

# MOROCCO 2014 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

Morocco is a monarchy with a constitution under which ultimate authority rests with King Mohammed VI, who presides over the Council of Ministers. The king may dismiss ministers, dissolve parliament, and call for new elections or rule by decree. International and domestic observers judged the 2011 parliamentary elections credible and relatively free from irregularities. The Islamist Party of Justice and Development (PJD) won a plurality of seats in the 2011 elections. As mandated by the constitution, the king chose the PJD to lead the governing coalition. Authorities failed at times to maintain effective control over security forces.

The most significant continuing human rights problems were the lack of citizens' ability to change the constitutional provisions establishing the country's monarchical form of government, corruption in all branches of government, and widespread disregard for the rule of law by security forces.

A variety of sources reported other human rights problems. These included security forces committing human rights abuses on multiple occasions. The UN Human Rights Council's Working Group on Arbitrary Detention detected "a systematic pattern of acts of torture and ill-treatment during the arrest and detention process." Prison and detention conditions were substandard. The judiciary lacked independence, and pretrial detention frequently exceeded what the law allows. Domestic and international nongovernmental organizations (NGOs) asserted there were political prisoners, many of whom were detained under the antiterrorism law. Police used excessive force to quell peaceful protests, resulting in hundreds of injuries. The government abridged civil liberties by infringing on freedom of speech and press, limiting freedom of assembly and association, and restricting the right to practice one's religion. There was discrimination against women and girls. Trafficking in persons and child labor continued to occur, particularly in the informal sector.

There were few examples and no high-profile reports of investigations or prosecutions of abuse or corruption, whether in the security services or elsewhere in the government, contributing to the widespread perception of impunity.

### **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 arbitrary or unlawful killings.

**b. Disappearance**

There were no reported cases of politically motivated disappearance during the year. An August 4 report from the UN Working Group on Arbitrary Detention stated it had received accusations “from sources deemed to be credible” that disappearances continued to occur in direct violation of Article 23 of the constitution, which provides for humane treatment of prisoners and detainees, although it did not give specific examples.

Regarding unresolved cases of disappearance dating to the 1970s and 1980s, the National Council on Human Rights (CNDH), created and funded by the government, continued to investigate claims of enforced and involuntary disappearance and, when warranted, recommended reparations in the form of money, health care, employment, or vocational training. In 2012 the government paid 43 million dirhams (\$5.2 million) to 345 beneficiaries. The CNDH continued to shift its activities to community reparation projects and supported 107 projects focused on women’s empowerment, income generation, and preservation of the environment in 13 provinces, but not in Western Sahara. The CNDH continued to review open claims for reparation and occasionally received new claims, especially in Western Sahara. (See the Western Sahara report for more information on reparation claims in the territory.)

Human rights groups representing Sahrawis, an ethnic minority living throughout the country and constituting the majority of the population of Western Sahara at the time of the disappearances, voiced concern over the slow pace at which the CNDH addressed outstanding and new claims. An association of victims and their families, the Sahrawi Association of Victims of Grave Human Rights Abuses (ASVDH), claimed at least 114 cases remained unresolved at the end of 2012 and accused the government and the CNDH of failing to acknowledge additional cases of disappearance that occurred between 1956 and 1999, especially from Western Sahara.

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

The constitution and the law prohibit such practices, and the government denied it used torture. Numerous credible accounts of cruel, inhuman, or degrading treatment of prisoners and detainees, however, confirmed the existence of “a pattern of torture and mistreatment,” particularly in cases related to state security. In his April 2013 report to the UN Human Rights Council, Special Rapporteur Juan Mendez welcomed the “development of an emerging culture of human rights in Morocco,” but noted that torture and mistreatment still occurred. An August 4 report by the UN Working Group on Detention found that the use of torture was systematic in certain cases involving terrorism and state security.

In December 2013, at the invitation of the government, the UN Working Group on Arbitrary Detention visited prisons in Sale, Tangier, Tetouan, Casablanca, and Laayoune in Western Sahara. The group’s August 4 report stated that “in cases related to State security, such as cases involving terrorism, membership in Islamist movements or supporters of independence for Western Sahara, the Working Group on Arbitrary Detention found that there was a pattern of torture and mistreatment during arrest and in detention by police officers, in particular agents of the National Surveillance Directorate.” In 2012, after an eight-day visit, UN Special Rapporteur on Torture Juan E. Mendez stated that he had received credible testimonies of “undue physical and mental pressure of detainees in the course of interrogations.” He noted in his report on the visit that “acts of torture and ill-treatment during the detention and arrest process” were “frequently linked to large demonstrations, a perceived threat to national security, or terrorism.”

In a 2012 report, the CNDH noted that it had observed a “persistence of abuses by the staff of visited prisons against inmates.” The CNDH further indicated that prison staff beat prisoners with sticks and hoses, hung them on doors with handcuffs, beat the soles of their feet, slapped them, pricked them with needles, burned them, kicked them, forced them to undress in view of other prisoners, and used insults and malicious language against them. The CNDH noted that abuses persisted in most of the prisons it visited, except for Inezgane and Dakhla, “where only isolated cases were witnessed.” Numerous NGO reports and media articles reinforced these points with accounts of security force members torturing and abusing individuals in their custody, particularly during pretrial detention.

The law against torture requires judges to refer a detainee to a forensic medical expert when the detainee or his or her lawyer requests it, or if judges notice suspicious physical marks on a detainee. The UN Working Group on Arbitrary Detention, human rights NGOs, and the media documented prominent cases of authorities’ failure to implement provisions of the antitorture law.

In his April 2013 report, the special rapporteur noted the “apparent absence” of investigations, prosecutions, and remedies “in all cases of torture and ill-treatment.” According to government-provided data, there were four cases presented to the legal system during the year of alleged police torture, although specific examples were not given.

In two cases, defendants received two- and three-year sentences and a fine for “false allegations of torture” and “reporting a crime that the complainant knows has not been committed.” On July 23, a court sentenced Oussama Housne, a member of the Moroccan Association of Human Rights (AMDH), to three years’ imprisonment and to pay compensation to the police of 100,000 dirhams (\$12,000) for a false torture report and slander. On October 20, an appellate court in Tangier increased the sentence of Wafae Charaf, a human rights and political activist, to two years in prison and a 1,000 dirham fine (\$120) for allegedly falsely reporting being abducted and tortured by unknown persons on April 27. The court ordered her to pay 50,000 dirhams (\$6,000) in compensation to the police force for slander.

There was progress in eradicating the practice of torture. In two instances there were reports of investigations begun by authorities. In August the appellate court in Agadir dismissed a lower court conviction on the grounds that medical examiners found the defendant to have been subjected to torture; the officer in charge of the interrogation was reportedly under investigation. On November 10, Minister of Justice Mustafa Ramid directed the General Inspection of his ministry to open an investigation against a local prosecutor in Kenitra after it was revealed that he had denied a medical review to students who had claimed to have been tortured while detained earlier that month. No further information on the status of either investigation was available at year’s end.

During the year there were numerous incidents of security forces’ use of excessive force against largely peaceful demonstrations organized by the February 20 Movement and by groups of unemployed university graduates (see section 2.b.). On April 6, security forces in Casablanca used violence against a large protest composed of unionists, unemployed university graduates, and February 20 Movement members. Security forces arrested 11 protesters, whom authorities later charged with violence against law enforcement agents and participating in an unauthorized protest.

Some international organizations, such as Amnesty International (AI), continued to claim that torture occurred at police administrative facilities, where police maintained detention cells.

### **Prison and Detention Center Conditions**

Prison conditions remained poor and generally did not meet international standards.

Physical Conditions: The government stated that its 76 prisons held 62,775 inmates as of June. Prisons were overcrowded, resulting in poor hygiene and inadequate nutrition for prisoners. Due to overcrowding, authorities frequently held pretrial detainees and convicted prisoners together, with an average of 18 square feet of cell space per prisoner. There was no information available concerning the availability of potable water. According to the CNDH, prison facilities did not provide adequate access to health care and did not accommodate the needs of prisoners with disabilities, although government sources claimed each prisoner received an average of 3.4 consultations with a medical professional during the first seven months of the year. The Moroccan Observatory of Prisons (OMP), an umbrella group of lawyers promoting better prison conditions, along with human rights NGOs and a parliamentary commission, continued to report that prisons were overcrowded, prone to violence, and failed to meet local and international standards.

