



The State Department web site below is a permanent electro information released prior to January 20, 2001. Please see [y](#) material released since President George W. Bush took offic This site is not updated so external links may no longer func [us](#) with any questions about finding information.

NOTE: External links to other Internet sites should not be c endorsement of the views contained therein.



## U.S. Department of State

### Morocco Country Report on Human Rights Practices for 1998

Released by the Bureau of Democracy, Human Rights, and Labor, February 26, 1999.

---

#### MOROCCO

The Constitution of Morocco provides for a monarchy with a parliament and an independent judiciary. Ultimate authority, however, rests with the King, who presides over the Council of Ministers, appoints all members of the Government, and may, at his discretion, terminate the tenure of any minister, dissolve the Parliament, call for new elections, and rule by decree. King Hassan II has ruled for 38 years. Since the constitutional reform of 1996, the bicameral legislature consists of a lower house, elected through universal suffrage, and an upper "Chamber of Counselors," whose members are elected by various regional, local, and professional councils. The councilsâ members are themselves directly elected. The lower house of Parliament also may dissolve the Government through a vote of no confidence. In March the King named a coalition government headed by opposition Socialist leader Abderrahmane Youssoufi and composed largely of ministers drawn from opposition parties. Prime Minister Youssoufi's Government is the first government drawn primarily from opposition parties in decades, and also represents the first opportunity for a coalition of socialist, left-of-center, and nationalist parties to be included in the Government. The King took this step in response to criticism of the November 1997 parliamentary elections, which were held amid widespread, credible reports of vote buying by political parties and the Government, and excessive government interference. The fraud and government pressure tactics led most independent observers to conclude that the results of the election were heavily influenced, if not predetermined, by the Government. The judiciary is subject to bribery and government influence, however, the Youssoufi Government is implementing a reform program to develop greater independence and impartiality.

The security apparatus includes several overlapping police and paramilitary organizations. The Border

Police, the National Security Police, and the Judicial Police are departments of the Ministry of Interior, while the Royal Gendarmerie reports to the palace. Members of the security forces continued to commit a number of serious human rights abuses.

Morocco has a mixed economy based largely on agriculture, fishing, light industry, phosphate mining, tourism, and remittances from citizens working abroad. Illegal cannabis production, much of which is destined for Europe, is also a significant economic activity. Economic growth is highly dependent on agricultural output, and has experienced wide fluctuations due to a series of debilitating droughts. While good rainfall during 1996 resulted in gross domestic product (GDP) growth of 11 percent, erratic rainfall resulted in GDP growth in 1997 of negative 2 percent. According to the Government's statistics, GDP grew 6.7 percent in 1998.

The Government's human rights record improved measurably under the Youssoufi Government, although serious problems persisted in several areas. Citizens do not have the full right to change their government; however, the results of the November 1997 legislative elections led to the King's appointment of an opposition coalition government for the first time, which marked a significant step toward increased democratization.

Nevertheless, human rights problems remain. Security forces occasionally torture and abuse detainees and prison conditions remain harsh. Authorities sometimes ignore legal provisions for due process during arrest and detention. However, there was progress during the year as the Youssoufi Government took measures to detain police charged with abuses, and to make autopsies available in cases of deaths in detention in order to dispel allegations of torture. The judiciary is subject to corruption and Interior Ministry influence, although the Government in April instituted judicial reform efforts to increase the level of the judiciary's independence and impartiality. Despite some improvement during the year, including an easing of media censorship and some easing of restrictions on demonstrations, the Government continued to restrict freedom of speech and of the press in certain areas, and limited the freedoms of assembly, association, religion, and movement. In October and November, police beat demonstrators and students, and also temporarily detained some persons. Although non-Muslim foreigners may practice their religions freely, missionaries who proselytize face court-ordered expulsion, and converts from Islam to other religions continue to experience social ostracism. Discrimination and domestic violence against women are common. Child labor also is a problem, and the Government has not acted to end the plight of young girls who work in exploitative domestic servitude. Unions are subject to government interference.

The Government includes a Minister for Human Rights, and, with the King's support, Prime Minister Youssoufi pledged in April to "close the books" on Morocco's human rights past. With the King's support, the Government announced in November several measures to ensure wider respect for human rights, including training teachers and developing curriculums to promote human rights education in primary schools. The Prime Minister also established an inter-ministerial human rights commission, which he chairs. On the King's instructions, the Government disclosed information on 112 persons who disappeared from the 1960s to the 1990s, and released 28 political prisoners. Press freedom expanded during the year, with a prominent journalist returning to her television show as a result of a government decision overturning her suspension for failing to prevent a guest from insulting a minister during a 1997 broadcast. Under the direction of the Minister of Interior, security forces disclosed results of autopsies to dispel allegations of abuse involving deaths in prison. The Government detained police charged with abuses, and announced the imprisonment, for 12 years, of two policemen responsible for a death in Tangier in 1996.

## **RESPECT FOR HUMAN RIGHTS**

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

### **a. Political and Other Extrajudicial Killing**

There were no reports of political killings. However, in August authorities arrested a policeman and four colleagues in Guercif for beating to death Omar Tayebi Bouhout, a man with whom one of the officers had a personal dispute. The accused remain in detention while they await trial. On November 28, two policemen responsible for the death of Mostapha Lemrabit in Tangier in 1996 were sentenced to 12 yearsâ imprisonment.

Human rights groups allege that poor medical care in prisons results in unnecessary deaths; however, the Justice Ministry assigned more doctors to prisons and improved prison health facilities during the year (see Section 1.c.).

### **b. Disappearance**

There were no new cases of disappearance for the third consecutive year. While the forced disappearance of individuals who opposed the Government and its policies occurred over several decades, the new Government pledged to ensure that such policies do not recur, and to disclose as much information as possible on past cases. Many of those who disappeared were members of the military who were implicated in attempts to overthrow the Government in 1971 and 1972. Others were Sahrawis or Moroccans who challenged the Government's claim to the Western Sahara or other government policies. Many of those who disappeared were held in secret detention camps. While the Government released about 300 such detainees in June 1991, and although in October it issued an announcement on those who disappeared, to this day hundreds of Saharan and Moroccan families do not have any information about their missing relatives, many of whom disappeared over 20 years ago.

In recent years the Government has quietly released several hundred persons who had disappeared, including about 300 in June 1991, but no explanation for their incarceration has ever been provided. Local human rights monitors have concluded that many others died while at the notorious Tazmamart prison, which the Government has since closed. The Government has acknowledged 34 of these deaths and has provided death certificates to the families of all but 1 of the 34 who died.

