

In 2005 authorities summoned Nadia Yassine, the daughter of the JCO's founder, before the courts for publicly stating her belief that the country would be healthier as a republic than as a monarchy. On April 19, her trial was postponed indefinitely, and there was no further action.

The Ministry of Communication (MOC) issued directives and guidance, and subsidized publications. The government temporarily suspended publications it judged offensive yet allowed suspended publications to continue operation. During the year the government continued to censor newspapers directly by ordering them not to report on specific items or events and imposing sanctions if they did. Newspapers also practiced self-censorship. The government indicated that no jail terms were imposed under the existing press code.

The government registered and licensed domestic newspapers and journals. The government did not allow the JCO newspaper, *Rissalat Al Foutuwa*, to be sold on newsstands. There were no reports that the MOC controlled foreign publications by removing banned publications from circulation.

Through the MOC the government subsidized most newspapers to varying degrees, including those critical of the government. The placement of government-directed advertising also influenced revenue. Direct government subsidies vary according to the percentage of the population reading the publication. There are 17 national daily newspapers, 90 weekly publications, and 33 semimonthly and 192 monthly publications. There are also six electronic newspapers: three French-language, two Arabic, and one English. The government owned the official press agency, Maghreb Arab Press.

The government owned la Societe Nationale de la Radiodiffusion et de la Television, formerly Moroccan Radio-Television, which owned and operated several local television and radio stations. It also partially owned 2M television and radio. The French-backed Medi-Sat television and Medi-1 radio are nominally private and independent. A government-appointed committee monitored broadcasts. The government owned or partially owned the only television stations whose broadcasts could be received in most parts of the country without decoders or satellite dish antennas. Since 2006 the government has licensed the operations of several independent radio stations that offer news and information. Satellite dish antennas were widely used. The government did not impede the reception of foreign broadcasts.

On January 15, *Nichane* director Driss Ksikes and journalist Sanaa Al Aji were sentenced to suspended prison terms (three years and one year, respectively) and fined approximately \$10,040 (80,000 dirhams) for having published an article

citing popular jokes, entitled "How Moroccans laugh about religion, sex, and politics" that the courts deemed offensive to Islam. The publication and its Web site were banned for two months, and Ksikes eventually resigned.

On January 18, Aboubakr Jamaï, editor of the French-language weekly *La Journal Hebdomadaire*, chose to resign in an attempt to save the newspaper and left the country temporarily. He and journalist Fahd al-Iraqi were ordered to pay damages of approximately \$390,000 (three million dirhams) in April 2006 for writing an article implying that the analysis of a foreign think tank's report about the Western Sahara had been done by "remote control." Press activists claim the award was disproportionate to the economic situation in the country.

On January 30, *Assahifa* published an article implying that the Saudis bribed the king to prevent him from exploiting newly discovered oil resources. Politicians and press personalities accused *Assahifa* of violating journalistic ethics. *Assahifa* issued a public apology and temporarily suspended publication on a voluntary basis. After briefly resuming operations, *Assahifa* subsequently closed for financial reasons.

On March 6, the courts fined the director of the *Maroc Soir* group and the author of an article approximately \$26,000 (200,000 dirhams) each. In January 2006 the Spanish-language daily *La Manana*, owned by *Maroc Soir* group, published a reprinted Internet article criticizing the origins of King Hassan II's fortune and questioning the country's claims to the Western Sahara.

On August 4, authorities seized editions of *TelQuel* and its Arabic-language sister publication *Nichane*. Their director, Ahmed Reda Benchemsî, was charged with "lack of respect for the king's person and for public morality." The seized issues published an editorial on the king's July 30 Throne Day speech, in which the king stated that the upcoming parliamentary elections would strengthen the country's democracy and also an article entitled "Sex in Islamic Culture." *Nichane* was withdrawn from newsstands, but *TelQuel* was seized before publication. The case was referred to trial but was postponed repeatedly.

On August 15, a Casablanca court sentenced Abderrahim Ariri, publisher of *Al Watan*, to a six-month suspended prison sentence while Mustapha Hormatallah, a journalist for the paper, was sentenced to eight months in prison for not revealing his journalistic sources. Both journalists were also fined approximately \$130 (1,000 dirhams). The men were arrested and detained on July 17 for publishing an article that exposed a confidential military document warning of an Al-Qa'ida attack. Both men were held incommunicado for several days after their original arrest, and Ariri claimed he was "roughed up," denied access to his attorney, and interrogated repeatedly.