The government reported that 93 inmates, 83 of whom were hospitalized, died in prison during the year. Local human rights NGOs were unable to confirm these numbers. The government acknowledged that providing adequate care was difficult in overcrowded conditions. During the year a local magazine, *Telquel*, released an investigative report on prisons, noting that about half of all detainees were incarcerated in a state of “preventive detention,” with that number reaching 87 percent of the inmates in some prisons, such as Oukacha in Casablanca.

The law provides for the separation of minors, but a significant number of children, some as young as 14, were held with adults, particularly in pretrial detention in ordinary prisons and in police stations, due to the lack of juvenile prison facilities. The government reserved three detention facilities, known officially as reform and education centers, exclusively for juveniles up to the age of 20. Several other adult prison facilities had dedicated areas for juvenile inmates. NGOs provided education and rehabilitation services for juvenile inmates, while the government provided the majority of vocational and educational training through various

agencies, such as the Ministry of Education. NGOs also provided some recreational activities. According to the government, 4,331 juveniles under the age of 20 were imprisoned as of August. Human rights groups reported that other minors, older inmates, and prison guards abused young offenders, including sexually. Government figures indicated that fewer than 3 percent of prisoners were women; there was less overcrowding in the women's sections of gender-segregated facilities.

Administration: The Directorate General for Prison Administration, a separate agency that reports directly to the prime minister and informally to the king, has responsibility for managing all prisons and detention centers in the country. It has its own budget and central administrative apparatus.

The Ministry of Justice directs the development and reform of penal policy. Prison administration recordkeeping was adequate, but there were serious irregularities in the records, particularly in the administrative records of those in police custody. The CNDH acted as an ombudsman for human rights. The CNDH received complaints from prisoners and from individuals writing on behalf of imprisoned family members (see section 1.e.). In several instances the CNDH intervened directly with authorities to seek royal pardons or address poor detention conditions.

Authorities did not implement alternatives to imprisonment for nonviolent offenders.

While authorities permitted relatives and friends to visit prisoners, there were reports they denied this privilege in some instances. Family members of prisoners accounted for the vast majority of prison visits, which were occasionally made more difficult by the transfer of prisoners to distant prisons for disciplinary reasons.

Government policy permits NGOs that provide social, educational, or religious services to prisoners to enter prison facilities, but it does not permit entry to NGOs with only a human rights mandate, except with special authorization. Prisoners and detainees could practice their religions. The OMP and members of government-recognized NGOs, including the Moroccan Organization for Human Rights, visited prisoners regularly to distribute food and personal items and to check on their well-being as "friends or family" rather than as representatives of human rights NGOs. According to prison authorities, 356 visits by domestic NGOs and 65 visits by the CNDH occurred during the year.

In February a system of “letterboxes” was introduced in prisons to facilitate prisoners’ right to submit complaints regarding their imprisonment. The government reported it registered 1,879 complaints from prisoners between January and August. There was no information available on whether prisoners could submit complaints to judicial authorities without censorship or whether authorities investigated and made public credible allegations of inhuman conditions and treatment. From January to August, the prison authority disciplined its staff in 62 instances, with penalties ranging from a warning to dismissal.

Some human rights activists asserted the prison administration reserved harsher treatment for Islamists. A 2012 CNDH report confirmed the “abusive use of administrative transfer as a disciplinary measure” for Salafi jihadist detainees. The government denied allegations that it accorded different levels of treatment to any inmates.

Prisoners frequently employed hunger strikes to demand improved prison conditions or protest lengthy pretrial detentions. Most of these hunger strikes ended within several days due to concessions from the government or prison authorities. Although prison authorities provided meals to prisoners three times per day, the amount of food was insufficient. Prisoners regularly relied on families and friends for sufficient nutrition.

The government continued vocational and educational training programs in prisons. The Mohammed VI Foundation for the Reinsertion of Prisoners provided educational and professional training to young inmates on the verge of release. The foundation continued to run reform and education centers in 50 of the country’s 76 prisons and worked with 17,991 prisoners. In addition, the foundation provided programs for former prisoners’ “personal reinsertion” at its Centers for Post-Incarceration Support.

Independent Monitoring: The government did not permit independent nongovernmental human rights observers or local human rights groups to make unaccompanied prison-monitoring visits.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention. Nonetheless, the UN Human Rights Council’s Working Group on Arbitrary Detention and other observers indicated that police did not respect these provisions or consistently observe due process. According to local NGOs and associations, police sometimes

arrested persons without warrants, held detainees beyond the statutory deadline to charge them, and failed to identify themselves when making arrests.

### **Role of the Police and Security Apparatus**

The security apparatus includes several police and paramilitary organizations with overlapping authority. The National Police manage internal law enforcement and report to the Ministry of Interior. The Auxiliary Forces also report to the Ministry of Interior and support gendarmes and police. The Royal Gendarmerie, which reports to the Administration of National Defense, is responsible for law enforcement in rural regions and on national highways. Both the Royal Gendarmerie and the judicial police report to the royal prosecutor. The Department of Royal Security is a branch of the National Police and reports to the king.

Civilian authorities failed at times to maintain effective control over the security forces, and there were credible reports of abuses and impunity. Systemic higher-level corruption, as well as pervasive corruption, undermined law enforcement and the effectiveness of the judicial system. Authorities provided no official data about government investigation, prosecution, or punishment of officials who committed such abuses.

Impunity was pervasive in the absence of effective mechanisms to investigate and punish abuse and corruption. Authorities investigated very few incidents of alleged abuse and corruption, and there was no systematic prosecution of security personnel who committed human rights abuses. Cases often languished in the investigatory or trial phases. In one investigation into corruption among Casablanca police early in the year, 24 officers were presented with a choice of resigning or facing justice, and the majority chose to resign.

### **Arrest Procedures and Treatment of Detainees**

Police may arrest an individual after a general prosecutor issues an oral or written warrant. The law provides for access to a lawyer in the first 24 hours after arrest in ordinary criminal cases, but that provision was not consistently respected. The law permits authorities to deny defendants' access to counsel or family members during the initial 96 hours of detention under terrorism-related laws or during the initial 24 hours of detention for other charges, with an optional extension of 12 hours with the approval of the Prosecutor's Office. Abuse or torture generally occurred during these initial detention periods, when police interrogated detainees.

Under terrorism-related laws, a prosecutor may renew the initial detention period twice by written authorization, for a total detention time of 12 days. According to the Antiterrorism Act, there is no right to a lawyer during this time except for a half-hour monitored visit at the midpoint of the 12-day period (see section 1.d.).

NGO sources stated that some judges were reticent to use alternative sentences permitted under the law, such as provisional release. The law does not require written authorization for release from detention. In some instances judges released defendants on their own recognizance. According to the law, all defendants have the right to attorneys; if a defendant cannot afford private counsel, a court-appointed attorney must be provided when the criminal penalty exceeds five years in prison. Authorities did not always provide effective counsel. In nonterrorism cases, the law requires police to notify a detainee's next of kin of the arrest as soon as possible after the initial 36-hour period of incommunicado detention, unless arresting authorities applied for and received an extension from a magistrate. Police did not consistently abide by this provision. Because authorities sometimes delayed notifying the family, lawyers were not informed promptly of the date of arrest and were not able to monitor compliance with detention limits and treatment of the detainee. Under a separate military code, military authorities may detain members of the military without a warrant or public trial.

Arbitrary Arrest: Security forces often arrested groups of individuals, took them to a police station, questioned them for several hours, and released them without charge.

The August 4 report of the UN Working Group on Arbitrary Detention noted that undocumented migrants have been arrested, detained, and escorted to the borders or otherwise expelled without an opportunity to exercise their rights, contrary to law. The government failed to provide persons awaiting deportation--who were not under the authority of the prison system--with information about the reasons for their arrest or conditions of their detention (see section 2.d.).

Pretrial Detention: Although the government claimed that accused persons were generally brought to trial within two months, prosecutors may request as many as five additional two-month extensions of pretrial detention. Pretrial detentions could last as long as one year, and there were reports that authorities routinely held detainees beyond the one-year limit. Government officials attributed these delays to the large backlog of cases in the justice system. The Foreign Ministry stated that a variety of factors contributed to this backlog: a lack of resources devoted to

the justice system, both human and infrastructure; the lack of plea bargaining as an option for prosecutors, lengthening the amount of time to process cases on average; and the scant use of mediation and other out-of-court settlement mechanisms allowed by law. In a report published during the year, the International Federation of Human Rights estimated that approximately 50 percent of detainees were in pretrial detention. In some cases detainees received a sentence shorter than the time they spent in pretrial detention. NGOs continued to report that more than half of incarcerated minors were in pretrial detention. In some cases authorities detained minors for as long as eight months prior to trial.