In an October 9 speech, the King directed that all human rights cases should be resolved "within 6 months." On October 15, the Royal Consultative Council on Human Rights (CCDH) announced the release of information on 112 cases of disappearances. According to the Council, 56 of the 112 who disappeared were deceased; family members of 33 of the deceased received death certificates from the Government. The Council added that eight persons believed to have disappeared were alive and living abroad, and that four were alive and in Morocco. For the remaining 44, the Council said that it had no further information. Human rights groups and families pointed out discrepancies between their lists and those of the Government, asked the Government for more data about these cases, and demanded full explanations of causes and circumstances of these deaths and disclosure of the identities of those responsible. Some family groups claim that the Government is not divulging details on at least 50 more cases. In November the Council began meetings in various provinces with groups representing families of persons who had disappeared in order to collect data on their grievances and to conduct further research into the fate of those who remain missing. There were no developments in the disappearance of Abdullah Sherrouq, a student who was reportedly detained by security services on June 22, 1981. After 17 years, his family has been unable to learn anything of his whereabouts or his fate, despite appeals by Amnesty International (AI).

Associations that seek information on those who have disappeared, including a group representing Tazmamart prison survivors, operate openly and freely, and call upon the Government for full disclosure of events surrounding cases that date back to the 1960s. Several front-page articles in newspapers affiliated with parties in the governing coalition called at various times during the year for full disclosure on all outstanding cases of disappearance. The associations also call for compensation to families of those who have disappeared, death certificates and the return of the remains of those who died, and prosecution of responsible officials. The Government indicated that it would be more open about providing information in these past cases.

The Government pays a monthly stipend of \$550 (5,000 dirhams) to 28 former prisoners who survived 18 to 20 years in solitary confinement under harsh conditions at Tazmamart prison in connection with the coup attempts in 1971 and 1972. After their release, the Government prohibited them from speaking out publicly about their detention. In exchange, the Government gave the former prisoners assurances that it would help them find jobs and reintegrate them into society, however, none of them has yet obtained government assistance in this regard, and some complain of being denied voter cards and passports.

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

The Government claims that the use of torture has been discontinued, but some human rights groups report that security forces still torture and abuse detainees. There were no confirmed reports of torture during the year, although one human rights nongovernmental organization (NGO) called for an investigation into the arrest and subsequent hospitalization of Mustafa Benali, who allegedly was beaten by police in Al Hoceima in July. Another human rights NGO reported isolated cases of mistreatment in Kenitra and Khenifra.

At a Rabat rally of unemployed university graduates on October 26, police charged into a crowd of demonstrators without warning and beat participants and journalists indiscriminately. According to reliable reports, some demonstrators were put on public transportation back to their place of origin where police met them and again beat them (see Sections 1.d., 2.a., 2.b., and 2.d.). On October 28, police entered Union Marocaine du Travail (UMT) headquarters, where those who had organized the October 26 demonstrations had taken refuge, and beat 28 demonstrators holding a sit-in strike, seriously injuring 6, including a pregnant woman. On November 10 in Mohamedia, security officers and guards reportedly beat with batons, kicked, and randomly struck Casablanca University students belonging to the Islamist Justice and Charity Group (JCO) who were setting up election tables and ballot boxes in preparation for student council elections. No prior attempt was made to disperse the students peacefully. The Government's spokesperson offered regrets for police excesses in these incidents, both in press interviews and in response to questions by Members of Parliament. However, according to local press reports, Interior Minister Driss Basri stated in Parliament that police actions were "a responsible and mature action aimed at ensuring public order" and that such gatherings "distort the image of Morocco." In November the Ministers of Employment and Interior met with representatives of the unemployed graduates who had organized the October 26 demonstrations and agreed to an expanded program to offer greater job opportunities. In December the Interior Minister agreed to recognize officially the jobless demonstrators association, whose request for recognition had been pending for 7 years. The Minister also agreed to grant members of the group 5,000 taxi licenses. Separately, members of the association were invited in December by the King to a national conference on unemployment.

In December police disrupted a march by the unemployed and beat protesters; some marchers were hospitalized (see Section 2.b.).

In March the Ministry of Justice and the prison administration implemented a law that makes autopsies

routine for any death that occurs in detention, in order to allow allegations of torture to be disproved. The autopsies take place at the request of the family, human rights NGOs, or the state prosecutor, and at the order of a judge. When three prisoners died of heart attacks at the prison in Kenitra in March, the prison administration immediately made the autopsies public when the local press alleged that the three had died under suspicious circumstances. Representatives of the OMDH inspected the autopsies and conducted a full investigation at the prison, and subsequently issued a communique that accepted the authorities' explanation of the deaths.

Although prison conditions remain harsh, they have improved in recent years, due in part to reforms undertaken at the suggestion of the CCDH and the Minister of Justice. Nonetheless, credible reports indicate that harsh treatment and conditions continue, often as a result of chronic overcrowding. In 1997 Oukacha Central Prison in Casablanca, designed for 5,000 inmates, held 8,831. Human rights groups allege that poor medical care in prisons results in unnecessary deaths. The Government has added doctors and health facilities to prisons during the year as a result, and has provided special funds in the 1998-99 budget for the renovation of prison facilities. Although the Government generally did not permit prison visits by human rights monitors in the past, since the tenure of the Youssoufi Government began there has been close collaboration between the Justice Ministry and human rights groups on prison visits. OMDH members visited prisons several times throughout the year, and reported that they were well-received and permitted free and full access to gauge progress on government efforts to reduce overcrowding, improve medical care, and provide additional morale-building facilities to inmates.

#### d. Arbitrary Arrest, Detention, or Exile

Legal provisions for due process have been revised extensively in recent years, although reports indicate that authorities sometimes ignore them. Although police usually make arrests in public and during the day, they do not always identify themselves and do not always obtain warrants. Incommunicado ("garde-a-vue") detention is limited to 48 hours, with one 24-hour extension allowed at the prosecutor's discretion. In state security cases, the "garde-a-vue" period is 96 hours; this also may be extended by the prosecutor. It is during this initial period, when defendants are denied access to counsel, that the accused is interrogated and abuse or torture is most likely to occur. Some members of the security forces, long accustomed to indefinite precharge access to detainees, continue to resist the new rules.

Under 1991 changes to the law, the police are obliged to notify a person's next of kin of an arrest as soon as possible. However, lawyers are not always promptly informed of the date of arrest, and thus are not always able to monitor compliance with the "garde-a-vue" detention limits. While the law provides for a limited system of bail, it is rarely granted. Defendants are, however, sometimes released on their own recognizance. The law does not provide for habeas corpus or its equivalent. Under a separate code of military justice, military authorities may detain members of the military without warrants or public trial.

Although accused persons generally are brought to trial within an initial period of 2 months, prosecutors may request up to five additional 2-month extensions of pretrial detention. Thus, an accused person may be kept in detention for up to 1 year.

At a Rabat rally of unemployed university graduates in October, police originally detained between 60 and 70 demonstrators. All detainees were released within 3 days (see Sections 1.c., 2.a., 2.b., and 2.d.). Islamist dissident Sheikh Abdessalam Yassine has remained under house arrest in Sale since 1989 for refusing to acknowledge the religious authority of King Hassan (see Sections 2.a., 2.c., and 2.d.).

