

Morocco | Freedom House

POLITICAL RIGHTS: 14 / 40

A. ELECTORAL PROCESS: 5 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

Constitutional reforms in 2011 required the king to appoint the prime minister from the party that wins the most seats in parliamentary elections, but the reforms preserved nearly all of the king's existing powers. The monarch can disband the legislature, rule by decree, and dismiss or appoint cabinet members.

After the 2016 parliamentary elections, political disagreement over the composition of a new government consumed more than five months. In 2017, the king finally used his royal prerogative to appoint Saad Eddine Othmani, a former Party of Justice and Development (PJD) foreign minister, as prime minister, replacing Abdelilah Benkirane, also of the PJD. However, the PJD holds a weak position in a fragile coalition. In August, 2018, the left-wing Party of Progress and Socialism (PPS) threatened to withdraw from the government amid political infighting. Technocrats loyal to the palace obtained key economic portfolios when the government formed, and the PJD was similarly excluded from the "strategic ministries" of interior, foreign affairs, justice, and Islamic affairs.

The 2016 elections were considered credible by observers, but there were some instances of irregularities such as vote buying.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

The lower house of Parliament, the Chamber of Representatives, has 395 directly elected members who serve for five-year terms. Of these, 305 are elected from 92 multimember constituencies. The remaining 90 are elected from a single nationwide constituency, with 60 seats reserved for women and 30 for people under the age of 40. Members of the 120-seat upper house, the Chamber of Counselors, are chosen by an electoral college—made up of professional, labor, and business organizations as well as local and regional officials—to serve six-year terms.

In the 2016 parliamentary elections, the PJD placed first with 125 seats in the Chamber of Representatives, followed by the royalist Party of Authenticity and Modernity (PAM) with 102. Both increased their share of seats compared with 2011. Istiqlal fell by 14 seats to 46; the National Rally of Independents (RNI) declined by 15 seats to 37; the Popular Movement (MP) dropped 5 seats to 27; and the Socialist Union of Popular Forces (USFP) fell by 19 seats to 20. The PPS won 12 seats, a decline of 6. Official turnout was 43 percent of registered voters, lower than the 45 percent in 2011 and representing only 23 percent of eligible voters. Authorities

placed limits on some foreign observers, and instances of vote buying and other irregularities were reported, but the elections largely provided a genuine choice to voters.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

The constitutional and legal framework allows for competitive legislative elections, but the transparency of the process is not guaranteed in practice. Elections are overseen by the Interior Ministry, with some participation by the Justice Ministry, rather than an independent electoral commission. Approximately three million Moroccans live abroad, and the electoral laws made it exceedingly difficult for voters outside of Morocco to cast their ballots in 2016.

B. POLITICAL PLURALISM AND PARTICIPATION: 6 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Morocco has a multiparty system, but the parties are generally unable to assert themselves relative to the power of the palace. Of the two largest parties, the PJD polls strongly in urban areas, while the PAM dominates rural areas. Smaller parties tend to be unstable and are sometimes built around the personalities of their leaders. Justice and Charity is an illegal Islamist movement that does not participate in elections. Nevertheless, it enjoys widespread support and authorities largely tolerate its other activities.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

Prior to 2011, the PJD was a vocal, official opposition party, and its entry into government shows that the system allows some rotation of power. However, this opportunity is permanently limited by the presence and influence of the monarchy, both formally and in practice. Although the PJD won a plurality of seats in the 2016 elections, it struggled to form a governing coalition, and its ability to exercise power has been undermined by the king's support for parties loyal to the palace.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

The constitution and informal practice give the king considerable influence over political affairs, including government formation after elections. The monarch and his associates also wield enormous private economic power that can be used to shape political outcomes more indirectly through patronage networks.

B4. Do various segments of the population (including ethnic, religious,

gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

The political system features universal suffrage, but parties based on religious, ethnic, or regional identity are prohibited, and the concerns and interests of women and the Amazigh (Berber) population are not adequately addressed.

