Morocco Country Report | Freedom on the Net 2018

Introduction:

Internet freedom in Morocco remained tenuous over the past year due to a crackdown on online journalists and activists who had covered protests, trained reporters, and voiced dissent online.

Key Developments:

June 1, 2017 - May 31, 2018

- Digital advertisers were obliged to pay a 5 percent tax starting in January 2018, stalling an already fragile media sector (see Media, Diversity, and Content Manipulation).
- A group of online activists launched a campaign in April 2018 to boycott products from three major companies to protest increases in the cost of living, affecting the companies’ stock prices (see Digital Activism).
- Hundreds of people, including several citizen and online journalists, were arrested in connection with the “Hirak Rif” protests. Several were later sentenced to prison for their reporting on the movement (see Prosecutions and Arrests for Online Activities).
- While internet access continues to increase overall, the disparity between urban and rural connectivity is also widening. Morocco's regulator has failed to uphold the principle of internet access as a public service by encouraging or requiring the three main telecommunications companies to invest more in rural areas.

Obstacles to Access:

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Availability and Ease of Access

Internet access in Morocco has slowly increased in recent years, though obstacles remain in certain areas of the country. The internet penetration rate grew from 52 percent in 2010 to nearly 62 percent in 2017, according to the International Telecommunication Union (ITU).

Network coverage is highly uneven between urban and rural areas. Telecommunications companies do not abide by the ITU principle of telecommunications as a public service, instead preferring to invest in more lucrative urban areas. According to Morocco’s regulator, urban dwellers are more likely to have internet access than rural inhabitants, with penetration at 67 percent versus 43 percent, respectively. Some 53 percent of individuals possessed a smartphone by the end of 2015, up from 38 percent in 2014. Smartphone uptake in rural areas almost doubled from 2014 to 2015, reaching 43 percent of individuals aged 12–65.

Restrictions on Connectivity

The government has undertaken several programs over the years to improve the country’s information and communication technology (ICT) sector. The General Guidelines for the Further Development of the Telecommunications Sector by 2018 provides the latest framework for the development of ICTs. The program aims to increase fiber-optic and other high-speed connections throughout the country, reinforce the existing regulatory framework, and provide universal access.

As a result of previous government efforts, internet use remains relatively affordable. For a 3G or 4G prepaid connection speed of up to 225 Mbps, customers pay MAD 59 (US$6) in initial connectivity fees for the first 10 days with 4 GB of download capacity, and then recharge the account with a minimum of MAD 5 (US$0.60) for one hour of connection in cybersafes.

Internet Freedom Score

Most Free (0) Least Free (100)

- Access to the Internet: 10/25
- Obstacles to accessing users' rights: 0/25
- Violations of users' rights: 24/60

The program aims to increase fiber-optic and other high-speed connections throughout the country, reinforce the existing regulatory framework, and provide universal access.
Authority did not impose any restrictions on connectivity over the past year. However, the centralization of Morocco’s internet backbone facilitates the potential control of content and surveillance. Maroc Telecom, a partially state-owned company, owns and controls a fiber-optic backbone of more than 10,000 km. The national railroad company, Office National des Chemins de Fer (ONCF), and the national electricity and water utility, Office National de l’Electricité et de l’Eau Potable (ONED), have also built 2,000 km of fiber-optic infrastructure, respectively. The state controls both entities. Morocco’s national and international connectivity has a combined capacity exceeding its terabytes per second. The three main telecom operators—Maroc Telecom, Medi Telecom, and INWI—have varying access to international connectivity.

ICT Market

Internet service providers (ISPs) are not subject to any regulatory oversight or economic restrictions. Maroc Telecom, Medi Telecom, and INWI are licensed ISPs and mobile carriers. Maroc Telecom is a former state company that held a monopoly over the telecom sector until 1999, when licenses were granted to Medi Telecom and INWI. Maroc Telecom is owned by EBITEL (the United Arab Emirates), which has a 51 percent stake from France’s Vivendi in 2014, and the Moroccan state, which maintains 29 percent ownership. Medi Telecom is a private consortium led by Spain’s Telefonica, while INWI (formerly WANA, Maroc Com) is a subsidiary of Ooredoo North Africa (ONOA), the Moroccan industrial conglomerate owned by the royal family. Three 4G licenses were granted to the three telecom companies, and 4G utilization started in April 2018.

Regulatory Bodies

The National Agency for the Regulation of Telecommunications (ANRT) is a government body created in 1998 to regulate and liberalize the telecommunications sector. Its board of directors is made up of government ministers, and its head is appointed by the king. The founding law of the ANRT outlines the telecommunications sector as a driving force for Morocco’s social and economic development, and the agency is meant to create an effective regulatory framework that favors competition among operators. While Maroc Telecom effectively controls the telephone cable infrastructure, the ANRT is tasked with setting the prices at which the company’s rivals (such as Medi Telecom and INWI) can access those cables. Thus the ANRT makes sure competition in the market is fair and leads to affordable services for Moroccans. The ANRT’s 2017 annual report stated that its annual budget increased threefold, from 3.5 million in 2013 to 11 million in 2017.