Except for the case of Abraham Serfaty, there are no known instances of enforced exile. The Youssoufi

government has stated that it wishes to end the exile of Serfaty, a member of the (now defunct) Communist Party and a supporter of Saharan independence. Serfaty was released in 1991 after 17 years in prison. Upon his release, the Government declared that Serfaty was a Brazilian rather than a Moroccan citizen, because his father was a naturalized Moroccan citizen originally from Brazil. Based on this declaration, Serfaty was expelled from Morocco, an action that has been widely criticized by human rights groups. In July Serfaty appealed his status to the Supreme Court, which declared that it was not competent to pass judgment on the validity of his expulsion order. In December the Prime Minister stated that, in his opinion, Serfaty was a Moroccan citizen, and urged all Moroccans to work to end restrictions on his travel to Morocco. Local human rights organizations publicly have questioned whether due process was applied adequately in the Supreme Court's consideration of the case. In November two leftist militants of the Organization for Popular Democratic Action (OADP) party ended their self-imposed exiles, returning to Morocco from Algeria after 34 years.

#### e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, but all courts are subject to extrajudicial pressures, including bribery and government influence. However, the Government has taken steps to increase judicial independence. The Justice Minister in April stated that judicial reform was his top priority. He compiled information on judicial corruption, and submitted the names of 61 judges to internal disciplinary panels for punishment. In turn those panels forwarded 13 cases to the criminal prosecutors. Of the 61, 9 judges were disbarred, 13 were suspended without salary for periods ranging from 1 to 6 months, 2 were suspended with salary, 1 was denied promotion, 5 were issued warnings, 26 were cleared of wrongdoing, 4 cases are under investigation, and 1 is waiting a decision on punishment. With the encouragement of the King and the broad support of the business community, the Minister also oversaw the creation of a system of commercial courts for business litigation to boost investor confidence.

There are four levels in the common law court system: Communal and district courts, courts of first instance, the Appeals Court, and the Supreme Court. While in theory there is a single court system under the Ministry of Justice, other courts also operate, including: The Special Court of Justice, which handles cases of civil servants implicated in corruption; administrative courts, which deal with the decisions of the bureaucracy; commercial courts, which deal with business disputes; and the Military Tribunal, for cases involving military personnel and, on certain occasions, matters pertaining to state security (although state security cases also may fall within the jurisdiction of the regular court system).

Although there is a single court system for most nonmilitary matters, family issues such as marriage, divorce, child support and custody, and inheritance are adjudicated by judges trained in Islamic law, or Shari'a. Judges considering criminal cases or cases in nonfamily areas of civil law are generally trained in the French legal tradition. All judges trained in recent years are graduates of the National Institute for Judicial Studies, where they undergo 3 years of study heavily focused on human rights and the rule of law. It is not necessary to be a lawyer to become a judge, and the majority of judges are not lawyers.

In general detainees are arraigned before a court of first instance. If the infraction is minor and not contested, the judge may order the defendant released or impose a light sentence. If an investigation is required, the judge may release defendants on their own recognizance. Cases often are adjudicated on the basis of confessions, some of which are obtained under duress, according to reliable sources.

The Justice Minister stated that he would attempt to end petty corruption in the judiciary by increasing judges' salaries and ensuring punishment for bribe-takers, as well as attempt to end all informal and irregular influences on judicial decisionmaking in the court system. Nonetheless, the court system remains subject to extrajudicial pressures. Despite recent increases, salaries for both judges and their

staffs remain modest; as a result, petty bribery has become a routine cost of court business. In some courts, especially in minor criminal cases, defendants or their families pay bribes to court officers and judges to secure a favorable disposition.

In August 1997, the King, after a vacancy of 2 years, appointed a new Minister of Justice, who began to reduce the judiciary's relationship with the Ministry of Interior. Nevertheless, judges continue to work closely with the Interior Ministry's local network of officials, or "caids," who serve as members of the judicial police and often assume personal responsibility for the questioning of criminal defendants. Caids frequently prepare the written summary of an arrest and subsequent interrogation. The summary is admissible in court, and sometimes serves as a virtual instruction from the caid to the judge. Credible sources have reported that judges who hope for higher salaries and career advancement follow the caids' guidance closely. However, after the new Justice Minister's appointment, the Ministry of Justice began to reassert its authority and control over judges.

The law does not distinguish political and security cases from common criminal cases. In serious state security cases, communications between the Ministry of Interior and the court are more direct. At the Government's discretion, such cases may be brought before a specially constituted Military Tribunal, which is subservient to other branches of the Government, especially the military and the Ministry of Interior.

Aside from external pressures, the court system is also subject to resource constraints. Consequently, criminal defendants charged with less serious offenses often receive only a cursory hearing, with judges relying on police reports to render decisions. Although the Government provides an attorney at public expense for serious crimes (i.e., when the offense carries a maximum sentence of over 5 years), appointed attorneys often provide inadequate representation.

In December the OMDH issued a report that assessed the status of the judiciary. According to the OMDH, the Youssoufi administration took a series of steps to improve the court system, including rooting out high-level corruption, naming a new Director for Judicial Administration at the Justice Ministry, reactivating a Justice Ministry disciplinary body, publishing that body's deliberations and decisions, and organizing free and fair elections to that body. Nevertheless, the OMDH called for sweeping reforms, including changing laws to reduce the Justice Minister's right to suspend judges, revamping the criminal code which the OMDH stated offers insufficient protection for a fair trial, strengthening the law on civil liberties, and compelling judges to place their assets in a blind trust. The OMDH also called on the State to punish those officials guilty of human rights abuses. Finally, the OMDH noted the lack of resources necessary for documentation tracking and for court facilities.

All members of the Party of Democratic Socialist Avante-Garde (PADS) who were arrested during the 1997 elections for calling for their boycott, were released after serving short prison terms.

The Government continued to hold a number of political prisoners, but released many late in the year. Prior to the October release, the OMDH estimated that there were some 60 political prisoners, of whom 50 were Islamists and the remainder were leftists. Among the 50 alleged Islamists were 16 members of the "Group of 26." The Ministry of Interior claimed that there were 55 Islamists serving sentences for offenses that range from arms smuggling to participating in a bomb attack on a hotel in Marrakech. However, some of these prisoners remain in prison for having called for an Islamic state in 1983. International human rights groups' estimates of the number of persons in prison for advocating independence for the Western Sahara varies from none to 700. The AMDH listed 42 political prisoners who were detained between 1984 and 1996.