On August 23, Mustafa Alawi, editor-in-chief of *Al Ousbou*, was fined approximately \$2,600 (20,000 dirhams) for publishing "false information in bad faith" and "false documents attributed to a third party." In a July 6 article, the weekly had falsely attributed statements about the country's delegation and territorial integrity to UN Secretary-General Ban Ki-moon.

Reporters Without Borders' 2007 report on press freedom in Morocco stated that freedom of the press has deteriorated in recent years.

Internet Freedom

There is no specific law and no judicial decisions concerning Internet content or access. On occasion, the government, through Maroc Telecom, blocked access to specific Web sites. Authorities blocked the JCO Web site sporadically. In May authorities blocked access to YouTube.com for six days after it aired videos considered insulting to the king and for four days due to concerns about a video implicating police in corruption. Since 2006 the government blocked the sites "Google Earth," "Google Maps," and LiveJournal.com on various occasions. The government acknowledged blocking sites in accordance with the law that prohibits challenges to the territorial integrity of Morocco, the promotion of independence for Western Sahara, as well as some religious extremist sites.

Academic Freedom and Cultural Events

By law and in practice, the government restricted in academic and cultural contexts presentations or discussions of anything critical of the monarchy, Islam, or the status of Western Sahara. Islamist groups controlled many student unions and sometimes acted to constrain academic freedom. The MOI approved the appointments of university rectors.

The government banned Islamist literature it termed extremist at the 2007 Casablanca Book Fair.

b. Freedom of Peaceful Assembly and Association

The constitution guaranteed freedom of assembly and association within the limits provided by law; in practice, the government suppressed demonstrations or prohibited associations which went beyond the limits set by the law for freedom of speech and press.

Freedom of Assembly

The MOI requires permission for public assemblies. During the year the police forcibly prevented and disrupted some peaceful demonstrations and mass gatherings; these occurrences were fewer than in previous years. There were numerous demonstrations held throughout the year on a variety of issues.

On February 17, the JCO reported that security forces entered the home of Hussein Marjane, who was holding a JCO council meeting. All 72 attendees, including the organization's leaders, were taken to a police station and detained without charge or formal arrest for periods ranging from two to eight hours on the grounds that the meeting was unauthorized. According to the government, the courts convicted 44 JCO members and acquitted 15 for participating in a banned organization and holding an illegal meeting.

Following Labor Day demonstrations on May 1 in the town of Ksar El-Kebir, El Tuhamy El Khayat, chair of the National Association for Unemployed Graduates, was arrested and interrogated. He was released, but on May 3 he was rearrested with four other activists. The five were charged with "insulting sacred doctrines" as a result of their demonstration. On May 22, they were convicted of insulting the monarchy, sentenced to three years in prison, and fined approximately \$1,300 (10,000 dirhams).

Also on May 1, security forces arrested seven members of the AMDH for allegedly chanting antimonarchical slogans during an International Workers Day protest. They were tried and convicted of undermining the monarchy and received prison sentences ranging between one and three years. Amnesty International (AI) reported that the defendants' lawyers were not allowed to call certain witnesses and that the prisoners were mistreated during interrogation. Security forces disrupted subsequent demonstrations in Rabat held to bring attention to the AMDH case and made more arrests. Eight AMDH members were in prison at year's end, and three received suspended sentences. Subsequent protests against their arrest were broken up by force.

On December 13, a demonstration in front of parliament by Amazight activists, many of them students, was broken up with excessive police force.

Freedom of Association

The constitution provides for freedom of association as provided by law. The government reported that more than 2,500 NGOs and associations were registered. New organizations are required to register with the MOI. A proposed organization must submit its bylaws to the ministry. If the bylaws support the monarchy, Islam, and territorial integrity, the ministry issues a receipt to the organization, which signifies formal approval. The organization may apply for tax exemption and government funding. If the organization does not receive a receipt within one week, it is not formally registered. Many organizations functioned without the receipts.

Organizations supporting self-determination for Western Sahara were not permitted to register, including the Association of Victims of Grave Human Rights Abuses (ASVDH) and the Sahrawi Collective of Human Rights Defenders (CODESA). Unregistered organizations cannot access government funds or legally accept contributions.

During the year authorities continued to monitor and disrupt JCO activities. In February authorities raided the home of JCO member Hussein Marjane, disrupted an "open house" organizational meeting, and detained all attendees. Police later evicted Marjane's wife and children from the house.