Amnesty: The king continued selectively to exercise his ability to grant pardons to those convicted of crimes. The decision-making process for granting royal pardons remained opaque. By August 21, according to government figures, the king had granted 12,171 releases from prison; the number of pardons in total was unknown.

#### **e. Denial of Fair Public Trial**

The constitution provides for an independent judiciary, but the courts were not independent. Government officials, NGOs, and lawyers widely acknowledged that corruption and extrajudicial influence weakened judicial independence. Authorities sometimes failed to respect court orders. For example, the 2005 court order to register ASVDH remained unenforced at year's end. Nonetheless, in some cases the judiciary demonstrated impartiality. In a November lawsuit against the Ministry of Interior, the court awarded AMDH 100,000 dirhams (\$12,000) in damages for the "baseless" prohibition of a demonstration organized by the association in September.

#### **Trial Procedures**

Defendants are presumed innocent. The law provides for the right to a fair public trial with the right of appeal, but this did not always occur, especially for those protesting the incorporation of Western Sahara into the country. Juries are not used. Attorneys, particularly in juvenile matters, indicated that, while clients frequently maintained their innocence, judges passed over the question of culpability and focused on sentencing.

Defendants have the right to be present at their trial and to timely consultation with an attorney. In practice lawyers were often denied timely access to their clients and, in the majority of cases, met them only at the first hearing before the judge.

Attorneys were not appointed in all cases or, if provided at public expense, were poorly paid. Defense attorneys were often not properly trained in matters pertaining to juveniles or not provided in a timely fashion, often resulting in inadequate representation. Many NGOs provided attorneys for minors, who frequently did not have the means to pay. Such resources were limited and specific to larger cities. By law defendants in criminal and human rights cases have access to government evidence against them, but judges sometimes prevented or delayed access. The law permits defense attorneys to question witnesses. Despite the provisions of the law, some judges reportedly denied defense requests to question witnesses or to present mitigating witnesses or evidence.

The law forbids judges from admitting confessions made under duress. In its August 4 report, the UN Working Group on Arbitrary Detention noted that “many” individuals in detention were convicted and sentenced to prison solely based on confessions obtained under duress. Human Rights Watch (HRW) and local NGOs charged that judges, at their discretion, decided cases based on forced confessions. NGOs alleged this occurred frequently in cases against Sahrawis or individuals accused of terrorism. According to authorities, police claims about detainees’ statements were sometimes used in place of defendants’ confessions when there was a possible question of duress. In its June 2013 report on unfair trials based on confession, HRW concluded that judges and prosecutors continually rejected or refused to open inquiries into complaints of police abuse and mistreatment. The serious lack of medical, forensic, and psychiatric expertise made it practically impossible to gather credible evidence of mistreatment that would be admissible in court.

### **Political Prisoners and Detainees**

The law does not define or recognize the concept of a political prisoner. The government did not consider any of its prisoners to be political prisoners and stated that all individuals in prison had been convicted or had been charged under criminal law. Criminal law, however, covers nonviolent advocacy and dissent, such as insulting police in songs or “defaming Morocco’s sacred values” by denouncing the king and regime during a public demonstration. In addition, NGOs, including the Moroccan Association for Human Rights, Sahrawi organizations, and Amazigh activist groups, asserted that the government imprisoned persons for political activities or beliefs under the cover of criminal charges. For example, on April 6, police arrested 11 members of the February 20 Movement in Casablanca for “organizing an unauthorized union” with the three largest unions in the country. They were sentenced on May 22, with some

members receiving prison sentences and others receiving heavy fines. According to NGOs, approximately 40 political prisoners, many of them members of the February 20 Movement, remained in prison at year's end.

### **Civil Judicial Procedures and Remedies**

Although individuals have access to civil courts for lawsuits relating to human rights violations and have filed lawsuits, such lawsuits were frequently unsuccessful due to the courts' lack of independence or impartiality stemming from extrajudicial influence and corruption. There are administrative as well as judicial remedies for alleged wrongs.

A National Ombudsman's Office (Mediator Institution) helped to resolve civil matters when the judiciary was unable to do so and has gradually expanded the scope of its activities. In 2013 the office received 9,431 complaints, of which 1,920 fell within the mediator's purview and were subject to in-depth investigation. Authorities retransmitted to the CNDH for resolution 43 cases specifically related to allegations of human rights abuses against authorities. The CNDH continued to be a conduit through which citizens expressed complaints about human rights abuses and violations.

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

While the constitution states an individual's home is inviolable and that a search may take place only with a search warrant, authorities at times entered homes without judicial authorization, monitored without legal process personal movement and private communications--including e-mail, text messaging, or other digital communications intended to remain private--and employed informers.

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

The law generally provides for freedom of speech and press, although it criminalizes and restricts some freedom of expression, particularly in the press and social media. Government-provided figures for 2012 showed that 45 journalists or media outlets faced criminal or civil charges, a decrease from previous years. This number included cases that the government initiated as well as private citizens' libel complaints. Numerous human rights groups criticized the steady stream of criminal prosecutions of journalists and publishers as well as of libel suits.

Freedom of Speech: The law criminalizes and the government actively prosecutes persons who criticize Islam, the institution of the monarchy, state institutions, officials such as those in the military, and the government's official position regarding territorial integrity and claim to Western Sahara.

There were multiple incidents of outspoken February 20 Movement supporters and activists being arrested under dubious criminal charges rather than under libel or other free speech-related charges. In March 2013 authorities released rapper Mouad Belghouat after serving a one-year prison sentence for insulting a public official in the video accompanying his song, "Dogs of the State." On May 18, police rearrested him at a soccer match in Casablanca and accused him of scalping tickets. Although authorities later dropped the charges, a court convicted him of public intoxication and insulting a police officer and sentenced him to four months in prison and a fine of 15,500 dirhams (\$1,880). Belghouat's defense withdrew from the court before sentencing to protest the court's refusal to allow defense witnesses.

Press Freedoms: The antiterrorism law and press code include provisions that permit the government to jail and impose financial penalties on journalists and publishers who violate restrictions related to defamation, libel, and insults. Prison sentences may be imposed on those convicted of libel. The press, consequently, reported gingerly on controversial and culturally sensitive topics involving the military and national security. Self-censorship and government restrictions on sensitive topics remained serious hurdles to the development of a free, independent, and investigative press. Authorities filed charges of libel and other violations of the criminal code against specific journalists, with prosecution of these charges indefinitely delayed. For example, on June 13, a court sentenced Toufik Bouachrine, editor of the daily newspaper *Akhbar Al Youm*, to a six-month suspended sentence and a fine of 10,000 dirhams (\$1,200) for swindling in connection with a 2007 real estate case. Although a trial court and an appellate court had found Bouachrine innocent on the swindling charge, the case was reopened at the same time that charges were brought regarding a caricature of a member of the royal family that he had published in his newspaper. In an editorial for the newspaper, Bouachrine reaffirmed his belief that the retrial was politically motivated.

In September 2013 authorities charged journalist Ali Anouzla under the antiterrorism law with "inciting terrorism" for linking to a video hosted by third parties and produced by al Qaida in the Islamic Maghreb. In October 2013

authorities granted Anouzla a “provisional” release from prison. On May 29, an appeals court sentenced him to a month in prison and a fine of 5,000 dirhams (\$600).

Violence and Harassment: Authorities subjected some journalists to harassment and intimidation, including attempts to discredit them through rumors about their personal life. Journalists reported that selective prosecutions served as a mechanism for intimidation.

Censorship or Content Restrictions: While the government rarely censored the domestic press, it exerted pressure by pursuing legal cases that resulted in serious financial problems for proprietors due to heavy fines and suspensions of publication. The consequences in prior years destroyed the financial viability of some publications; memory of those examples encouraged editors and journalists to self-censor. The press code lists threats to public order as one of the criteria for censorship. Publications and broadcast media must also obtain government accreditation. The government has the ability to deny and revoke accreditation as well as to suspend or confiscate publications.