On October 13, on the recommendation of the CCDH, and with the approval of the King, the Government released 28 political prisoners. Newspapers reported that at least 20 other prisoners, whose offenses ranged from the murder of leftist labor and political leaders to the bombing of the Atlas Asni Hotel in Marrakech in 1994, would remain incarcerated. Of the 28, AMDH acknowledged that 20 were included on its list of political prisoners; the rest were Islamists who had committed crimes of murder or robbery, albeit with political motives. After the release of the 28, the AMDH released a communique in which it noted the continued incarceration of 16 persons whom it considered to be political prisoners. Amnesty international lists eight persons whom it considers to be political prisoners.

#### f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution states that the home is inviolable and that no search or investigation may take place without a search warrant. The law stipulates that a search warrant may be issued by a prosecutor on good cause. Authorities sometimes ignore these provisions.

Government security services monitor certain persons and organizations, both foreign and Moroccan, and Government informers monitor activities on university campuses.

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

#### a. Freedom of Speech and Press

Although the Constitution provides for freedom of expression, the Government restricts press freedom in certain areas. However, newspapers and weeklies from across the political spectrum, from Socialist to Nationalist to Islamist, publish freely.

The Government owns the official press agency, Maghreb Arab press, and the Arabic daily Al-Anbaa. The Government also supports two semiofficial dailies, the French-language Le Matin and the Arabic-language Assahra, in addition to providing subsidies to the rest of the press through price supports for newsprint and office space. A 1958 decree grants the Government the authority to register and license domestic newspapers and journals. Authorities can use the licensing process to prevent the publication of materials that they believe cross the threshold of tolerable dissent. Offending publications may be declared a danger to state security, seized, the publisher's license suspended, and equipment destroyed. The Ministry of Interior can control foreign publications by collecting "banned" publications after they have been distributed. In general, however, the Government does not employ extreme measures, and there were no reports of the abuse of the Government's licensing authority during the year. However, the media regularly engage in self-censorship to avoid the Government's attention and possible sanctions.

The Press Code empowers the Minister of Interior to confiscate publications that are judged offensive by the Government. Under the code, the Prime Minister may order the indefinite suspension of a publication. There are 1,780 domestic and foreign newspapers, magazines, and journals in circulation in Morocco. In comparison with 1997, when individual issues of several foreign newspapers were seized due to the inclusion of sensitive articles, there were no confirmed cases of seizures of foreign or domestic newspapers or journals during the year. The journal, Al-Ousbou al Siassiy, which was banned in 1997 for libel, resumed publication in March as Al-Ousbou. In general, press articles containing unflattering material that had routinely been prevented from circulation in the past were allowed free circulation during the year.

The Press Code empowers the Government to censor newspapers directly by ordering them not to report

on specific items or events. In most instances, government control of the media generally is exercised through directives and "guidance" from the Ministry of Interior. Nonetheless, the Government generally tolerates satirical and often stinging editorials in the opposition parties' dailies. However, both law and tradition prohibit criticism on three topics: The monarchy, Morocco's claim to the Western Sahara, and the sanctity of Islam.

The Government controls Radio-Television Marocaine (RTM) broadcasts. Another major broadcaster is the French-backed MEDI-1, which operates from Tangier and reaches throughout Morocco and North Africa. While nominally private and independent, MEDI-1 practices self-censorship, as do other Moroccan media outlets. The Government owns the only television stations whose broadcasts can be received in most parts of the nation without decoders or satellite dish antennas. In 1996 the Government purchased a majority share in 2M, formerly the country's sole private station, which can be received in most urban areas. The ostensible reason for the Government's action was to save 2M from bankruptcy; the Government now owns 68 percent of 2M stock, and the Minister of Communication, by virtue of his position, has become the chairman of the board. A government-appointed committee monitors broadcasts. Privatization of these stations was a major topic of political debate during the year, and the Government announced that it was preparing a plan for 2M's re-sale to the private sector. After an 18-month suspension for failing to control the statements of a guest on her show, the Communications Minister reinstated popular 2M political talk show host Malika Malik to her program in September. Dish antennas are available at low cost on the market and permit free access to a wide variety of foreign broadcasts. Residents of the north can receive Spanish broadcasts with standard antennas. The Government does not impede the reception of foreign broadcasts or Internet access.

At a Rabat demonstration of unemployed university graduates in October, police beat and knocked to the ground both local and international journalists who were covering the demonstration. Authorities also confiscated film and audio tape from reporters (see Sections 1.c., 1.d., 2.b., and 2.d.). Islamist dissident Sheikh Abdessalam Yassine has remained under house arrest in Sale since 1989 for refusing to acknowledge the religious authority of King Hassan (see Sections 1.d., 2.c., and 2.d.). However, Yassine's books and articles are sold without restriction, and editorials calling for his release are published without impediment.

The universities enjoy relative academic freedom in most areas, but are barred from open debate on the monarchy, the Western Sahara, and Islam. Government informers monitor campus activities (see Section 1.f.) and rectors are approved by the Ministry of Interior.

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

The Constitution provides for freedom of assembly, however, the law also permits the government to suppress even peaceful demonstrations and mass gatherings, and at times police prevented and disrupted gatherings during the year. Most conferences and demonstrations require the prior authorization of the Ministry of Interior, ostensibly for security reasons.

Throughout the year, the vast majority of meetings and marches occurred without government interference. However, while workers in Jerada were allowed to strike in December 1997, a January protest by a group opposed to the government's plan to close a money-losing coal mine degenerated a riot when police disrupted it. The police arrested 60 protesters and some were sentenced to up to 2 years imprisonment for destruction of property. The King later granted a royal pardon and released the protesters in May. In response to the protest, the Government also announced a package of measures to soften the economic blow of the mine's closure. In July police blocked a Berber association, Tamaynut, from organizing a march in Rabat to condemn the murder of an Algerian Berber singer, due to fear of violent protests. Authorities blocked public gatherings of the blind in Rabat in June and in Tetouan in

May. Authorities prohibited Islamist students at a university in Casablanca from taking part in a science colloquium in April. Later that month in Rabat, police disrupted a meeting of a group of supporters of exiled dissident Abraham Serfaty.

On October 26, roughly 150 baton-wielding police disrupted a group of approximately 300 unemployed university graduates attempting to conduct a peaceful demonstration in front of the Parliament building in Rabat to protest alleged government shortcomings in addressing the country's continued high youth unemployment (see Sections 1.c., 1.d., 2.a., and 2.d.). Local authorities had refused to issue a permit for the demonstration. According to credible eyewitness accounts, the police charged into the crowd without warning and beat demonstrators indiscriminately. Many demonstrators were treated at local clinics. Press reports indicated that at least 100 persons were injured. Two seriously injured demonstrators were hospitalized. Police also beat and knocked to the ground both local and international journalists who were covering the demonstrations. The authorities confiscated film and audio tape from British Broadcasting Corporation (BBC) and Agence France Presse (AFP) reporters. Police originally detained between 60 and 70 demonstrators. All detainees were released within 3 days. The Government's spokesman, Minister of Social Affairs Khalid Alioua, expressed regret for the police actions at the Government's weekly press briefing on October 27, and in Parliament on October 28, but did not indicate whether the police responsible would be investigated and punished. Local political parties and human rights organizations widely criticized the excesses of Ministry of Interior forces in breaking up the demonstrations. In December the Ministers of Interior and Education met with the unemployed graduates and reached an agreement in which the graduates would cease their protests in return for a government promise to expand job programs.