Some 40 percent of the population is Amazigh, and the vast majority of Moroccans have Amazigh roots. Prominent Amazigh elites enjoy access to the monarchy and also have their interests represented in Parliament, but the bulk of the indigenous population is politically marginalized. Unrest throughout 2017 and 2018 in Al-Hoceima, the surrounding Rif region, and other cities across the country stemmed in large part from the inequities experienced by Amazigh residents and their inability to find redress for their grievances through the political system.

A system of reserved seats for women is meant to encourage their participation in the electoral process at both the national and local level, partly offsetting traditional social pressures that deter such engagement. Women won a greater share of seats in Parliament in 2016, taking 21 percent of the House of Representatives, compared with 17 percent in 2011. Nevertheless, these women remain underrepresented in party and cabinet leadership positions.

C. FUNCTIONING OF GOVERNMENT: 3 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

While elected officials are duly installed in government, their power to shape policy is sharply constrained by the king, who sets national and foreign policy and commands the armed forces and intelligence services. Royal commissions tend to wield more power than government ministers. The king's power over the government was on display in August 2018, when he dismissed the finance minister, Mohamed Boussaid of the RNI, and subsequently replaced him with Abdelkader Amara of the PJD. The decision came in the midst of a national boycott of major Moroccan brands that began in April, which was spurred by widespread anger over poor economic performance and substandard living conditions.

C2. Are safeguards against official corruption strong and effective? 1 / 4

Corruption is rife in state institutions and the economy. Despite the government's rhetoric about combating corruption, it has a mixed record on enforcement. The Central Authority for the Prevention of Corruption (ICPC) was strengthened under a 2015 law and renamed as the National Body for Integrity, Prevention, and the Fight against Corruption (INPLC). In December 2018, the king finally appointed the body's head after the post remained empty for three years.

The government initiated plans for a National Anticorruption Strategy in 2016, but delays in forming the National Anticorruption Commission to administer the strategy stretched to mid-2018, when the body held its first meeting.

C3. Does the government operate with openness and transparency? 1 / 4

Overall transparency is limited. The government publishes budget and financial information online. Public officials—including Parliament members, judges, and civil servants—are required to declare their assets. However, the monarchy itself, with its vast array of economic interests, is not subject to these rules. In February 2018, the government adopted a controversial access to information law, which civil society leaders faulted for provisions that criminalize “misuse” of government information or “distortion of content.”

CIVIL LIBERTIES: 25 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 7 / 16

D1. Are there free and independent media? 1 / 4

The state dominates the broadcast media, but more affluent segments of the population have access to foreign satellite television channels. Although the independent press enjoys a significant degree of freedom when reporting on economic and social policies, the authorities use a number of financial and legal mechanisms to punish critical journalists, particularly those who focus on the king, his family, the status of Western Sahara, or Islam. The authorities also occasionally disrupt websites and internet platforms. Bloggers are harassed for posting content that offends the monarchy, although many online activists operate anonymously.

Human rights groups continued to criticize the government’s efforts to suppress reporting in the restive Rif region. In June 2018, Hamid al-Mahdaoui of the online outlet Badil was sentenced to three years in prison for not reporting a wiretapped 2017 phone call to the authorities. Al-Mahdaoui received the call from an activist who told him that he intended to smuggle weapons into Morocco. Al-Mahdoui’s legal defense protested that the wiretap was illegal, since the wiretap order was not executed until after the conversation in question. Separately, in 2017 al-Mahdaoui was sentenced to one year in prison for “inciting people to participate in an unauthorized protest,” after he criticized the government’s decision to ban a planned demonstration by the Hirak Rif protest movement.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Nearly all Moroccans are Muslims, and the king, identified as “commander of the faithful” in the constitution, has ultimate authority over religious affairs. Imams are required to obtain state certification, and mosques are monitored by the authorities. The government operates a well-financed training program for imams and female religious counselors tasked with promoting a state-sanctioned version of “moderate Islam,” which some critics charge is also intended to promote political quiescence. Despite deep societal prejudices, the small Jewish community is permitted to practice its faith. The Christian community, which numbers approximately 50,000, experiences discrimination and harassment, and Christian marriages are not legally

recognized by the government.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 2 / 4

Universities generally provide a more open space for discussion, but professors practice self-censorship when dealing with sensitive topics like the Western Sahara, the monarchy, and Islam. Salafists, adherents of a fundamentalist form of Islam, are closely monitored in universities.