The MOI must approve political parties. In December 2005 and again in February 2007, parliament passed legislation placing stringent conditions on the establishment and functioning of political parties. The 2007 law requires parties to hold frequent national congresses and to include women and young persons in the leadership structures. Public funding is based on a party's total representation in parliament and the total number of votes received nationally. Only registered members of a particular party may make private contributions. A party can be disbanded 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 cofounding members from one-half of the 16 regions of the country. The law reflects changes and revisions suggested by existing political parties and members of civil society.

On December 13, the government declared the Moroccan Amazight (Berber) Democratic Party illegal on the grounds that it violated a constitutional ban against ethnic political parties.

c. Freedom of Religion

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

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

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

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

The government generally tolerated activities limited to the propagation of Islam, education, and charity. From March through July, security forces prohibited some JCO activities on the grounds that they were political rather than religious. Security forces commonly closed mosques to the public after Friday services to prevent their use for unauthorized political activity. In August 2006 the Ministry of Endowments and Islamic Affairs announced the closure of 17 mosques across the country. These mosques were reportedly closed for administrative reasons and to prevent the spread of religious extremism. The government did not close any mosques during the year.

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

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

Unlike in 2006, there were no reported instances of criminal prosecution for proselytizing. In November 2006 a foreign Christian was fined approximately \$65 (500 dirhams) and given a six-month prison sentence for attempting to convert a Muslim to Christianity. The prison sentence was suspended, and the individual left the country of his own accord.

Societal Abuses and Discrimination

There were no reports of anti-Semitic acts, publications, or incitements to violence, although some media outlets, including *Tajdid*, the newspaper for the Party of Justice and Development, contained some anti-Semitic articles associated with criticism of Israel and its policies.

Representatives of the Jewish minority, estimated by community leaders to number approximately 4,000 members, generally lived in safety throughout the country. The Jewish community operated hospitals whose services were available to all citizens and schools. The government provided funds for religious instruction to the parallel system of Jewish public schools. Jews continued to hold services in synagogues throughout the country.

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

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement; however, the government severely restricted this right in the Moroccan-administered Western Sahara areas regarded as militarily sensitive.

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

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

The government welcomed voluntary repatriation of Jews who had emigrated. Jewish emigrants, including those with Israeli citizenship, freely visited the country. The government also encouraged the return of Sahrawis so long as they acknowledged the government's claim to the Western Sahara territory.

Protection of Refugees

The Emigration and Immigration law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol. It provides for the rights of asylum seekers and the temporary residency of persons who do not qualify for refugee status or asylum. The UN High Commissioner for Refugees (UNHCR) is the sole agency in the country entitled to grant refugee status and verify asylum cases. On July 20, the government signed an agreement with the UNHCR to strengthen cooperation in the face of rising rates of migrants attempting to reach Europe. The agreement raised the UNHCR office in the country to a full representation and provided UNHCR staff with greater access to relevant departments in the government.

Preliminary to the signing of the agreement, the UNHCR provided training to government officials on the appropriate treatment of refugees.

In practice the government provided some protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. The government provided refugee status and asylum, and worked with the UNHCR to identify individuals seeking the same. At year's end the UNHCR reported 786 refugees and 488 asylum seekers in the country.

In December 2006 the advocacy organization Association of Moroccan Workers in France reported that 450 immigrants were abandoned in the desert area along the Algerian border near Oujda. The organization reported that the group was fired on by Algerian soldiers and that some women were abused or raped by both Moroccan and Algerian policemen as well as a Nigerian gang at the border. The government denied that these events occurred.

The UNHCR reported that in the first 10 months of the year, the number of expulsions by the government of individuals holding UNHCR documents declined by 67 percent in comparison to the same period in 2006. Unlike in 2006, UNHCR document holders detained during collective arrests of immigrants were immediately released.

Since 2006 the international NGO Medecins Sans Frontiers (Doctors without Borders) has reported an improvement in sub-Saharan immigrants' ability to access health care within the public health system.

Spain continued to return to the country illegal immigrants taken into custody at sea, regardless of their nationality. The Moroccan government continued to repatriate refugees at its own expense.

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

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

The king as head of state appoints the prime minister, who is the titular head of government. The constitution authorizes the prime minister to nominate all government ministers, although the king may nominate ministers and has the power to replace any minister. The government consists of 34 cabinet-level posts, including the prime minister and five sovereign ministerial posts that traditionally report directly to the king (interior, foreign affairs, justice, Islamic affairs, and defense). MOI nominates provincial governors (walis) and local district administrative officials (caids) to the king, who appoints them. The king also appoints the constitutional council that determines whether laws passed are constitutional.