On October 28, police entered Union Marocaine du Travail (UMT) headquarters, where those who had organized the October 26 demonstration had taken refuge, and beat 28 demonstrators holding a sit-in strike, seriously injuring 6, including a pregnant woman (see Section 1.c.). On November 10 in Mohammedia, state security officers and university guards reportedly beat with batons, kicked, and randomly struck Casablanca University students belonging to the Justice and Charity Group (JCO) who were setting up election tables and ballot boxes in preparation for student council elections (see Section 1.c.).

In December the Interior Minister agreed to recognize officially the jobless demonstrators' association, whose request for recognition had been pending for 7 years. The Minister also agreed to grant members of the group 5,000 taxi licenses. Separately, members of the association were invited in December by the King to a national conference on unemployment.

In December in Sefrou, police beat protesters and disrupted a march by the unemployed. According to press reports, some marchers were hospitalized and others were detained for questioning.

The Constitution provides for freedom of association, however the Government limits this right in practice. Under a 1958 decree, persons wishing to create an organization must obtain the approval of the Ministry of Interior before holding meetings. In practice, the Ministry uses this requirement to prevent persons suspected of advocating causes opposed by the Government from forming legal organizations. Islamist and leftist groups have the greatest difficulty in obtaining official approval. Although there are over 20 active Islamist groups, the Government has prohibited membership in two, JCO and Jama'a Islamia, due to their perceived anti-monarchy rhetoric. Political parties also must be approved by the Ministry of Interior, which uses this power to control participation in the political process. However, individual Islamists are not barred from participating in recognized political parties. The last known instance in which a proposed political party failed to receive such approval was in 1996, when an Islamist group's application was not approved. The group instead was permitted to present candidates for the 1997 elections under the banner of an existing party. One Islamist party, the Party for Justice and

Democracy (PJD--formerly the Popular Democratic Constitutional Movement), has nine seats in Parliament. There was some progress during the year on increasing freedom of association. In January an anti-corruption NGO, Transparency Maroc, obtained approval from the Interior Ministry after a 2-year delay.

In December the Interior Minister agreed to recognize officially the jobless demonstratorsâ association, whose request for recognition had been pending for 7 years.

### c. Freedom of Religion

Although the Constitution provides for freedom of religion, only Islam, Christianity, and Judaism are tolerated in practice; however, in 1996 a small foreign Hindu community received the right to perform cremations and to hold services.

Islam is the official religion. Ninety-nine percent of citizens are Sunni Muslims, and the King bears the title "Commander of the Faithful." The Jewish community of approximately 5,000 is allowed to practice its faith, as is the somewhat larger foreign Christian community. Citizens who convert to Christianity and other religions often face social ostracism, and in the past a small number have faced short periods of questioning by the authorities. The Bahaâi community of 350 to 400 people has been forbidden to meet or participate in communal activities since 1983.

Islamic law and tradition call for strict punishment of any Muslim who converts to another faith, although voluntary conversion is not a crime under the criminal or civil codes. Any attempt to induce a Muslim to convert is illegal. Foreign missionaries either limit their proselytizing to non-Muslims or conduct their work quietly. There were a small number of cases during the year of foreigners being denied entry into Morocco at the port of Tangier because they were carrying substantial quantities of Christian materials. In two separate incidents, four Americans and two Canadians were arrested in Meknes and Fez in February and May on suspicion of proselytizing. One American was expelled from Morocco, while cases against the others were dropped. At the time of those arrests, a small number of Moroccan Christians in Meknes were summoned for questioning but released shortly thereafter. A company in Casablanca was denied permission by the Ministry of Communications to display bibles at a book fair in Casablanca in November.

The Ministry of Islamic Affairs monitors Friday mosque sermons and the Koranic schools ensure the teaching of approved doctrine. The authorities sometimes suppress the activities of Islamists, but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques.

Islamist dissident Sheikh Abdessalam Yassine has remained under house arrest in Sale since 1989 for refusing to acknowledge the religious authority of King Hassan (see Sections 1.d., 2.a., and 2.d.). In October the Youssoufi Government stated that it intended to end the Sheikhâs detention, and an appeal of Yassineâs detention was expected to be heard before the Supreme Court.

The Government permits the display and sale of bibles in French, English, and Spanish, but confiscates Arabic language bibles and refuses licenses for their importation and sale. However, bibles reportedly have been seen on sale in local bookstores. In May in Tangier, a British citizen was indicted on a customs violation for allegedly failing to declare the importation of a commercial quantity of bibles. The case was resolved by the payment of a \$10,000 fine.

During the year, Interior Ministry officials summoned members of the small Baha'i community for questioning concerning their faith and meetings; however, fewer Baha'is were summoned than in past years. There were no reports that Baha'is were denied passports because of their religion, as was the case in previous years.

#### d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement, however, the Government restricts this right in certain areas. The gendarmerie maintains checkpoints throughout the country at which drivers' licenses and vehicle registrations are verified for validity. Although checkpoints have been maintained in the same places for years, the degree of inspections of motorists has relaxed, while the emphasis on inspecting trucks and buses continues. In addition, while there are continuing allegations that gendarmes demand small payments to clear vehicles, press reports indicate that gendarmes found guilty of such behavior are being punished. In October the Gendarmerie Royale announced a campaign to combat such abuses within its ranks. In the Moroccan-administered portion of the Western Sahara, movement is restricted in areas regarded as militarily sensitive. In October police restricted the travel of and detained citizens attempting to attend a demonstration of unemployed university graduates in Rabat (see Sections 1.c., 1.d., 2.a., and 2.b.).

The Ministry of Interior restricts freedom to travel outside Morocco in certain circumstances. The OMDH and AMDH have compiled lists of individuals who have reportedly been denied passports or who have passports but are denied permission to travel. The OMDH lists 20 persons, including Mostapha Farissi, a former political detainee. The AMDH's list includes 70 persons, many of whom are Islamists. In addition, all civil servants and military personnel must obtain written permission from their ministries to leave the country. The spiritual leader of the Islamist JCO, Sheikh Abdessalam Yassine, has remained under house arrest in sale since 1989 for refusing to acknowledge the religious authority of the King (also see Sections 1.d., 2.a., and 2.c.). In October the Yousoufi Government stated that it intended to end the Sheikh's detention, and an appeal of Yassine's detention was expected to be heard before the Supreme Court.

Moroccans may not renounce their citizenship, but the King retains the power--rarely used--to revoke it. Tens of thousands of Moroccans hold more than one citizenship and travel on passports from two or more countries. While in Morocco, they are regarded as Moroccan citizens. As a result, the Government sometimes has refused to recognize the right of foreign embassies to act on behalf of dual nationals or to be informed of their arrest and imprisonment. Dual nationals sometimes complain of harassment by immigration inspectors.