Libel Laws/National Security: The antiterrorism law provides for the arrest of journalists and the filtering of websites deemed to “disrupt public order by intimidation, terror, or violence.” In July 2013 a court sentenced journalist and human rights activist Mostafa al-Hesnawi to four years’ imprisonment for “creating a terrorist organization that threatens national security and stability.” In October 2013 a Rabat appeals court subsequently reduced his sentence to three years. Hesnawi previously criticized authorities’ use of antiterrorism laws against individuals not involved in terrorist activities. In May, Hesnawi began a hunger strike to raise the profile of his case; 72 days later, on August 14, he died while incarcerated in Fes from complications of his hunger strike.

## **Internet Freedom**

The government applied laws and restrictions governing speech and the press to the internet in a nontransparent manner. There are neither specific laws nor a body of judicial decisions concerning internet content or access. Individuals and groups self-censored and generally were careful to adhere to restrictions on expression and, accordingly, to engage in peaceful exchanges of views via the internet, including by e-mail. The government monitored private online communications on the internet and collected personally identifiable information in connection with

citizens' peaceful expression of political, religious, or ideological opinion or beliefs.

In 2013, according to the World Bank, approximately 2.5 percent of households subscribed to fixed broadband services and 56 percent of the population used the internet.

### **Academic Freedom and Cultural Events**

By law the government has the right to criminalize presentations or debate questioning the legitimacy of the monarchy, Islam, state institutions, or the status of Western Sahara. The law restricts cultural events and academic activities, although the government generally provided more latitude to political and religious activism confined to university campuses. The Ministry of Interior approved appointments of university rectors in keeping with the Organic Law on Nominations to High Functions.

### **b. Freedom of Peaceful Assembly and Association**

The constitution provides for the freedoms of assembly and association subject to restrictions provided by law.

### **Freedom of Assembly**

The law conditions the right to assemble publicly on acquiring Ministry of Interior permission. Some NGOs complained that authorities did not apply the approval process consistently. The government used administrative delays and other methods to suppress or discourage unwanted peaceful assembly as well as excessive force to disperse demonstrations. Groups of more than three persons require authorization to assemble. In the absence of this authorization, authorities disbanded meetings organized by groups ranging from reformers to the national union of judges, sometimes with excessive force.

According to HRW, authorities blocked more than 15 meetings that the Moroccan Human Rights Association tried to hold in the country since July. Authorities also denied venues for events planned by the Moroccan League for Human Rights, AI, and other civil society organizations. Authorities reportedly searched the homes of members of the Justice and Charity Organization, a Sufi charitable group the government tolerated but did not officially recognize, who were allowing their houses to be used for politically oriented meetings. Group members claimed that

the Ministry of Interior's General Directorate of Territorial Surveillance harassed attendees. While several homes remained sealed, there were no new reports of homes being sealed during the year. In almost every case, authorities released Justice and Charity Organization members without charges after detention and questioning.

Authorities restricted AI's activities in the country, actions which observers believed were tied to AI's launch of its global campaign for the abolition of torture in May. In September authorities prohibited AI from hosting an annual youth camp in Bouznika; in October, they refused entry to an AI delegation seeking to gather information on immigrants and refugees.

Protests occurred on a nearly weekly basis throughout the year. In one example, on November 3 the Arabic-language daily *Akhbar Al Youm Al Maghrebiya* reported that dozens of activists from the AMDH were to take to the streets to protest the actions of the Ministry of Interior in banning 17 of their activities. Authorities tolerated most demonstrations by unemployed university graduates and unions, even if they were unauthorized. NGOs reported that both plainclothes and uniformed state security agents monitored human rights events.

Violence erupted between security forces and protesters in instances documented in the media. For example, on April 6, security forces in Casablanca used violence to disperse a large protest that was mainly initiated and led by members of the February 20 Movement. The protest resulted in the arrest of 11 protesters who were later charged with violence against law enforcement officers. In another example, on November 27, students from the Islamist movement Justice and Charity attempted to conduct a sit-in in front of the parliament building. Police rapidly dispersed the students and detained 12. No explanation was given, although security forces previously stated they would intervene in the case of unauthorized demonstrations.

### **Freedom of Association**

The constitution and the law provide for freedom of association, although the government placed severe restrictions on this freedom. The government prohibited or failed to recognize political opposition groups by deeming them unqualified for NGO status. According to HRW's *World Report 2014*, citizens continued to hold marches and rallies to demand political reform and protest government actions since popular protests swept the region in 2011. Police allowed most of these protests, but on some occasions they attacked and severely beat protesters.

The Ministry of the Interior required NGOs to register, but there was no comprehensive national register publicly available. A prospective organization must submit its objectives, bylaws, address, and photocopies of members' identification cards to the ministry. The ministry issues a receipt to the organization that signifies formal approval. If the organization does not receive a receipt within 60 days, it is not formally registered. The government denied official recognition to NGOs that it considered as advocating against the monarchy, Islam as the state religion, or territorial integrity. Several organizations the government chose not to recognize functioned without the receipts, and the government tolerated their activities, including the ASVDH. The ASVDH won an administrative court judgment confirming that its applications for registration conformed to the law, although administrative courts have no enforcement powers.

Authorities did not permit registration of organizations supporting self-determination for Western Sahara, including the ASVDH. Unregistered organizations could not access government funds or legally accept contributions.

Authorities continued to monitor Justice and Charity Organization activities.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt/](http://www.state.gov/j/drl/irf/rpt/).

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

In-country Movement: The law provides for freedom of internal movement. Authorities generally respected this right, although the government restricted movement in areas regarded as militarily sensitive, including the demilitarized zone in Western Sahara.

Exile: While the law provides for forced exile, there were no instances of forced exile during the year.

Emigration and Repatriation: The government encouraged the return of Sahrawi refugees if they acknowledged the government's authority over Western Sahara. The government continued to make travel documents available to Sahrawis, and

there were no reported cases of Sahrawis being prevented from traveling (see the Western Sahara report).

### **Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern. The UNHCR registered 854 refugees and asylum seekers during the year. Of these, 266 were Syrian citizens. On November 14, members of a government committee designed to reconstitute the government's Office for Refugees and Stateless Persons stated that they had processed and interviewed 517 of the UNHCR-recognized refugees, a figure that the UNHCR subsequently confirmed; the government had not yet located the remaining individuals. The committee approved 509 of the 517 individuals for refugee status. Government officials determined that the remaining eight interviewees from the group--mostly children with a Moroccan parent--were entitled to Moroccan citizenship and therefore ineligible for refugee status in Morocco. On December 18, the Council of Government announced its decision to adopt the *National Strategy on Migration and Asylum* elaborated by the Ministry in Charge of Moroccans Living Abroad and Migration Affairs "to better respond to the challenges of managing migration issues."

Access to Asylum: The law provides for refugee status. The government has historically deferred to the UNHCR as the sole agency in the country entitled to grant refugee status and verify asylum cases. The commission charged with the regularization of UNHCR-recognized refugees completed the cases of 545 refugees during the year. The government recognized two types of asylum status: refugees designated according to the UNHCR statute and the "exceptional regularization of persons in irregular situation." The latter was part of an overall government effort to provide some status to its large transitory migrant population. To that effect, from the beginning of the year through September 9, the government granted status to more than 5,000 of the 17,757 individuals who had applied and issued more than 3,000 residence cards.

Refugee Abuse: Refugees and asylum seekers, as well as migrants, were particularly vulnerable to abuse. There were periodic reports, particularly in the north, of mass arrests and brutalization by security forces of sub-Saharan migrants and of abuse by criminal gangs involved in human trafficking. There were credible reports of government authorities arresting, detaining, and expelling

irregular migrants, particularly at the border town of Oujda and also into the desert along the border with Algeria, where some were abandoned without food and water (see section 1.d.).

The UNHCR reported arrests of migrants and asylum seekers during the year, and NGOs reported that migrants were at times deported without recourse to legal counsel and sometimes to countries other than their country of their origin. The migrant rights organization Antiracism Group for the Protection of Foreigners and Migrants reported an increase in the number of arrests of illegal migrants during the year as well as an increase in violence and aggression by both the government and migrant populations. In September the August 30 killing on the outskirts of Tangier of a Senegalese migrant with legal status in Morocco sparked protests and drew international attention to the violence and discrimination that sub-Saharan African immigrants faced.