The constitution may not be changed without the king's approval. The constitution provides that neither the monarchical system nor the measures related to the religion of Islam are subject to revision. Only the king has the power to put constitutional amendment proposals to a national referendum. Amendments can be proposed directly by the king or by parliament, which first must pass a proposal with a two-thirds majority of both houses. Once a royal decree has been issued, the amendment can be sent to a national referendum; however, the king has the authority to bypass any national referendum. Citizens elect municipal councils directly; citizens elect regional councils through representatives.

Elections and Political Participation

Electoral law and regulation give the MOI authority over the general operation of elections--from drawing the electoral districts to counting the votes. In March electoral districts were redrawn giving more seats to less populated areas and diluting urban votes. The number of voters represented by each member of parliament varied significantly due to the manner in which the electoral districts were drawn. For example, in the Ain Sbaa constituency, each seat represented 83,000 constituents, while in Madiaq, only 23,000. In the September 7 legislative elections, the king mandated the royally chartered and appointed CCDH to supervise and facilitate the work of domestic and international observers, leading to the

most transparent election in the country's history.

In the September elections for the lower house of parliament, the government listed official turnout at 37 percent. The MOI published participation statistics and popular vote results by district on its Web site and in the public media within 48 hours. Precinct-level results were not released by year's end. The final counting was accepted by all political parties as accurate and certified by the MOI as legitimate.

The final reports of the international and domestic election observers praised the government and the MOI for their professional administration of the September 7 balloting. They also attributed the low voter participation rate and high protest vote to weak parties and a parliament that has little vested power.

The final report of the approximately 50-person international observation mission organized by the National Democratic Institute (NDI) noted that the voting went smoothly and was orderly and transparent. The report of the approximately 3,000-person domestic observation mission carried out by a collective of more than 700 NGOs and civil society organizations characterized the elections as generally well conducted and transparent, but criticized preelection vote-buying by parties and some instances of official misconduct at the district level. Domestic observers did not receive accreditation to observe the process until the eve of the election. Authorities also were slow to establish clear procedures for domestic observers in advance of election day. All reports recommended the creation of an independent electoral commission.

Berlin-based NGO Democracy Reporting International, some domestic observers, the media, some political parties (including the Party of Justice and Development), and local NGOs levied sharp accusations of electoral subversion against political parties during the campaign phase of the election. Examples of the most prominent alleged modes of corruption included buying votes in rural districts, paying individuals to surrender voter cards until after the election, and bribing communities with feasts. The international observers did not monitor preelection activities.

Most (78 percent) eligible voters registered, but only 37 percent actually voted in September, compared to 52 percent in the 2002 elections. The low turnout was attributed to voter apathy, widespread dissatisfaction with parliament's performance, and a belief that party-based corruption predetermined results, rendering voting superfluous. There was also a high protest vote. Of the 37 percent who cast ballots, 24 percent of local list ballots and 21 percent of national list votes were blank, spoiled, or inscribed with angry criticism of the system and parties; this meant that, for example, in Casablanca approximately 30 percent of the votes cast were spoiled, blank, or protest votes. In that case, according to the NDI-organized international mission's final report, less than 14 percent of potentially eligible voters in Casablanca cast ballots for the parties on the list.

Between March 7 and September 7, a combined MOJ/MOI commission received 1,260 allegations of preelectoral malfeasance. The majority of complaints related to "premature" campaigning and, to a lesser extent, the inappropriate use of money, malfeasance by government agents, and election or campaign violence. Only seven cases related to registration fraud. Of the allegations received, 53 cases were referred for trial or judicial action.

Government Corruption and Transparency

The World Bank's Worldwide Governance Indicators reflected a corruption problem, and there was a general perception in the country that corruption existed in the executive, legislative, and judicial branches of government.

During the year the MOJ adjudicated more than 5,000 corruption cases, although the outcomes of most were undetermined. In July Rabat's chief of police was removed from his position and charged with involvement in prostitution and narcotics ring. At year's end the case was pending. In May the then minister of justice stated in a speech that corruption and economic crimes accounted for 10 percent of all cases in the court system.

The judiciary's susceptibility to influence was widely acknowledged. In a February interview with the daily newspaper *Al-Messae*, Abbas al Fassi, then minister of state without portfolio and now prime minister, said, "Judges should listen to the voice of their conscience, not to instructions given through their cellular phones."