The Government welcomes voluntary repatriation of Jews who have emigrated. Moroccan Jewish emigres, including those with Israeli citizenship, freely visit Morocco. The government also encourages the return of Sahrawis who have departed Morocco due to the conflict in the Western Sahara, provided that they recognize the Government's claim to the region. The Government does not permit Saharan nationalists who have been released from prison to live in the disputed territory.

The Government cooperates with the United Nations High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. There were no reports of forced expulsion of anyone having a valid claim to refugee status. While Morocco has from time to time provided political asylum to individuals, the issue of first asylum has never arisen.

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

Constitutional provisions establishing periodic free elections notwithstanding, citizens do not have the full right to change their government. The King, as head of state, appoints the Prime Minister, who is the titular head of Government. The Parliament has the theoretical ability to effect change in the system of government. Moreover, the Constitution may not be changed without the King's approval. The Ministry of Interior appoints the provincial governors and local caids (district administrative officials). Municipal and regional councils are elected.

Constitutional changes in 1992, retained in the Constitution of 1996, authorized the Prime Minister to nominate all government ministers, but the King has the power to replace any minister at will. While Secretaries General enjoyed significant authority over day-to-day operations of ministries in past administrations, the King charged Prime Minister Yousoufi with implementing sweeping administrative, economic, and social reform, and gave him the discretion to accomplish this task. As a result of the King's decision, the current government has named new staff throughout the Government to accomplish its objectives.

The Government of Prime Minister Abderrahmane Yousoufi is the first government formed from the opposition since the late 1950s, and his appointment by the King marked a significant step toward increased democratization. With the King's support, Yousoufi, who was sentenced to death in absentia in the 1970s but subsequently received a royal pardon in 1980, has declared his intention to modernize Morocco's administrative and judicial structures, and to liberalize the economic and political system. The new Government consists of only 4 ministers (Interior, Foreign Affairs, Justice, Islamic Affairs) out of 41 cabinet-level posts, plus the Secretary General of the Government and the Minister-Delegate for Defense Administration, who were retained from the previous government. In order to develop reforms, the King granted cabinet ministers a greater degree of responsibility for the management of their individual portfolios.

Morocco created a bicameral legislature in 1997. Fourteen parties have members in Parliament, and seven are represented in the governing coalition. While opposition parties urged in 1996 and 1997 that all Members of Parliament be directly elected by the citizens, the King proposed in 1996 the creation of a bicameral legislature, whereby all members of the lower chamber would be directly elected by the people and all members of the second chamber indirectly selected by popularly-elected regional, municipal, and professional councils.

In June 1997, Morocco held municipal council elections, followed by balloting for regional professional councils. In the wake of the June election, political parties accused each other of manipulation and vote-buying, and claimed government intervention on behalf of candidates. The Election Commission examined numerous petitions during the course of the electoral season in 1997 and recommended the reversal of over 60 municipal election results, including in Tangier, Khoribga, and Oujda, and also noted irregularities in 4 parliamentary races in Casablanca, Chefchaouen, and Fes, and called for the results to be set aside. The OMDH condemned the prominent role of the Interior Ministry in the June 1997 elections, as well as the numerous allegations of vote buying both by the Government and political parties, electoral list manipulation by the Government, and electoral card falsification.

In August 1997 King Hassan convoked a special session of Parliament to ratify two laws creating a bicameral assembly, and the same month Parliament unanimously approved these laws, which created a 325-seat lower house to be filled by direct elections, and a 270-seat upper house whose member would be elected by various professional and regional councils. There were widespread, credible allegations of vote buying and government manipulation in the November legislative elections. The fraud and government pressure tactics led most independent observers to conclude that the election results were heavily influenced, if not predetermined, by the Government. All opposition parties criticized the Government, and some called for a boycott of Parliament. Two winners renounced their seats; alleging

unsolicited government interference on their behalf. The Election Commission concurred that irregularities had occurred in two Casablanca cases and recommended that new elections be held in those districts; new elections have not yet been scheduled. It also examined other complaints and recommended new elections in Chefchaouen and Fes, which took place during the year.

Women are underrepresented in government and politics. There are 2 female secretaries of state in the 41-member Cabinet. There are 2 women among the 325 members of Parliament's Chamber of Deputies and 2 women in the Chamber of Counselors.

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

There are three officially-recognized nongovernmental human rights groups: The Moroccan Human Rights Organization, the Moroccan League for the Defense of Human Rights (LMDH), and the Moroccan Human Rights Association. A fourth group, the Committee for the Defense of Human Rights (CDDH), was formed in 1992 by former AMDH members. The Government maintains close and collaborative relations with these groups. During the year, the OMDH cosponsored seminars on human rights with the ministers of Justice and Education. The AMDH also recently opened a human rights documentation center in Rabat.

Amnesty international has local chapters in Rabat, Casablanca, and Marrakech. These chapters participate in AI international letter campaigns outside Morocco. The Government encouraged AI to hold its International Congress in Marrakech in August 1999, and hosted a visit by AI Secretary General Pierre Sane in June, during which Sane met with senior government officials and announced that AI would open a regional office in Morocco and hold the Congress in August 1999.

In June U.N. High Commissioner for Human Rights Mary Robinson announced the establishment of a Regional Human Rights Documentation and Research Center in Morocco, with European Union financial support.

In August Prime Minister Youssoufi announced that he would chair a human rights commission that would review cases of past and present human rights issues in order to solidify respect for human rights in Morocco. The commission, which is composed of members of the Government, serves as a brain trust on human rights issues and policies.

The Royal Consultative Council on Human Rights (CCDH), an advisory body to the King, counsels the palace on human rights issues, and was the organization charged by the King to resolve cases related to persons who had disappeared. In March the King reestablished the Human Rights Ministry, which he had eliminated in 1997, and named a former widely respected Human Rights Minister, Omar Azziman, as Minister of Justice.

#### **Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status**

Although the Constitution states that all citizens are equal, non-Muslims and women face discrimination in the law and traditional practice.

##### **Women**

Spousal violence is common. Although a battered wife has the right to complain to the police, as a practical matter she would do so only if prepared to bring criminal charges. While physical abuse is a

legal ground for divorce, a court only grants it if the woman can provide two witnesses to the abuse. Even medical certificates are not sufficient. If the court finds against the woman, she is returned to her husband's home. Consequently, few women report abuse to the authorities.

The Criminal Code includes severe punishment for men convicted of rape or sexually assaulting a woman or a girl. The defendants in such cases bear the burden of proving their innocence. However, sexual assaults often go unreported because of the stigma attached to the loss of virginity. While not provided for in law, victim's families may offer rapists the opportunity to marry their victims in order to preserve the honor of the family. The law is more lenient toward men with respect to crimes committed against their wives; for example, a light sentence may be accorded a man who has murdered his wife after catching her in the act of adultery.