Access to Basic Services: Recognized refugees were able to gain access to health care services. Asylum seekers were, however, often unable to access the national health-care system and continued to have little access to the judicial system. During the year the Ministry of National Education and Professional Training released a circular stating its intention to provide the children of refugees, migrants, and asylum seekers with access to the education system, which was partially implemented in larger cities by year's end.

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

Citizens do not have the ability to change the constitutional provisions establishing the country's monarchical form of government. The law provides for, and citizens participated in, regular, free elections based on universal suffrage for parliament's Chamber of Representatives and municipal councils. Parliament's Chamber of Counselors and the regional councils are indirectly elected.

The king may dissolve parliament in consultation with the head of government (prime minister) and can rule by decree. As head of state, the king appoints the head of government. The king presides over the Council of Ministers, the supreme decision-making body, except in cases when he delegates that authority to the head of government. Constitutional changes outlining this division of responsibility came into effect in 2011. On July 31, an organic law institutionalized the right of parliament to establish ad hoc fact-finding committees, but none was established

by year's end. Nevertheless, the decision-making authority of the prime minister and parliament remained unclear.

Matters of security, strategic policy, and religion remain within the purview of the king, who presides over the Supreme Security Council and the Ulema Council (Council of Senior Religious Scholars). The constitution obliges the king to choose the prime minister from the party with the most elected seats in the Chamber of Representatives. The constitution authorizes the prime minister to nominate all government ministers, although they serve at the king's pleasure since he has the power to dismiss them. Royal advisors worked closely in undefined coordinating roles with government ministries.

The constitution can be amended when proposals are approved by national referendum and approved by the king, or when the king submits a bill that receives two-thirds majority approval from both legislative chambers.

### **Elections and Political Participation**

Recent Elections: In the 2011 parliamentary elections, which saw a turnout of approximately 45 percent, the Islamist PJD won 107 of the 395 seats in 92 constituencies. Of the 395 seats, 60 were reserved for women and 30 for individuals under the age of 40.

The major political parties and the vast majority of the 3,500 domestic observers considered the elections free, fair, and transparent. Most international observers considered them to be credible elections in which voters were able to choose freely and deemed the process relatively free of irregularities.

Political Parties: Political parties faced fewer government-imposed restrictions under the revised constitution. The Ministry of Interior applied new laws that made it easier for political parties to register. A political party may not legally challenge the institution of the monarchy, Islam as the state religion, or the country's territorial integrity. No party may be legally based in a religious, ethnic, or regional identity.

Participation of Women and Minorities: Female politicians featured prominently in the press on a variety of matters but were largely excluded from senior decision-making positions. Following a government reshuffle and expansion in October 2013, the 39-member cabinet included six women, four of whom were junior ministers. The previous 31-member government included only one woman.

Several of the king's senior advisors were women. The 2011 elections saw an increase in the number of women in the Chamber of Representatives, from 34 to 67. A quota to provide women a position in the government produced 60 of those elected on a separate electoral list.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption, but the government did not implement the law effectively. Officials often engaged in corrupt practices with impunity. Corruption was a serious problem in the executive branch, including police, as well as in the legislative and judicial branches. There were reports of mostly petty government corruption, but authorities investigated few cases and successfully prosecuted none during the year. In general observers considered corruption a serious problem, with insufficient governmental checks and balances to reduce its occurrence. Central Authority for the Prevention of Corruption (ICPC) head Abdessalam Abouddrar stated publicly in March that he was “still waiting for the power to conduct investigations,” as he was not empowered to require institutions to respond to his organization's inquiries.

The king, who has made statements calling for judicial system reform since 2009, acknowledged the judiciary's lack of independence and susceptibility to influence. Many members of the well-entrenched and conservative judicial community were loath to adopt new procedures.

Corruption: The ICPC is responsible for combating corruption but lacked the necessary authority to require responses from government institutions. The agency noted the anticorruption situation had not improved significantly and that government policy continued to lack a strategic dimension and effective commitment. Officials attributed the low number of complaints in part to the lack of legislation protecting plaintiffs and witnesses in corruption cases. An internet portal existed for civil society and small businesses to identify instances of corruption. According to government figures, between January 2013 and July, the government received 839 complaints, 526 of which were through the online Stop Corruption! platform.

In addition to the ICPC, the Ministry of Justice and the High Audit Institution (government accountability court) had jurisdiction over corruption issues, but they did not pursue any high-profile cases.

Observers noted widespread corruption in the police force. The government claimed to investigate corruption and other instances of police malfeasance through an internal mechanism. Authorities did not often provide official information on the results of the investigations.

Financial Disclosure: The law requires judges, ministers, and members of parliament to submit financial disclosure statements to the High Audit Institution within 90 days of taking office and again no longer than 90 days after leaving office. The declarations were not available to the public. The law, however, does not require family members to make disclosures and, according to allegations from government transparency groups, many officials did not file disclosures. There are no effective criminal or administrative sanctions for noncompliance. The High Audit Institution is responsible for monitoring and verifying disclosure compliance.

Public Access to Information: There is no freedom of information law. The constitution provides for citizen access to information held by public institutions, but authorities did not provide a dedicated access mechanism. The government rarely granted access to official information to citizens and noncitizens, including the foreign media. Public officials received no training on access to information. There were no public outreach activities regarding public access to information.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Groups investigated and published findings on human rights cases; however, the government's responsiveness to, cooperation with, and restrictions on domestic and international human rights organizations varied, depending on its evaluation of the political orientation of the organization and the sensitivity of the issues. In October the government denied entry to observers from AI, who had intended to collect information on the status of migrants and refugees in the country. In November another AI group's fact-finding mission was canceled after authorities required "preliminary meetings" to be held in Rabat to define the parameters of the trip. The government viewed any activity by human rights organizations or by journalists touching on the subject of Western Sahara with particular suspicion.

The government recognized several domestic human rights NGOs with national coverage. The Moroccan Organization for Human Rights (OMDH), which received indirect government funding, and the AMDH were the largest domestic human rights organizations. The AMDH did not cooperate officially with the

government but usually shared information informally with both the government and government-affiliated organizations. During the year the government occasionally met with and responded to inquiries and recommendations from both groups, as well as with the Moroccan Prison Observatory, the umbrella organization dealing with prison conditions, which also received government funding.

On November 24, local media reported that the Administrative Court in Rabat issued a ruling against the Ministry of Interior, repealing a decision made by the ministry to prohibit the AMDH from holding a conference on September 26 at the National Library on the theme of media and human rights, with the participation of researchers, journalists, and Moroccan and foreign university scholars. The court also sentenced the ministry to pay a 100,000 dirham (\$12,000) fine for having prevented the conference “without judicial basis.”

Government Human Rights Bodies: There were three governmental human rights entities. The CNDH served as the principal advisory body to the king and government on human rights. In many ways the council filled the role of a national social ombudsman. It produced reports during the year criticizing government practices in juvenile detention facilities, forensic medicine, and the code of military justice, as well as treatment of migrants and foreigners. The Mediator Institution, which replaced the Office of Grievances, acted as a more general ombudsman. It considered allegations of governmental injustices and had the power to carry out inquiries and investigations, propose disciplinary action, or refer cases to the public prosecutor. The mission of the Interministerial Delegation for Human Rights is to promote the protection of human rights across all ministries, serve as a government interlocutor with domestic and international NGOs, and interact with relevant UN bodies regarding international human rights obligations.

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution prohibits discrimination based on race, gender, disability, language, social status, faith, culture, regional origin, or any other personal circumstance. Discrimination occurred based on each of these factors. The 2011 constitution mandates the creation of a body to promote gender equality and resolve parity issues--the Authority for Equality and the Fight against All Forms of Discrimination -- but implementing legislation for the body had not been not adopted by year's end.

## Women

Rape and Domestic Violence: The law punishes men convicted of rape with prison terms of five to 10 years; when the conviction involves a minor, the prison sentence ranges from 10 to 20 years. Spousal rape is not a crime. A sexual assault conviction may result in a prison sentence of up to one year and a fine of 15,000 dirhams (\$1,800). Police were slow to act in domestic violence cases, and the government generally did not enforce the law. The vast majority of sexual assaults were not reported to police for social reasons; a 2010 government planning survey revealed that a victim's husband committed 55 percent of the acts of violence against women, and the wife reported it in only 3 percent of cases. Police selectively investigated cases; among the minority brought to trial, successful prosecutions were rare.