In preparation for the parliamentary elections, MOI and MOJ issued a joint communique in August discouraging corrupt practices and reinforcing regulatory laws. The interior minister and minister-delegate also met with regional governors and officials to reiterate the government's stand that no official should meddle in the democratic process. The king also made several speeches condemning electoral corruption. In August MOJ alleged that the mayors of Rabat and Meknes had abused their positions for electoral gain. The investigation was pending at year's end.

There is no freedom of information law. On April 24, parliament adopted a law requiring judges to disclose property and financial assets. The MOJ, the Court of Accounts, and the newly created Central Commission for the Prevention of Corruption are charged with combating corruption.

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

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

The government's attitude toward international human rights organizations varied, depending on the sensitivity of the issues addressed.

Domestic and international human rights groups generally operated without government restriction apart from issues relating to Western Sahara and investigated and published findings on human rights cases.

National human rights NGOs recognized by and that cooperated with the government included the OMDH and the Moroccan League for the Defense of Human Rights (LMDDH). Since 2000 the government has subsidized the two NGOs. The AMDH did not cooperate officially with the government but usually shared information. There were also numerous regional human rights organizations, including ASVDH and CODESA. According to the government, there were more than 2,500 registered NGOs in the country.

The OMP, a human rights NGO recognized and partially funded by the government, was granted permission during the year by the MOJ to enter any prison in the country at any time and speak to prisoners. OMP officially participates in and advises the MOJ on its penal reform program. The OMP's main purpose is to improve the treatment and living conditions of prisoners. It succeeded in facilitating some improvements in the areas of living conditions, nutrition, training, and prisoners' ability to report abuse.

AI and Human Rights Watch (HRW) also visited the country. In addition, the government met with HRW representatives.

Human rights training continued based on a 2002 agreement between AI and the government for a 10-year human rights education program. The MOJ and the Ministry of National Education provided human rights education for teachers and, in cooperation with the International Committee of the Red Cross (ICRC), provided a curriculum for teaching international humanitarian law in schools. The MOJ provided increased human rights training to prison officials, and other sections of the government provided human rights training to military officers, police, and medical personnel.

The CCDH, appointed by the king, advised him on human rights issues. A nonjudicial ombudsman considered allegations of governmental injustices, but in practice the CCDH filled many of the roles of national social ombudsman. The CCDH's 2006 annual report focused on immigration. The 2007 report was not available at year's end.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, sex, disability, language, or social status; however, in practice discrimination against women continued to be a problem, particularly in rural areas.

Women

On January 18, the government reformed the 1958 Nationality Code, giving Muslim women the right to pass Moroccan nationality to their children. Previously, nationality was passed only through the father. This new bill was the result of intensive collaboration between the NGO Democratic Association of Moroccan Women, several women's and human rights organizations, and the government. The change allows children of Moroccan mothers and non-Moroccan fathers who are both Muslims to access the full range of educational and social benefits available to all citizens. It also has implications for international custodial disputes involving binational couples. Citizenship can still be transferred to a child only if both parents are Muslim and if their marriage is recognized by the law.

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

In November the Ministry of Social Development, Families, and Solidarity published for the first time official data on violence against women. The statistics showed that marital violence (which includes all forms of physical, sexual, economic, and psychological violence) accounted for approximately 82 percent of the 17,511 cases of violence reported from 2006 to 2007. Other statistics reflected that 44 percent of women who were victims of violence were between 18 and 24 years old, and 35 percent were between 25 and 34 years old. Approximately three-fourths of the victims were housewives. Fifty-eight percent of the complainants stated that they had been victims of violence for several months, and 37 percent stated that they had been victims for many years.

The women's NGO Democratic League of Women's Rights published a report in the first half of the year indicating that "economic" violence, defined as failing to meet familial or child support financial obligations, represented 37 percent of

cases, while physical violence ranked second at 23 percent.

Toll-free telephone numbers for victims of domestic violence in 20 centers existed nationwide.

The law provides for severe punishment for men convicted of rape or sexual assault, and authorities enforced the provisions. Spousal rape, however, is not a crime. Defendants in rape criminal prosecutions bear the burden of proving their innocence. Sexual assaults, however, often were unreported. While not provided by law, victim's families may offer marriage as an alternative to rapists to preserve family honor.

The law is lenient toward husbands with respect to crimes committed against their wives. Police were reluctant to become involved in what they considered private matters between husbands and wives.