Women suffer various forms of legal and cultural discrimination. The civil law status of women is governed by the Moudouwana, or Code of Personal Status, which is based on the Malikite school of Islamic law. Although the Moudouwana was reformed in 1993, women's groups still complain of unequal treatment, particularly under the laws governing marriage and divorce.

In order to marry, a woman is generally required to obtain the permission of her "tuteur," or legal guardian, usually her father. Only in unusual circumstances may she act as her own "tuteur."

It is far easier for a man to divorce his wife than for a woman to divorce her husband. Under Islamic law and tradition, rather than asking for a divorce, a man may simply repudiate his wife outside of court. Under the 1993 reforms to the Moudouwana, a woman's presence in court is required in order for her husband to divorce her, although women's groups report that this law frequently is ignored. However, human rights activists reported that, in a recent NGO-sponsored test, officials refused to order a divorce without the wife being present, despite offers of bribes. Nevertheless, women's groups complain that men are resorting to ruses to dodge the new legal restrictions. The divorce may be finalized even over the woman's objections, although in such cases the court grants her unspecified allowance rights.

A woman seeking a divorce has few practical alternatives. She may offer her husband money to agree to a divorce (known as a khol'a divorce). The husband must agree to the divorce and is allowed to specify the amount to be paid, without limit. According to women's groups, many men pressure their wives to pursue this kind of divorce. A woman also may file for a judicial divorce if her husband takes a second wife, if he abandons her, or if he physically abuses her. However, divorce procedures in these cases are lengthy and complicated. In November the Minister of Islamic Affairs proposed the institutionalization of additions to the basic marriage contract that would outline the rights and duties agreed upon between husband and wife, and permit legal recourse for the enforcement of the contract.

Under the Criminal Code, women generally are accorded the same treatment as men, but this is not the case for family and estate law, which is based on the Moudouwana. Under this law, women inherit only half as much as male heirs. Moreover, even where the law provides for equal status, cultural norms often prevent a woman from exercising those rights. When a woman inherits property, for example, male relatives may pressure her to relinquish her interest.

While many well-educated women pursue careers in law, medicine, education, and government service, few make it to the top echelons of their professions. Women constitute approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. The Government reports that the illiteracy rate for women is 67 percent (and 89 percent in rural areas), compared with 41 percent for men. Women in rural areas suffer most from inequality. Rural women perform most difficult physical labor, and the literacy rate in the countryside is significantly lower for women than for men.

Girls are much less likely to be sent to school than are boys, especially in rural areas where the quality of schooling is inferior to urban areas, and demands on girls's time for household chores often prevents school attendance. Women who do earn secondary school diplomas, however, have equal access to university education.

According to a July 1997 government survey, 76 NGOs work to advance women's rights and to promote women's issues. Among these are the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights, which advocate enhanced political and civil rights, as well as numerous NGOs that provide shelters for battered women, teach women basic hygiene, family planning, and child care, and educate illiterate women.

## Children

The law provides for compulsory education for children between the ages of 7 and 13; however, not all children between these ages attend school due to family decisions and shortfalls in government resources, and the Government does not enforce the law. The Government conducts an annual campaign to vaccinate children against childhood diseases.

The Government took some steps to address the problem of child labor (see Section 6.d.). On September 8, the Government adopted International Labor Organization (ILO) Convention 138, which prohibits child labor. However, young girls in particular are exploited as domestic servants. An incident in El Hajeb in April, in which a teenage prostitute fled naked from a brothel in which she had been forced to work for 5 years, highlighted the prevalence of child prostitution in impoverished areas. The practice of adoptive servitude, in which families adopt young girls who perform the duties of domestic servants in their new homes, is prevalent. Credible reports of physical abuse in such circumstances are widespread. Some orphanages are knowing accomplices to the practice of adoptive servitude; the practice is often rationalized as a better alternative to keeping the girls in orphanages. Adoptive servitude is socially accepted, attracts little criticism, and is unregulated by the Government.

Another problem facing orphans of both sexes is lack of civil status. Normally, men are registered at local government offices; their wives and unmarried children are included in this registration, which confers civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. If a father does not register his child, the child is without civil status and the benefits of citizenship. It is possible for an individual to self-register, but the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time. Abandoned children sometimes receive kafala (state-sponsored care).

Several NGOs, including the Moroccan League for the Protection of Children, work to improve legal protection for children and to help at-risk children. There are several shelters in the major cities that provide food and lodging for street children, while other NGOs work to reduce the exploitation of street children and to cure those street children with drug addictions.

## People With Disabilities

A high incidence of disabling disease, especially polio, has resulted in a correspondingly high incidence of disabled persons. While the ministry of Social Affairs endeavors to integrate the disabled into society, in practice this is left largely to private charities. However, even nonprofit special education programs are priced beyond the reach of most families. Typically, disabled persons are supported by their families; some survive by begging. The Government continued a pilot training program for the blind

sponsored in part by a member of the royal family. There are no laws mandating physical changes to buildings to facilitate access by the disabled.

#### National/Racial/Ethnic Minorities

The Constitution affirms, and the Government respects, the legal equality of all citizens. The official language is Arabic. Both French and Arabic are used in the news media and educational institutions. Science and technical courses are taught in French, thereby eliminating the large, monolingual Arabic-speaking population from participation in these programs. Educational reforms in the past decade have stressed the use of Arabic in secondary schools. Failure to similarly transform the university system has effectively disqualified many students from higher education in lucrative fields. This especially is true among the poor, for whom French training is not always affordable.

Some 60 percent of the population claim Berber heritage. Berber cultural groups contend that Berber traditions and Berber language (which consists of three dialects) are rapidly being lost. Their repeated requests to the King to permit the teaching of Berber languages in the schools led to a 1995 royal speech authorizing the necessary curriculum changes; however, such changes have not yet been implemented. Official media broadcast in Berber for limited periods each day.

In June 1996, a number of Berber associations issued a communique petitioning the Government to recognize their language as an official language and to acknowledge their culture as a part of Moroccan society. These associations claimed that the Government refuses to register births for children with traditional Berber names, discourages the public display of the Berber alphabet, limits the activities of Berber associations, and continues to Arabize the names of towns, villages, and geographic landmarks. The Government thus far has made no response to the petition, although Prime Minister Youssoufi acknowledged Berber culture as an integral part of Moroccan identity in a speech before Parliament in April. A full page of a major national newspaper is devoted on a monthly basis to articles and poems on Berber culture that are printed in Berber, although with Latin script.