Domestic violence was widespread. Statistics on rape or sexual assault were unreliable due to underreporting. A Bureau of Statistics October 2013 planning publication, *The Moroccan Woman, by the Numbers*, revealed that 62.8 percent of women reported suffering an act of violence in the preceding year, although these figures were based on a 2009 survey. Various domestic advocacy groups, such as the Democratic League for Women's Rights, estimated that husbands perpetrated eight of 10 cases of violence against women.

On January 8, the *Official Bulletin* published an amended Article 475 of the family code implementing a change that disallowed rapists' exoneration through marriage to their victims. Previously rapists could avoid punishment by marrying the victim. Nonetheless, numerous articles of the penal code pertaining to rape perpetuate unequal treatment for women and provide insufficient protection, despite 2009 revisions to the family law.

The law does not specifically prohibit domestic violence against women, but the general prohibitions of the criminal code address such violence. By law high-level misdemeanors occur when a victim suffers injuries that result in 20 days of disability leave from work. Low-level misdemeanors occur when victims suffer disability for less than 20 days. According to NGOs, the courts rarely prosecuted perpetrators of low-level misdemeanors. Police generally treated domestic violence as a social rather than a criminal matter. Statistics provided by the government in October indicated that it provided direct support to 50 counseling centers for female victims of violence as part of a broader effort to support 659 projects benefitting women in society.

Physical abuse was legal grounds for divorce, although few women reported such abuse to authorities. Domestic violence mediation generally occurred within the family. Women choosing legal action generally preferred pursuing divorce in family courts rather than criminal prosecutions.

The law is lenient toward husbands who commit crimes against their wives. Police rarely became involved in domestic disputes. Several NGOs reported that laws were often unenforced due to societal pressures not to break up a family and to the conservative mentality of some police and court officials.

The government operated hotlines for victims of domestic violence. A small number of groups, such as the Antitrust Network and the Democratic League for Women's Rights, were also available to provide assistance and guidance to victims. Counseling centers existed exclusively in urban areas. Services for victims of violence in rural areas were generally limited to those provided by local police. Women's shelters were not government funded. A few NGOs made efforts to provide shelter for victims of domestic abuse. There were reports, however, that these shelters were not accessible to persons with disabilities. Courts had "victims of abuse cells" that brought together prosecutors, lawyers, judges, women's NGO representatives, and hospital personnel to review domestic and child abuse cases to provide for the best interests of women or children according to proper procedure.

Many domestic NGOs worked to advance women's rights and promote women's issues. Among these were the Democratic Association of Moroccan Women, the Union for Women's Action, the Democratic League for Women's Rights, and the Moroccan Association for Women's Rights. All advocated enhanced political and civil rights for women. NGOs also promoted literacy and taught women basic hygiene, family planning, and childcare.

Female Genital Mutilation/Cutting (FGM/C): No law appears to prohibit FGM/C specifically, but there were no reports it occurred

Sexual Harassment: Sexual harassment in the workplace is criminal only when it is an abuse of authority by a superior, as stipulated by the penal code. Violations are punishable by one to two years' imprisonment and a fine of 5,000 to 50,000 dirhams (\$600 to \$6,000). Authorities did not effectively enforce laws against sexual harassment. According to the government, although the law allows victims to sue employers, only a few did so. Most feared losing their job as a result or worried about proving the charge. NGOs reported widespread sexual harassment

contributed to the low rate of female participation in the labor force. Government figures stated that “acts of violence committed in a place of work registered by the authorities” had dropped by 10.7 percent to 528 incidents, although the total number was extremely low and likely not representative of the real number of incidents in the country.

Reproductive Rights: Women generally were not discriminated against in accessing sexual and reproductive health care, including for sexually transmitted infections. Contraception is legal, and most forms were widely available. Individuals and couples have the right to attain the highest standard of reproductive health free from discrimination, coercion, and violence and the right to decide freely and responsibly the number, spacing, and timing of their children. Skilled health attendance at delivery and postpartum care were available for women who could afford it, with approximately 74 percent of overall births attended by skilled health personnel.

The most recent UN statistics showed there were approximately 100 maternal deaths per 100,000 live births in the country in 2010 and that 52 percent of women between the ages of 15 and 49 used a modern method of contraception in 2010. The major factors influencing maternal mortality and contraceptive prevalence rates were female illiteracy, lack of knowledge about availability of services, cost of services, social pressure against contraceptive use, and limited availability of transportation to health centers and hospitals for those in rural areas.

Discrimination: The constitution provides women equal rights in civil, political, economic, cultural, and environmental affairs. The law does not require equal pay for equal work.

Numerous problems related to discrimination against women remained. A Muslim woman’s share of an inheritance, determined by sharia (Islamic law), varies depending on circumstances but is less than a man’s. Under sharia, daughters receive half of what their brothers receive. If a woman is the only child, she receives half, and relatives receive the other half. A sole male heir would receive the entire estate. The 2004 reform of the family code did not change inheritance laws, which are not specifically addressed in the constitution.

According to the law, women are entitled to a one-third share of inherited property. While ministry decrees carry the force of law, implementation met considerable resistance from men in certain areas of the country. Despite lobbying by women’s NGOs, enforcement of these property laws remained inconsistent. The Ministry of

Interior further pressed for local enforcement of women's entitlement to collective land rights. A ministry circular published in 2012 requires all local authorities to follow the law rather than local customs, which in many regions allow male heirs to receive all lands. The government followed up with training for local authorities on the implementation of the land allocation process. Women's NGOs continued to press the government to codify women's rights in formal legislation.

The family code places the family under the joint responsibility of both spouses, makes divorce available by mutual consent, and places legal limits on polygamy. Implementation of family law reforms remained a problem. The judiciary lacked willingness to enforce them, as many judges did not agree with them. Corruption among working-level court clerks and lack of knowledge about its provisions among lawyers were also obstacles to enforcement of the law. Widespread female illiteracy also limited women's ability to navigate the legal system. The penal code criminalizes "knowingly hiding or subverting the search for a married woman who is evading the authority to which she is legally subject." This section was used to return women involuntarily to abusive homes.

There were few legal obstacles to women's participation in business and other economic activities. According to some entrepreneurs and NGOs, however, women experienced difficulty in accessing credit and owning and managing businesses. According to a 2011 government report, the rate of participation in the formal labor force for women was 25.5 percent. A 2012 study showed that women's wages on average were 15 percent below those of men.

The government led some efforts to improve the status of women in the workplace, most notably the 2011 constitution mandate for the creation of an Authority for Gender Parity and Fighting All Forms of Discrimination, an institution that was being developed jointly between the parliament and the CNDH. Article 19 of the constitution provides for the equal status of women in the realms of civics, politics, economics, social relations, culture, and the environment. The country participated in the Equal Futures Partnership, a multilateral initiative that encouraged member countries to empower women politically and economically.

Rural women faced restrictions for social and cultural reasons. Women were not represented in leadership positions in trade unions.

## **Children**

Birth Registration: The law permits both parents to pass nationality to their children. There were, nonetheless, cases in which authorities denied identification papers to children because they were born to unmarried parents. In cases of undocumented children, NGOs, magistrates, and attorneys advocated for the children. The process of obtaining necessary identification papers was lengthy and arduous. According to press reports, during the year representatives of the Ministry of Interior refused to register the births of some children whose parents sought to give Amazigh names. Undocumented children could not register for school.

Education: Girls' representation in education in recent years improved significantly, especially in urban areas. According to a 2011 High Commission for Planning report, 26 percent of girls attended high school compared with 22 percent of boys; as of 2009-10, women accounted for 53 percent of those enrolled in higher education. In rural areas, however, progress was slow: 27 percent of girls did not attend school, compared with 19 percent of boys. In addition, according to 2011 UN statistics, 42 percent of women were illiterate. The government reported that 88 percent of the 769,402 persons who participated in literacy programs in 2012 were women.

Child Abuse: Although NGOs, human rights groups, media outlets, and the UN Children's Fund (UNICEF) claimed child abuse was widespread, there were no conclusive government statistics on the extent of the problem. Anecdotal evidence showed that abuse of child domestic servants was a problem. Prosecutions for child abuse were extremely rare. The Ministry of Youth and Sports managed 20 child protection centers, five specifically for girls. The centers were originally intended to provide an alternative to prison for underage delinquents, but were used to house delinquents, homeless children, victims of domestic violence, drug addicts, and other "children in distress" who had not committed a crime. Some centers housed minors convicted of homicide alongside minors who were victims of domestic abuse. This mingling of children in conflict with the law and children in distress also occurred during other stages of the process. While the budgets of the centers were low, conditions varied because some centers received charitable gifts.