Honor crimes, or assaults against women with the intent to kill, were committed. Instead of strengthening the law after a campaign to end "honor killings," the government extended the same protection to wives who kill their husbands.

Sexual harassment in the workplace is a criminal offense. Reliable statistics detailing the extent of the problem were not available.

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

In May 2006 the government adopted a national strategy for equality by integrating a gender-based approach in all development policies and programs. Gender-sensitive budgeting was included for the first time in the 2006 national government budget. This requires all ministries to analyze budgets from the perspective of their impact on women and men, and boys and girls. At the local level, the government produced manuals and training courses to enhance local authorities' and communities' ability to factor gender issues into their planning and budgeting processes.

Beginning in February 2006, the government trained 50 female religious aides (*Mourchidat*) as part of a campaign launched by the king to undermine religious extremism by strengthening and promoting Islam's message of moderation. Since its inception, the program has graduated four groups of 50 trainees. Each *woman* was assigned to one of the more than 33,000 mosques in the country. While they do not lead prayers, a task reserved exclusively for men, the *Mourchidat* give basic religious instruction in mosques and provide clerical support in prisons, hospitals, and schools. Women also were on the High Council of Ulemas (the supreme religious authority), chaired by the king, and on local religious councils.

Implementation of the 2004 Family Law remained a concern because it largely depends on the judiciary's ability and willingness to put it into practice. Due to its controversial nature, the law was written in such a way as 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 many lawyers also constituted obstacles.

The September parliamentary elections resulted in the selection of 34 women out of a total of 325 parliamentary seats--a decline of one seat from the previous term. Thirty of the 34 new female representatives were elected from a national list reserved for female candidates. Prime Minister Abbas El Fassi's new government included seven women, compared with two in the previous government. Women occupy other key leadership slots, such as mayor of Essaouira and governor of a district in Casablanca.

Women's representation in political parties' decision making structures remained low. In August, however, the Democratic Society Party became the first party to be headed by a woman, Zhor Chekkafi. In the private sector women were represented in senior management levels.

While many well-educated women pursued careers, few women rose to the highest ranks in their professions. According to government statistics compiled in 2006, women constituted approximately 35 percent of the workforce, and 22 percent were the primary wage earners for their families. Women in rural areas were most affected by inequality. Women who earned secondary school diplomas had equal access to university education, and 47 percent of all university students were women. During the 2006-7 academic year, more than 80 percent of the attendees at government supported literacy programs were women, 45 percent of whom were in rural areas.

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

Children

The constitution provides for compulsory, free, and universal education for children between the ages of six and 15. The government increasingly sought to enforce the law. The government was also committed to the protection of children's welfare. Under the National Action Plan for Children (2006-15), the government began improving the quality of education and teaching, particularly in rural areas.

According to national statistics, approximately 250,000 children drop out of primary school each year and another 130,000 students leave middle and high school. A 2006 UN Children's Fund (UNICEF) study reported that 87 percent of all children stated that they were subject to some kind of violence at school. During the last academic year, nearly 710,000 citizens benefited from nonformal education programs.

During the year, according to the Ministry of National Education, 105,930 students graduated from high school, up 2.4 percent from 2006. Approximately 47 percent of those graduating passed their national exams. The number of students completing middle school was 232,775, with a success rate of just over 50 percent. The number of children completing primary school was approximately 475,000.

There were no reliable statistics on the number of girls married under the age of 18. While child marriage is illegal, there are reports that it continued to be practiced throughout the country, especially in rural areas. Using the family status law, the government, in coordination with international and national NGOs, informed women of their rights, partially to combat child marriages.

Child labor was a serious problem.

The government maintained accords with Spain and Italy to repatriate unaccompanied minors. Repatriation remained slow due to the lack of agreement by Moroccan families to allow the minors to return home as well as the small number of spaces in reception centers for minors with no place to return. During the year Spanish funds established rehabilitation centers near Tangier and Marrakech to assist with the reinsertion of minors.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country. The number of minors emigrating to the EU continued to rise, according to the Ministry in Charge of Moroccans Living Abroad. The number of minors emigrating through the Canary Islands quadrupled in 2006, with nearly a third of the minors coming from Morocco.

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

According to the law, human trafficking and migrant smuggling are illegal. Government statistics did not differentiate between trafficked individuals and voluntary economic migrants. UNHCR protection was available to trafficked individuals. The government continued to repatriate trafficking victims. It voluntarily repatriated approximately 1,200 illegal immigrants in the first 11 months of the year.