### **Section 6 Worker Rights**

#### a. The Right of Association

Although workers are free to establish and join trade unions, the unions themselves are not completely free from Government interference. Perhaps half a million of Morocco's 9 million workers are unionized in 17 trade union federations. Three federations dominate the labor scene: the Union Marocaine du Travail (UMT), the Confederation Democratique du Travail (CDT), and the Union Generale des Travailleurs Marocains (UGTM). The UMT has no political party affiliation. The CDT is affiliated with the Socialist Union of Popular Forces, the Party of Prime Minister Youssoufi, and the UGTM with the Istiqlal party. It is widely believed that the Ministry of Interior has informants within the unions who monitor union activities and the election of officers. Sometimes union officers are subject to government pressure. Union leadership does not always uphold the rights of members to select their own leaders. There has been no case of the rank and file voting out its current leadership and replacing it with another.

Workers have the right to strike and do so. Work stoppages normally are intended to advertise grievances and last 24 to 72 hours or less. There were a number of narrowly focused work stoppages during the year. In early October, the Minister of Interior negotiated the return to work of 290 Royal Air Maroc machinists after a 3 , -month strike.

Unions belong to regional labor organizations and maintain ties with international trade union secretariats. The UMT is a member of the International Confederation of Free Trade Unions (ICFTU).

#### b. The Right to Organize and Bargain Collectively

The right to organize and bargain collectively is implied in the constitutional provisions on the right to strike and the right to join organizations. Trade union federations compete among themselves to organize workers. Any group of 8 workers may organize a union and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation.

In general the government ensures the observance of labor laws in larger companies and in the public sector. In the informal economy, and in the textile and handicrafts industries, both the Government and management routinely ignore labor laws and regulations. As a practical matter, unions have no judicial recourse to oblige the Government to enforce labor laws and regulations.

The laws governing collective bargaining are inadequate. Collective bargaining has been a longstanding tradition in some parts of the economy such as the industrial sector, especially heavy industry, but the practice has not spread to other sectors, such as the service and informal sectors. The wages and conditions of employment of unionized workers are generally set in discussions between employer and worker representatives. However, wages for the vast majority of workers are unilaterally set by employers.

Employers wishing to dismiss workers are required by law to notify the provincial governor through the labor inspector's office. In cases where employers plan to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal. Any worker dismissed for committing a serious infraction of work rules is entitled by law to a court hearing.

There is no law specifically prohibiting antiunion discrimination. Employers commonly dismiss workers for union activities regarded as threatening to employer interests. The courts have the authority to reinstate such workers, but are unable to enforce rulings that compel employers to pay damages and back pay. Ministry of Labor inspectors serve as investigators and conciliators in labor disputes, but they are few in number and do not have the resources to investigate all cases. Unions have resorted increasingly to litigation to resolve labor disputes.

Labor law reform is such a controversial issue that a draft revised Labor Code has remained under discussion in parliamentary committee for 4 years.

Labor law applies equally to the small Tangier export zone. The proportion of unionized workers in the export zone is about the same as in the rest of the economy, roughly 5 percent.

#### c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor was prohibited in 1957 when the International Labor Organization's Convention 29 was adopted by royal decree. When authorities become aware of instances of forced labor, courts enforce the decree. However, in practice the Government lacks the resources to inspect all places of work to ensure that forced labor is not being used.

The Government prohibits forced and bonded labor by children, but does not enforce this prohibition

effectively. The practice of adoptive servitude, in which families adopt young girls who serve as domestic servants, is socially accepted, and the Government does not regulate it. Credible reports of physical abuse in such cases are widespread (see Section 5).

#### d. Status of Child Labor Practices and Minimum Age for Employment

Abuse of the child labor laws is common. The law prohibits the employment or apprenticeship of any child under 12 years of age. On September 8, the Government adopted ILO Convention 138, which prohibits child labor. Education is compulsory for children between the ages of 7 and 13 years, although not all children attend school. Special regulations cover the employment of children between the ages of 12 and 16. In practice, children are often apprenticed before age 12, particularly in the handicraft industry. The use of minors is common in the rug making industry and also exists to some extent in the textile and leather goods industries. Children also are employed informally as domestics and usually receive little or no wages. Safety and health conditions as well as wages in enterprises employing children are often substandard. The law prohibits forced or bonded labor by children; however, the Government does not enforce the law effectively (see Section 6.c.). The practice of adoptive servitude is often characterized by physical abuse (see Sections 5 and 6.c.). The Ministry of Education, in cooperation with the Ministry of Health and with the support of UNICEF, is pursuing a strategy of establishing agreements with the heads of factories to assure basic education and health services for child workers.

Ministry of Labor inspectors are responsible for enforcing child labor regulations, which are generally well observed in the industrialized, unionized sector of the economy. However, the inspectors are not authorized to monitor the conditions of domestic servants.

The Government lacks the resources to enforce laws against child labor. In fact, there is general acceptance of the presumption that, to learn properly traditional handicraft skills, it is necessary for children to start working at a young age. In addition, many persons argue that having children working to learn a craft is better than having them live on the streets.

In July 1997 the Government announced a new voluntary labeling system for carpet exports to certify that no child labor was involved in production. The system is cosponsored by German rug importers. However, the Government does not monitor nonparticipating handicraft producers that violate child labor laws.

#### e. Acceptable Conditions of Work

The June 1996 general strike led to negotiations among the Government, the Manufacturers' Association, and the labor confederations over increasing the minimum wage and improving health benefits, social benefits, and housing. In August 1996, all three parties agreed to a 10 percent increase in the minimum wage retroactive to July 1, raising it to approximately \$180 (1,661 dirhams) per month in the industrialized sector and to approximately \$9 (80.96 dirhams) per day for agricultural workers. Neither figure provides a satisfactory standard of living for a worker and family, even with government subsidies for food, diesel fuel, and public transportation. In many cases, several family members combine their income to support the family. Most workers in the industrial sector earn more than the minimum wage. They generally are paid between 13 and 16 months' salary, including bonuses, each year.

The minimum wage is not enforced effectively in the informal and handicraft sectors, and even the Government pays less than the minimum wage to workers at the lowest civil service grades

(approximately 8 percent of government workers), although benefits are more generous, and include transportation, food and housing subsidies, free vacations, and other nonmonetary remuneration. To increase employment opportunities for recent graduates, the Government allows firms to hire them for a limited period through a subsidized program at less than the minimum wage.

The law provides for a 48-hour maximum workweek with no more than 10 hours in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. As with other regulations and laws, these are not universally observed.

Occupational health and safety standards are rudimentary, except for a prohibition on the employment of women in certain dangerous occupations. Labor inspectors attempt to monitor working conditions and accidents, but lack sufficient resources. While workers, in principle, have the right to remove themselves from work situations that endanger health and safety without jeopardizing their continued employment, there were no reports of any instances in which a worker attempted to exercise this right.

[end of document]

---



[Return](#) to 1998 Human Rights Practices report home page.

[Return](#) to DOSFAN home page.

This is an [official U.S. Government source](#) for information on the WWW. Inclusion of non-U.S. Government links does not imply endorsement of contents.