Early and Forced Marriage: The legal age for marriage is 18, but parents, with informed consent of the minor, may secure a waiver from a judge for underage marriage. The judiciary approved the vast majority of petitions for underage marriages. In 2011 the Social Development Ministry reported there were more than 33,000 underage married girls. Child marriage remained a concern, especially

in rural areas. UNICEF reported that 11 percent of women under the age of 20 were or had been married. According to the UN Population Fund's 2012 report, 16 percent of women between the ages of 20 and 24 had married before they were 18. No government efforts specifically focused on early marriage.

Female Genital Mutilation/Cutting (FGM/C): No law appears to prohibit FGM/C specifically, but there were no reports it occurred.

Sexual Exploitation of Children: The age of consent is 18. Penalties for sexual exploitation of children range from two years' to life imprisonment and fines from 9,550 dirhams (\$1,160) to 344,000 dirhams (\$41,700). Moreover, persons convicted of sexual exploitation may lose their national rights and right of residence for between five and 10 years. Convicted rapists and pedophiles are not eligible for pardons. Children were engaged in prostitution, and the country was a destination for sex tourism. The penal code also provides punishment for child pornography. Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/morocco.htm](http://www.dol.gov/ilab/reports/child-labor/morocco.htm).

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at <http://travel.state.gov/content/childabduction/english/country/morocco.html>.

### **Anti-Semitism**

Community leaders estimated the size of the Jewish population at approximately 4,000. Jews generally lived in safety, and the government provided them appropriate security. In July an assailant attacked a local rabbi in Casablanca, citing the Israeli military campaign in Gaza as the reason. The victim identified a suspect whom police took into custody. The outcome of this case was not published by year's end. Reports of anti-Semitic acts were rare.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care. The law also provides for regulations and building codes that ensure access for persons with disabilities. The government did not effectively enforce or implement these laws and regulations. While building codes enacted in 2003 require accessibility for all persons, the codes exempt most pre-2003 structures, and authorities rarely enforced them for new construction. Most public transportation was inaccessible to persons with disabilities, although the national rail system offered wheelchair ramps, handicap-accessible bathrooms, and special seating areas. Government policy provides that persons with disabilities should have equal access to information and communications. Special communication devices for the blind and deaf were not widely available.

The Ministry of Social Development, Family, and Solidarity has responsibility for protecting the rights of persons with disabilities and attempted to integrate persons with disabilities into society by implementing a quota of 7 percent for persons with disabilities in vocational training in the public sector and 5 percent in the private sector. Both sectors were far from achieving the quotas. The government maintained more than 400 integrated classes for children with learning disabilities, but integration was largely left to private charities. Families typically supported persons with disabilities, although some survived by begging.

### **National/Racial/Ethnic Minorities**

Many of the poorest regions in the country, particularly the Middle Atlas region, were predominantly Amazigh and had illiteracy rates as high as 80 percent. Basic governmental services in this mountainous and underdeveloped region were not extensive. Official languages are Arabic and Amazigh, although Arabic predominates. French and Amazigh materials were available in the news media and, to a much lesser extent, educational institutions. Authorities made no progress toward passing a law to implement the constitutional provision making Amazigh an official language.

Approximately 60 percent of the population, including the royal family, claimed some Amazigh heritage. Amazigh cultural groups contended their traditions and language were rapidly being lost to Arabization. The government provided television programs in the three national Amazigh dialects of Tarifit, Tashelhit, and Tamazight. The government also offered Amazigh language classes in the curriculum of 5,151 schools. A lack of qualified teachers hindered otherwise expanding Amazigh language education. The palace-funded Royal Institute of

Amazigh Culture created a university-level teacher-training program to eliminate the shortage of qualified teachers. Instruction in the Amazigh language is mandatory for students at the Ministry of Interior School for Administrators in Kenitra.

(See the Western Sahara report for information regarding discrimination against Sahrawis in Moroccan-controlled Western Sahara.)

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The penal code criminalizes consensual same-sex sexual activity with a maximum sentence of three years in prison. Questions of sexuality, sexual orientation, and gender identity were addressed in the media and in public more openly than in previous years.

Sexual orientation and gender identity constituted a basis for societal violence, harassment, blackmail, or other actions, generally at a local level, although with reduced frequency. There were infrequent reports of societal discrimination, physical violence, or harassment based on sexual orientation or gender identity. The government deems lesbian, gay, bisexual, or transgender (LGBT) orientation or identity illegal. Antidiscrimination laws do not apply to LGBT persons, and the penal code does not criminalize hate crimes. There was a stigma against LGBT persons, but there were no reports of discrimination based on sexual orientation or gender identity in employment, housing, access to education, or health care.

Authorities prosecuted individuals engaged in same-sex sexual activity at least once during the year. On July 2, an appellate court in Beni Mellal confirmed a judgment against six men who were convicted of homosexual acts in the city of Fqih Bensalah, 124 miles south of Rabat, after they were arrested in April. The court shortened the prison terms for two defendants and converted the sentences of the other four to suspended sentences.

### **HIV and AIDS Social Stigma**

Persons living with HIV/AIDS faced discrimination and had limited treatment options. The Joint UN Program on HIV/AIDS reported that some health-care providers were reluctant to treat persons with HIV/AIDS due to fear of infection. There were domestic NGOs focused on treating HIV/AIDS patients.

## Section 7. Worker Rights

### a. Freedom of Association and the Right to Collective Bargaining

The constitution provides workers with the rights to form and join unions, strike, and bargain collectively, with some restrictions. The law prohibits certain categories of government employees, including members of the armed forces, police, and some members of the judiciary, from forming and joining unions and from conducting strikes. The law also excludes migrant workers from assuming leadership positions in unions. The labor code does not cover domestic workers.

According to the labor code, employer and worker representatives should conduct discussions to agree on the wages and employment conditions of unionized workers. The law allows several independent unions to exist, but the code requires 35 percent of the total employee base to be associated with a union for the union to be representative and able to engage in collective bargaining. The law prohibits antiunion discrimination and prohibits companies from dismissing workers for participating in legitimate union-organizing activities. Courts have the authority to reinstate workers dismissed arbitrarily and may enforce rulings that compel employers to pay damages and back pay.

The law concerning strikes requires compulsory arbitration of disputes, prohibits sit-ins, calls for a 10-day notice of a strike, and allows for the hiring of replacement workers. The government may intervene in strikes. A strike may not take place over matters covered in a collective contract for one year after the contract comes into force. The government has the authority to disperse strikers in public areas not authorized for demonstrations and to prevent the unauthorized occupancy of private space. Unions may neither engage in sabotage nor prevent those individuals who were not on strike from working.

The government did not adequately enforce labor laws due to a lack of inspection personnel and resources. Inspectors were also required to serve as mediators in disputes, requiring them to spend a significant amount of time in their offices, not conducting inspections. Enforcement procedures were subject to lengthy delays and appeals.

The government generally respected freedom of association and the right to collective bargaining. Employers limited the scope of collective bargaining, frequently setting wages unilaterally for the majority of unionized and nonunionized workers. Under the law unions are able to negotiate with the

government on national-level labor issues. The government continued to prove unsuccessful in calling traditional tripartite social dialogue sessions, and none was held during the year. The last formal social dialogue session was called in 2012. At the sectoral level, trade unions negotiated with private employers concerning minimum wage, compensation, and other concerns.

Labor disputes were common and in some cases the result of employers failing to implement collective bargaining agreements and withholding wages. Trade unions complained that the government at times used Article 288 of the penal code to prosecute workers for striking and to suppress strikes, with the last such reported case in 2012, in Tangier, against maritime workers. Although most union federations were strongly allied with political parties, unions were generally free from government interference.

#### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits all forms of forced or compulsory labor. The law penalizes forced labor of a worker by a fine for the first offense and a jail term of up to three months for subsequent offenses. Penalties for coerced child labor under the law range from one to three years' imprisonment. The legislation was not adequately enforced.