The country was a source for men, women, and children trafficked to Italy, Spain, and other parts of Europe and the Middle East for forced labor and sexual exploitation. Internal trafficking remained a problem. The two most commonly trafficked groups were girls sent involuntarily to serve as child maids and women forced to perform sexual services. Women were trafficked to Saudi Arabia, Syria, and the United Arab Emirates and forced into prostitution after being promised jobs as domestics.

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

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

Trafficking of minors for commercial sexual exploitation attracted pedophilic tourists from Europe and the Arab Gulf states.

Organized criminal gangs coordinated some of the clandestine migration to Europe, particularly sub-Saharan transiting the country. Some of this activity may include trafficking. Police in north, who reportedly ignored trafficking for financial

gain, were arrested and convicted of a variety of crimes. Most trafficking rings were small criminal groups. Unofficial reports stated that hotel personnel arranged to transport girls and young women from rural areas to cities to be used in commercial sexual exploitation.

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

The National Observatory of Migration is an antitrafficking-in-persons interagency task force that formulates policy. Antitrafficking activities were primarily implemented by MOI. Clandestine migration was the purview of immigration officials; prostitution was a police issue; and child bride cases were reviewed by local authorities, who ultimately report to MOI. Law enforcement officers often participated in training and seminars relating to trafficking and human rights in general.

In February 2006 officials dismantled a large international network that was trafficking and smuggling migrants from India and arrested 70 suspects, including a police officer. At year's end the cases remained open.

Early in the year, two police officers in Casablanca were charged with organizing a criminal gang to facilitate the illegal entry of foreigners and to assist in their exit from the country. At year's end the status of the case was unavailable. In addition, soldiers who were part of a UN peacekeeping troop in the Ivory Coast were under investigation at year's end for alleged sexual abuse of Ivorian women and girls. The UN has been unable to obtain credible evidence of wrongdoing.

In 2006 a judicial police officer was arrested and prosecuted for corruption and involvement in a local organized criminal activity facilitating illegal migration of citizens to Spain. He received a four-year prison sentence. In the same region, the courts convicted two other policemen and gave each a two-month suspended sentence along with fines for forging administrative documents and encouraging illegal migration.

In the first 10 months of the year, the MOI reported that 260 criminal trafficking rings were disbanded. In June 2006 the MOJ announced that arrests of foreigners for perversion and pedophilia had increased by 26 percent compared to the same period in 2005. The sentences of those convicted in 2006 ranged from two months to three years imprisonment. Specific numbers of arrests and convictions were not available.

In 2006 according to MOI reports, the government disbanded more than 350 criminal human smuggling rings, some of which may have included traffickers. The government prosecuted 51 cases involving 156 persons who were charged with participating, financing, or facilitating illegal entry into or exit out of the country of both Moroccans and foreigners. Of the above mentioned cases, 23 decisions led to convictions, 14 were under investigation, and another 14 were being tried at year's end. Sentences ranged from two months' to 12 years' imprisonment in addition to fines ranging from approximately \$260 to \$65,000 (2,000 to 500,000 dirhams).

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

Persons with Disabilities

There are three laws that assist persons with disabilities. The government has guidelines on how to deal with persons with disabilities, but these procedures have no legal status as yet. Specifically, the law does not mandate access to buildings for persons with disabilities. The Ministry for Social Development, Families, and Solidarity attempted to integrate persons with disabilities into society; in practice, however, integration was largely left to private charities. Typically, families supported persons with disabilities, or they survived by begging.

National/Racial/Ethnic Minorities

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

Approximately 60 percent of the population claimed Amazigh (Berber) heritage, including the royal family. Amazigh cultural groups contended that their traditions and language were being lost rapidly to Arabization. In response, official media broadcasts in the Tamazight (Berber) language increased from four to eight hours a day in 2005. In September television programs were added for the first time in Tamazight. Tamazight language classes were included in the curriculum of a limited number of primary schools. In the 2007-8 school year, the government instituted an Amazigh language class in

3,470 schools, an increase of 2,806 from the previous academic year.

Other Societal Abuses and Discrimination

There was some societal violence based on sexual orientation. The penal code criminalizes homosexual acts but was infrequently enforced. On November 23, the home of a man who had hosted an alleged gay wedding the previous weekend was ransacked by an angry mob. On December 10, he and five other participants were tried and convicted for violating the law against homosexual acts. At year's end they remained in jail.

Section 6 Worker Rights

a. The Right of Association

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

The labor law details restrictions on the number of overtime hours worked per week and the rate of pay for holidays, nightshift work, and routine overtime. According to national and international NGOs, workers sometimes worked more than the standard 44 hours per week, and overtime hours were often required without pay.