Blocking and Filtering

The government did not block or filter any political, social, or religious websites during the coverage period. Social media and communication services including YouTube, Facebook, and Twitter are available in the country to all international blog-hosting services. Websites that discuss controversial views or minority causes—such as the disputed territory of Western Sahara, the Amazigh minority, or Islamist groups—are also accessible. The last instance of government blocking of online content occurred in 2013, when the attorney general ordered the ANRT to block the Arabic- and French-language websites of the investigative news outlet La Lakome, which has been relaunched using the address lakome2.com. The government did not block or filter any political, social, or religious websites during the coverage period. Social media and communication services including YouTube, Facebook, and Twitter are available in the country to all international blog-hosting services. Websites that discuss controversial views or minority causes—such as the disputed territory of Western Sahara, the Amazigh minority, or Islamist groups—are also accessible. The last instance of government blocking of online content occurred in 2013, when the attorney general ordered the ANRT to block the Arabic- and French-language websites of the investigative news outlet La Lakome, which has been relaunched using the address lakome2.com.

Content Removal

While the government does not block online content, it maintains control over the information landscape through a series of restrictive laws that can require the closure of outlets and the removal of online content. Under the press law, the government has the right to shut down any publication “prejudicial to Islam, the monarchy, territorial integrity, or public order,” and it can seek heavy fines—or prison sentences under the penal code—for the publication of offensive content (see Legal Environment). Intermediaries must block or delete infringing content when made aware of it or upon receipt of a court order.

The anti-terrorism law, adopted in 2002, gives the government sweeping powers to filter and delete content that is deemed to “disrupt public order by intimidation, force, violence, fear, or terror.” Article 218-6 assigns legal liability to the author and anyone who in any way helps the author to disseminate a justification for acts of terrorism, which would include site owners and ISPs. While the law was ostensibly designed to combat terrorism, authorities retain the discretion to define vague terms such as “national security” and “public order” as they please, opening the door for abuse. Many opposition news sites are hosted on servers outside the country to avoid being shut down by the authorities.

The government also resorts to more ad hoc, extralegal means to remove content that is deemed controversial or undesirable. For example, Hespress, which in the past featured content that was both supportive and critical of the government, has deleted its videos of protests against opposition figures due to anticipated or actual pressure from authorities.

Media, Diversity, and Content Manipulation

Morocco openly discusses controversial social issues and political events on social media, though online news media continue to lack in diversity and investigative journalism. In the words of award-winning journalist Aboubakr Jamai, "many otherwise good journalists prefer the financial rewards [that come with obeying the state] over the risky duties of watchdogs." Online news outlets receive insufficient directions not to report on controversial issues, or not to allow certain voices to be heard. Many online journalists have been jailed, while others have been investigated on serious charges in a bid to silence them, with court proceedings often repeatedly postponed in order to maintain the threat of jail time (see Prosecutions and Detentions for Online Activities). There is no clear identification of the identities behind the accounts or whether they are state-sponsored agents or simply ordinary private individuals. However, given the amount of time and energy needed to engage in such activity, and the access they have to private information, there are serious doubts that these are ordinary citizens acting on their own personal impetus.

The government uses financial pressure to push the most outspoken independent news media outlets into closure or bankruptcy. Advertising revenue provided by the government or government-linked companies is not split fairly between independent and government-run publications. The Moroccan media sector includes a variety of channels’s outlooks, nominally independent but editorially supportive of the state. They exist primarily to divert public attention away from protests and to compete for online advertising money and audience shares. There is no evidence linking these outlets to a larger state strategy to counter the growth of voices of dissent. However, they receive large amounts of advertising, potentially for their government-provided bias. Powerful business entities, such as the three telecommunications companies, are known to adhere to state pressure to withhold advertising money from news outlets that run counter to the state-owned media narrative. In an interview, prominent journalist Aboubakr Jamai explained that “the carrot in Morocco is bigger than the stick; the state would rather reward you for obedience than punish you for disorder.”

Creating a news website today in Morocco has become a very complicated matter. The Ministry of Culture and Communication long refused to grant press cards to the directors of two important French-language online news sites, Yahlibi and Le Desk. It took seven months before Mohamed Ezzouak and Aboul Anzar received their cards in May 2018. Without such cards, based on the new 2016 press code, it is illegal to practice journalism in Morocco.

Digital advertisers were obliged to pay a 5 percent tax starting in January 2018, stifling an already financially fragile media sector. The others, Chouftv and Le360, are now ranked sixth and seventh, respectively. The Moroccan sports site Elfossa is ranked seventh, bypassing the pan-Arabic sports site Kooora.

Digital Activism

Internet users take advantage of various social media tools to educate, organize, and mobilize people on a wide variety of issues. In April 2018, a group of online activists launched a campaign to boycott products from three major companies to protest increases in the cost of living. The boycott targeted Centrale Danone (dairy products), Sidi Ali (mineral water), and Afriquia (gas stations). The companies control 60 percent, 55 percent, and 29 percent of the market share will grow at the expense of local websites. There is no clear identification of the identities behind the accounts or whether they are state-sponsored agents or simply ordinary private individuals. However, given the amount of time and energy needed to engage in such activity, and the access they have to private information, there are serious doubts that these are ordinary citizens acting on their own personal impetus.