Domestic workers included certain vulnerable groups, such as migrant workers and children from rural areas. Domestic workers are not protected by labor laws, and certain migrant workers were subject to having their passports confiscated by employers and their wages withheld. Labor inspectors did not inspect small workshops and private homes where the majority of such practices occurred, as the law does not allow labor inspections in private homes. The effectiveness of inspectors was also limited by their small numbers, the broad geographic dispersion of sites, and scarce resources at their disposal.

Reports indicated that forced labor, especially of children, occurred. Some families from rural areas sent girls to work as maids in urban areas. Boys experienced forced labor as apprentices in the artisan and construction industries and in mechanic shops (see section 7.c.). Domestic NGOs reported that an undetermined number of Filipina domestic workers filed suits against their former employers for trafficking-like abuses, such as withholding passports or wages. Information on disposition of these cases was not available. Approximately 5,000 Filipinas were engaged in domestic work, some without employment contracts.

Also see the Department of State's Trafficking in Persons Report at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment in all sectors is 15. The law prohibits children younger than 16 from working more than 10 hours per day; employers must give them a break of at least one hour. The law does not permit children younger than 16 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 agriculture. The overwhelming majority of child laborers worked in rural agriculture, according to the government's statistical agency, the High Planning Commission. The law excludes seasonal agricultural work and work in traditional artisanal or handicraft sectors of business with fewer than five employees. The law prohibits employment of children younger than 18 in stone quarries, mines, or any other positions the government considers hazardous. The labor code, however, does not address domestic workers and therefore does not prohibit the employment of child maids or domestic workers.

The Ministry of Employment and Social Affairs is responsible for implementing and enforcing child labor laws and regulations. The law provides for legal sanctions against employers who recruit children under the age of 15, with fines ranging from 27,000 to 32,000 dirhams (\$3,270 to \$3,880). Punishment for violations of the child labor laws includes criminal penalties, civil fines, and withdrawal or suspension of one or more civil, national, or family rights, including denial of legal residence in the country for five to 10 years.

The ministry did not systematically enforce sanctions against child labor. According to various reports, police, prosecutors, and judges rarely enforced legal provisions 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.

Employers were successfully prosecuted throughout the year for employing a child domestic worker, but labor inspectors responsible for enforcing the labor code do not have jurisdiction to inspect private residences. The ministry's small cadre of labor inspectors did not monitor the informal sector. All 51 national labor inspectorates had an inspector trained in child labor issues and designated as a "focal point." These inspectors received up to 14 weeks of training from the International Labor Organization's (ILO's) International Program on the

Elimination of Child Labor. During the year inspectors received additional training on respecting fundamental labor rights from the ILO.

Noncompliance with child labor laws was reported in agriculture and private urban residences, where parents sent children as young as six to work as domestic workers in urban areas, mainly Casablanca.

During the year the government launched a new “public integrated policy for the protection of children in Morocco” after a year-long review by an interministerial committee, chaired by the head of government. The Ministry of Solidarity, Women, Family, and Social Development has responsibility to oversee the plan and coordinate with other involved ministries. The plan is intended to incorporate lessons learned from the *2006-15 National Plan of Action for Children*, which it supplants. The plan includes six objectives: integration of child protection into all policies and public programs; improvement of child protection laws; standardization of protective services; establishment of integrated regional child protection services; awareness campaigns and cultural training; and a monitoring and evaluation system.

The government expanded coordination with local, national, and international NGOs on education and training programs to combat child labor during the year. The Ministry of Employment and Social Affairs, led by the Office of the Director of Work in conjunction with NGOs, oversaw programs dealing with child labor. The programs sought to decrease the incidence of child labor by raising awareness of the problem, providing financial assistance to needy families, and lowering obstacles for at-risk children to attend school. In addition, the government made public education available to migrant children, lowering their vulnerability to child labor.

Child labor in rural areas in 2013 accounted for 88 percent of child workers, 94 percent of whom worked in agriculture, primarily on family farms. The Ministry of Employment and Social Affairs reported that, in the first trimester of the year (the most recent annualized inspection information available), focal-point inspectors conducted 312 visits, filed 1,201 reports, and issued 21 formal notices. The inspectors identified 357 child laborers, of whom 78 were under the age of 15. A total of 75 children under the age of 15 were removed from work, and 197 children between the ages of 15 and 17 were removed from hazardous work. There was no detailed information available on the collection of fines or on assistance to children identified through inspections.

Some children were apprenticed before the age of 12, particularly in small family-run workshops in the handicraft industry. Children also worked in the informal sector in textiles, light manufacturing, and carpet weaving. Children's safety and health conditions and wages were often substandard. The High Planning Commission reported approximately 10,000 children between the ages of seven and 15 worked in urban areas in 2013, largely in the service sector.

NGOs documented the physical and psychological abuse of children employed as domestic servants. Employers paid parents for their children's work. Most child domestics received food, lodging, and clothing instead of monetary compensation or were paid significantly below the minimum wage.

During the year the High Planning Commission reported a significant reduction in child labor over the past decade, claiming that during the year approximately 86,000 children between the ages of seven and 15 worked, compared with 517,000 children in the same age group in 1999.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/ilab/reports/child-labor/morocco.htm](http://www.dol.gov/ilab/reports/child-labor/morocco.htm).

#### **d. Discrimination With Respect to Employment or Occupation**

Article 9 of the labor code prohibits companies from adopting "with regard to employees, any discrimination based on race, color, gender, handicap, marital status, religion, political opinion, trade union affiliation, national ancestry, or social origin, resulting in a violation or alteration of the principle of equal opportunity or treatment on equal footing as regards employment or the practice of a profession, in particular with regard to recruitment, conduct and labor distribution, vocational training, wage, advances, the granting of social benefits, disciplinary measures and dismissal." Article 12 of the code describes the sanctions for violations of Article 9. Furthermore, Article 346 states: "Any discrimination with relation to wage between the two sexes for work of equal value is prohibited." The law does not address sexual orientation or gender identity in this context. The law prohibits the employment of women and youths (between the ages of 15 and 17) in certain occupations that are considered hazardous, such as mines. Discrimination in all categories prohibited by law occurred, as the government lacked sufficient human and financial resources to effectively enforce these laws. Migrant worker organizations reported that some migrants experienced discrimination in hiring, wages, or conditions of employment, although the regularization campaign during the year provided thousands of formerly undocumented migrant workers with

residency cards to improve their employment opportunities and provide protections for this otherwise vulnerable population.

#### **e. Acceptable Conditions of Work**

The minimum wage was 97 dirhams (\$11.70) per day in the industrialized sector and 63 dirhams (\$7.20) per day for agricultural workers. The World Bank absolute poverty-level threshold wage was 70 dirhams (\$8.50) per day. Including traditional holiday-related bonuses, workers generally received the equivalent of 13 to 16 months' salary each year. Informal businesses employed approximately 60 percent of the labor force and often ignored minimum wage requirements. A temporary contract program (Contracts Anapac) designed to help new entrants into the job market denied young workers many social protections, enabled long working hours, and paid below the minimum wage. The program was also subject to abuse, replacing full time workers with temporary workers.

The law provides for a 44- to 48-hour maximum workweek with no more than 10 hours in a 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. The law prohibits excessive overtime. The labor code does not cover domestic workers, who were primarily female citizens. Filipina domestic workers openly complained of sexual exploitation from abusive employers, who frequently confiscated their passports and paid them salaries of less than 2,500 dirhams (\$300) per month.

Occupational health and safety standards, reviewed and enforced by the Ministry of Employment and Social Affairs, are rudimentary, except for a prohibition on the employment of women and children in certain dangerous occupations. The law prohibits persons under the age of 18 from hazardous work in 33 areas, including working in mines, handling dangerous materials, transporting explosives, and operating heavy machinery.

Many employers did not observe the legal provisions for conditions of work. The government did not effectively enforce basic provisions of the labor code, such as payment of the minimum wage and other basic benefits under the National Social Security Fund. The country's labor inspectors attempted to monitor working conditions and investigate accidents, but lack of resources prevented effective enforcement of labor laws. Penalties were generally not sufficient to deter violations.

According to NGOs, no major workplace accidents occurred during the year; however, there were numerous media reports of accidents, sometimes fatal, on construction sites that had substandard standards or lacked safety equipment. In the formal sector, workers can remove themselves from situations that endangered health or safety without jeopardy to their employment and authorities effectively protected employees in this situation.