The law specifically prohibits antiunion discrimination but prohibits some public employees (e.g., members of the armed forces, police, and judiciary) from forming unions. The law expressly prohibits companies from dismissing workers for participating in legitimate union-organizing activities and prescribes the government's authority to intervene in strikes. Employers cannot initiate criminal prosecutions against workers participating in strikes. Unlike in 2006, there were no reports that union officers were subject to government pressure.

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

b. The Right to Organize and Bargain Collectively

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

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

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

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

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

The government generally ensured the observance of labor laws in larger companies and in the public sector. In the informal sector, such as in family workshops that dominated the handicrafts sector, employers routinely ignored labor laws and regulations, and government inspectors lacked the resources to monitor violations effectively. Domestic labor is not regulated.

In the Tangier Free Trade Zone, an export processing zone, labor laws and practices fully apply. The proportion of unionized workers in the export zone was comparable to the rest of the economy; academics studying the labor field estimated unionized workers to be less than 6 percent of the workforce.

c. Prohibition of Forced or Compulsory Labor

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

d. Prohibition of Child Labor and Minimum Age for Employment

The law protects children from exploitation in the workplace and prohibits forced or compulsory labor; however, the government did not effectively implement these laws, except in organized labor markets. There were no prosecutions under the child labor law. Noncompliance with child labor laws was common, particularly in the agricultural sector. In 2006 domestic and international NGOs reported that up to 87 percent of the country's underage workers worked on family farms.

In recent years the government has recognized an ongoing problem with child labor in the country and has strengthened several legal codes aimed at ending the exploitation of children. In 2004 the government passed reforms to the family code, the labor code, and the penal code, all of which strengthened children's rights. However, the country continued to suffer from a high rate of child labor due to lack of enforcement of these laws.

During the year the government continued to take steps to alleviate the problem of child labor, reflected in the 2006-15 Child Rescue Plan of Action. The government expanded coordination with local, national, and international NGOs on various education and training programs during the year.

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

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

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

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

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

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

The number of children working illegally as domestic servants was estimated to be between 66,000 and 88,000, and all were under the age of 15, according to HRW. Of this number an estimated 90 percent were recruited from rural areas, and 84 percent were illiterate. The labor code does not cover domestic labor and therefore does not prohibit the employment of child maids.

The practice of adoptive servitude, in which urban families adopted young rural girls to use them as domestic servants, was widespread. Credible reports of physical and psychological abuse in such circumstances were common. Some orphanages were charged as complicit in the practice. The public generally accepted the concept of adoptive servitude. According to HRW, the majority of child domestics worked 14 to 18 hours per day without breaks, seven days a week, for salaries of approximately \$0.05 to \$0.13 (0.4 to one dirham) per hour. Most child domestics did not receive monetary payment; they worked for food, lodging, and clothing. Children were also "rented" out 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 Ministry of Social Development, Families, and Solidarity is responsible for implementing and enforcing child labor laws and regulations, which were generally observed in the industrialized, unionized sector of the economy. The labor law provides for legal sanctions against employers who recruit children under the age of 15, with fines ranging from approximately \$3,250 to \$3,900 (25,000 to 30,000 dirhams). Legal remedies to enforce child labor laws include criminal penalties, civil fines, and withdrawal or suspension of one or more civil, national, or family rights, including denial of legal residence in the country for a period of five to 10 years. The government passed laws prohibiting begging that exploits children and the buying and selling of child brides. According to the MOJ, no employer has been charged with violating child labor laws.

Application of the legal minimum employment age continues to be flouted in both the formal and informal sectors. According to MOJ officials, no employer has ever been convicted of employing a child under the age of 15 despite acknowledgement of the child labor problem. The informal sector, where the majority of children work, is not monitored by the Ministry of Labor's small cadre of labor inspectors. There were no labor inspectors dedicated solely to child labor issues.

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

e. Acceptable Conditions of Work

The minimum wage was approximately \$1.25 (9.66 dirhams) per hour in the industrialized sector and approximately \$6.50 (50 dirhams) per day for agricultural workers. Businesses in the informal sector, which hire approximately 60 percent of the labor force, often ignored the minimum wage requirements.

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

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

The law provides for a 44-48 hour maximum workweek, with no more than 10 hours in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. Employers did not observe these provisions universally, and the government did not enforce them effectively in all sectors.

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