Violence between university student groups, often stoked by Morocco's political, ethnic, and sectarian schisms, is widespread, and inhibits the right to peaceful student activism. In May 2018, clashes between proindependence Sahrawi activists and a student group advocating for Amazigh rights at the University of Ibn Zohr, in Agadir, led to the death of a 24-year-old law student.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

There is some freedom of private discussion, but state surveillance of online activity and personal communications has been a growing concern, and the arrests of journalists, bloggers, and activists for critical speech serve as a deterrent to uninhibited debate among the broader population.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 5 / 12

E1. Is there freedom of assembly? 1 / 4

Freedom of assembly is restricted. The authorities sometimes use excessive force and violence to disperse protests, and harass activists involved in organizing demonstrations that criticize the government.

The government has suppressed protests in the Rif region that erupted after the 2016 death of Al-Hoceima fish vendor Mouhcine Fikri, which was captured on video. His stock of swordfish had been confiscated by authorities because it was caught out of season; when he climbed into a garbage truck to retrieve it, the trash compactor was turned on—allegedly on orders from a police officer—and he was killed. The ensuing Hirak Rif protest movement against corruption and economic deprivation gained support from activists across Morocco.

The government reacted harshly to the movement, dispersing assemblies and arresting Hirak Rif leader Nasser Zefzafi and other protest leaders in 2017. In June 2018, Zefzafi and three other activists were sentenced to 20 years in prison for their role in the demonstrations, while an additional 50 activists were sentenced to between 1 and 15 years imprisonment on lesser charges. The convictions spurred further mass protests, including a July demonstration in Rabat that drew tens of thousands of protesters.

Authorities also cracked down on protests in the northeastern mining town of Jerada in March, which began in response to the deaths of two coal miners, who reportedly died as a result of dangerous working conditions in their mine. Police used excessive

force in dispersing the protests, and arrested dozens of demonstrators.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4

Civil society organizations are quite active, but they are subject to legal harassment, travel restrictions, and other impediments to their work. The authorities routinely deny registration to nongovernmental organizations (NGOs) with links to Justice and Charity or that assert the rights of marginalized communities. The Moroccan Association for Human Rights (AMDH), one of Morocco's most prominent NGOs, is frequently targeted by the government. According to Human Rights Watch (HRW), 16 AMDH events were cancelled between January 2017 and July 2018 due to pressure on venue owners or security forces directly blocking access to event spaces. Amnesty International has been prohibited from carrying out research in Morocco since 2015.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers are permitted to form and join independent trade unions, and the 2004 labor law prevents employers from punishing workers who do so, but there are undue legal and employer restrictions on collective bargaining and strikes. The authorities sometimes forcibly break up labor-related protests. Unions are often closely affiliated with political parties.

F. RULE OF LAW: 6 / 16

F1. Is there an independent judiciary? 1 / 4

The court system is not independent of the monarch, who chairs the Supreme Council of the Judiciary. In practice, the courts are regularly used to punish perceived opponents of the government, including dissenting Islamists, human rights and anticorruption activists, and critics of Moroccan rule in Western Sahara.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process is not consistently upheld. Law enforcement officers often violate legal and procedural safeguards against arbitrary arrest and detention, and many convictions rely on confessions that may have been coerced. Pretrial detainees are reportedly held beyond a one-year limit in practice, and there are no provisions in the law allowing for pretrial detainees to challenge their detentions in court. Some suspects, particularly those accused of terrorism, are held in secret detention for days or weeks before formal charges are filed.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

Cases of excessive force by police and torture in custody continue to occur. A number of the Jerada protesters detained during 2018 reported being beaten and injured during arrest, and a few detainees were subjected to prolonged solitary confinement

while awaiting trial. Prisons often suffer from overcrowding.