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Each Facebook page has had an estimated 600,000 unique visitors per day and ranked fourth after Google, YouTube, and Avito. The others, Chouftv and Le360, are now ranked sixth and seventh, respectively. The Moroccan sports site Elfossa is ranked seventh, bypassing the pan-Arabic sports site Kooora.
Morocco has收紧反恐法和间谍活动持续进行，对网络自由构成威胁。几名在线记者和活动人士因发布和平言论而遭到刑事起诉。其中，阿米拉·埃尔·阿西里（Hicham Al Miraat）因创办的网站Mamfakinch和反对者面临严重指控。

#### Legal Environment

根据2011年宪法，所有摩洛哥公民均受平等对待。《人权法》第25条第1款规定：“言论自由和表达自由以各种形式确保。”

摩洛哥宪法禁止言论自由，且逮捕媒体从业人员。文章第2条的反间谍法规定了对在线活动的处罚，包括罚款10,000至200,000摩洛哥迪拉姆（约1,000至21,000美元），对策划恐怖主义行为的言论构成犯罪。

#### Technical Attacks

摩洛哥司法部和国家电信监管机构已采取措施监控在线活动。例如，2015年，由军事机构实施的“电子认证授权和监控”从ANRT转至国家安全信息系统的将军部。

摩洛哥政府可以因发布批评言论而对在线活动进行合法监控。文章第2条的反间谍法规定了对在线活动的处罚，包括罚款10,000至200,000摩洛哥迪拉姆（约1,000至21,000美元），对策划恐怖主义行为的言论构成犯罪。

#### Surveillance, Privacy, and Anonymity

根据欧盟指令，摩洛哥政府可以合法监控在线活动。例如，2011年2月20日运动期间，政府利用意大利公司Hacking Team的产品对活动人士进行监控。

#### Prohibitions and Detentions for Online Activities

摩洛哥媒体自由联盟（AMJI）警告说，监管机构可能会因言论自由而拒绝授权。法院经常反复推迟案件审理，允许当局避免国际谴责，同时实施自审言论自由。

#### Legal Environment

摩洛哥法律中的诽谤罪和反恐法继续对言论自由构成威胁。多名在线记者和活动人士因发布和平言论而被起诉和监禁。

谢谢使用。


10 Interview with Dr. Tajjedine Rachdi, computer science professor and former director of Information Technologies Services of Al Akhawayn University in Ifrane, conducted on March 11, 2018.

11 The State owned 35% of Maroc Telecom shares. 55% is owned by the Emirates telecom company Etisalat, and 17% is public. “Key facts and figures,” Maroc Telecom, http://www.iam.mn/Lits/Publications/Attachments/Marois%20Telecommunications%20History%20-%20La%20version%20française_EN.pdf.


16 ANRT, Law No. 24-96, [In French, Trans.: Laws governing the post and telecommunications], http://bit.ly/1P7CMcp.


18 The Domain Name system is administered by the ANRT, http://registre.anrt.ma/mon-de-code/domaine-ma.


22 The antiterrorism law was passed after May 2003 terrorist attacks in Casablanca that killed 43 people and injured more than 100. The 14 suicide bombers involved in the attacks all came from a poor area on the outskirts of the city.


24 Interview with activists and online journalists.

25 Interview with Aboubakr Jamai, conducted on February 19, 2016.

26 Interview with Ali Amouda, Co-founder of Lokome.com, conducted on June 27, 2014.

27 Interview with Zineb Belkakdim, a Moroccan blogger, citizen journalist, and 20th February activist, conducted on January 15, 2014.

28 Interview with Driss Kiklos, former editor in chief of Niche, he left the journalism profession after he was sentenced to three years in jail over a report on Moroccan jokes he published in his magazine, conducted on February 28, 2017.

29 Interview with Driss Kiklos.

30 According to The Report: Emerging Morocco 2012 by Oxford Business Group, Maroc Telecom, Medi Telecom, and Inwi (formerly WANA Corporate) spent three times more the amount of the second sector in terms of advertising with 1.3 bn MAD (E153.4 M). In 2011, according to the L'Express, telecommunications advertising spending represents 23% of the total advertising market share. See: “Investissements publicitaires la télé en perte de marché,” L’Economiste, November 30, 2013, http://bit.ly/1lKtPfG.

31 Interview with Aboubakr Jamai.

32 Interviews with activists and journalists.


34 www.tax.gov.ma.


37 Interview with Driss Kiklos.


Interview with Hisham Almiraat, March 24, 2017.


Interview with Zineb Belmkaddem.

Interview with Hisham Almiraat.


Interviews with digital activists and online journalists.


Privacy International, “The Right to Privacy in the Kingdom of Morocco.”

Interview with Hisham Almiraat, 24 March 2017.

Interview with Hisham Almiraat.

Privacy International, Their Eyes On Me: Stories of surveillance in Morocco.