Terrorism remains a threat to physical security in the country, though the authorities have had some success in preventing attacks. In December 2018, two Scandinavian women were murdered while hiking in the Atlas Mountains. The assailants posted a video of the murders on social media, and pledged allegiance to the Islamic State (IS). At year's end, 15 suspects had been charged in connection with the murders, which have raised concerns about radicalization within the country.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

Constitutional reforms in 2011 granted official status to Tamazight languages, which have been promoted in schools along with Amazigh culture. Nevertheless, Amazigh and other communities that do not identify with the dominant Arab culture tend to face educational and economic disadvantages. Civil society groups that promote Amazigh rights have faced government interference.

Gender equality was also recognized in the 2011 constitution, but women continue to face significant discrimination at the societal level and are seriously underrepresented in the labor force. LGBT (lesbian, gay, bisexual, and transgender) people face harsh discrimination and occasional violence. Same-sex sexual relations can be punished with up to three years in prison. The government has granted temporary residency permits to refugees and migrants as part of an effort to regularize their status and provide them with basic services, which earned Morocco international praise in recent years. However, in 2018, authorities cracked down on refugees, asylum seekers, and migrants from sub-Saharan Africa. Beginning in July, security forces conducted a series of raids in which thousands of people were arrested, bused to a remote area near the Algerian border, and abandoned. The arrests were condemned by international rights groups for violating international law, as well as the basic human rights of those affected.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 7 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Moroccan law guarantees freedom of movement and the ability to change one's place of employment or education, but in practice poor economic conditions and corruption limit these rights. Widespread bribery, nepotism, and misconduct within the educational sector constrain merit-based advancement.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Well over a third of the land is collectively owned by tribes and managed by the Interior Ministry, and in recent years it has been subject to private development without fair compensation to previous occupants. Moreover, under tribal rules of inheritance, women cannot hold the rights to occupy and use such lands, leaving

them more vulnerable to displacement. Ordinary inheritance rules also put women at a disadvantage, generally granting them half the property of an equivalent male heir.

Private business activity is hampered in part by the dominant role of the king and his family. Among other assets, they have a majority stake in the National Investment Company (SNI), a massive conglomerate with businesses in virtually every economic sector, including mining, tourism, food, banking, construction, and energy.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

The 2004 family code granted women increased rights in the areas of marriage, divorce, and child custody, though a number of inequities and restrictions remain, and implementation of the code has been uneven. Domestic violence is rarely reported or punished due to social stigma. All extramarital sexual activity is illegal, which deters rape victims from bringing charges, among other repercussions.

In September 2018, a new law went into effect that criminalized domestic violence and forced marriage, and imposed more stringent penalties on those convicted of rape. Although the law was considered a step forward, critics faulted the legislation for failing to outlaw marital rape, not providing a clear definition of domestic violence, and for not mandating the government to provide greater support for victims of gender-based violence.

The abduction, rape, and torture of 17-year-old Khadija Okkarou by at least 12 men over a two-month period, which was first reported in August, highlighted the entrenched nature of gender-based violence and misogyny in Morocco, and caused international outrage. The incident, as well as other highly publicized acts of violence against women, inspired a new movement called #Masaktach (I will not be silenced). After the victim spoke out about her ordeal, 12 men were arrested for her abduction, and they awaited trial at year's end.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Poverty is widespread, and economic opportunities are scarce for a large portion of the population. The death of 20-year-old Hayat Belkacem in September 2018 typified the desperation felt by many young Moroccans with poor job prospects. Belkacem died after the navy opened fire on a boat full of migrants attempting to travel to Spain. Three other passengers were wounded. According to the Spanish Interior Ministry, over 10,000 Moroccan irregular migrants had arrived in Spain as of October, compared to 1,310 over the same period in 2016.

Child laborers, especially girls working as domestic helpers, are denied basic rights and are frequently abused by their employers. A new labor law to protect girls employed as household workers entered into force in October. It requires employers to use written contracts, sets a minimum working age of 18 (after a five-year phase-in period during which 16- and 17-year-olds are allowed to work), mandates a day off each week, and sets a minimum wage. The law's passage was met with skepticism from rights groups, who criticized the legislation for failing to provide support to

reintegrate domestic workers into society, as well as permitting girls under 18 to work until 2023.

Separately, Parliament adopted a law in 2016 to criminalize human trafficking; existing measures had defined and banned only some forms of trafficking and left many victims unprotected.