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Morocco

Country Reports on Human Rights Practices - [2005](#)

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Morocco is a constitutional monarchy with an elected parliament and a population of approximately 30 million. Ultimate authority rests with King Mohammed VI, who presides over the Council of Ministers, appoints or approves 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. In the bicameral legislature, the lower house may dissolve the government through a vote of no confidence. The 2002 parliamentary elections for the lower house were widely regarded as free, fair, and transparent. The 2003 elections for local government councils were recognized as well-administered. In the latter elections, the government limited the participation of the Islamist Party of Justice and Development (PJD), one of the 27 political parties in the country. The civilian authorities generally maintained effective control of the security forces.

There was progress in the implementation of the *Moudawana* (Family Status Code); the work of the Equity and Reconciliation Commission (IER); and the suppression of sex tourism during the year; nevertheless, the human rights record remained poor in many areas. Human rights organizations and the Polisario Front (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro), an organization seeking independence for the western Sahara, accused the government of excessive force in Laayoune and Dakhla (Western Sahara) against demonstrators in May and in the fall and criticized the subsequent trials and harsh sentences given demonstrators. Human rights activists in the Western Sahara reported to Amnesty International (AI) and Human Rights Watch (HRW) that they were tortured. Monthly demonstrations by unemployed university graduates in front of the parliament were disrupted by consistently excessive security force intervention. The following human rights problems were reported:

- inability of citizens to change fully their government
- excessive police force resulting in deaths of demonstrators and migrants
- unresolved cases of disappearance
- allegations of torture
- poor prison conditions
- arbitrary arrest and incommunicado detention
- police and security force impunity
- lack of judicial independence
- occasional warrantless searches
- restrictions on freedoms of speech and press
- some restrictions on religious freedom
- corruption and lack of transparency
- societal discrimination affecting women
- trafficking in persons
- child labor

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, on October 30, Hamdi Lembarki died in Laayoune, Western Sahara, during a demonstration in support of Western Sahara independence.

Accounts differ concerning Lembarki's death. According to media reports, eyewitnesses claimed that police beat Lembarki to death. The government initially claimed Lembarki died from injuries sustained when he was hit by a stone thrown by another demonstrator. The government investigated Lembarki's death and arrested two police who were awaiting trial at year's end.

On October 6, border guards shot and killed four African migrants trying to enter illegally the Spanish enclave of Melilla. According to a government report, two other migrants later died from multiple wounds.

There were no further developments regarding the killing of Abdelhaq Bentasser, Mohamed Bouannit, and Driss Dida. The guards involved in these cases were investigated, tried and convicted during 2003 and 2004; they remained in prison.

b. Disappearance

There were no reports of politically motivated disappearances.

There were no developments in the disappearance of Hassan Essidig, reported by the Moroccan Association for Human Rights (AMDH) to have been arrested in April 2004 upon arrival at Mohamed V Airport. There were no developments in the case of Mohamed Damir, who disappeared after the May 2003 terrorist attacks.

The AMDH continued to claim that the practice of incommunicado detention confirmed the persistent practice of forced disappearance (see section 1.d.). According to a June 2004 report by Amnesty International (AI), the Directorate General for Territorial Surveillance (DGST) practice was to deny holding the person in question, particularly those in the Temara detention center. In such cases family members and lawyers usually learned of the detention after the detainee was brought before a magistrate, charged, and placed in pretrial detention; in this context the secret detention amounted to a period of disappearance.

Forced long-term disappearances of individuals opposing the government and its policies occurred over a period spanning several decades. Associations that sought information regarding those who disappeared called upon the government for full disclosure of events surrounding cases dating back to the 1960s. In 1997 the government pledged that such activities would not recur and that it would disclose as much information as possible about past cases; authorities stated that they released information on all 112 confirmed disappearance cases. Human rights groups and families continued to claim cases of disappearances, many from the Western Sahara.

In January 2004 the IER began work to settle serious violations of human rights, including compensation for all outstanding cases of arbitrary detention and disappearance from independence in 1956 to the king's 1999 ascension to the throne. Public hearings on torture and disappearances began in December 2004 and ended April 25. The IER received 22 thousand applications and interviewed petitioners at the rate of 5 per day as part of a process to catalogue the full range of abuses and determine compensation. The IER organized several activities, including visits to former secret detention centers and villages, but not to the Western Sahara, where a number of inhabitants were persecuted, and seminars for the public, academics, and journalists on literature written by former prisoners on the subject of state violence (see section 4).

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

The law prohibits such practices, and the government denied the use of torture; however, according to local and international human rights organizations and lawyers, prisoners, and detainees, members of the security forces tortured or otherwise abused detainees. The penal code stipulates sentences up to life imprisonment for public servants who use or allow the use of violence against others in the exercise of their official duties. By law pretrial investigating judges must refer a detainee to an expert in forensic medicine if asked to do so or if judges notice suspicious physical marks on a detainee. Unlike in the past year, judges enforced this requirement according to the Ministry of Justice.

Attorneys for some persons who were convicted under the 2003 antiterrorism law claimed that their clients' convictions were based on signed confessions coerced under torture. There was no indication that the government took any action in response to claims of torture made in August 2003 at the Court of Appeal in Fez by 29 persons accused of terrorism, and judicial authorities reportedly refused to order any medical examinations.

In June 2004 AI published a report that accused security authorities of systematic torture and ill treatment of suspects held at the Temara detention center. AI noted a sharp rise over the past two years in such cases in the context of "counter terrorism" measures as well as the failure of government authorities to investigate these reports. The government pledged to investigate each of the alleged cases in the AI report. The government did not provide an update on these cases.

During 2003 and 2004 AI and other human rights organizations reported torture and ill treatment during initial interrogations of prisoners, including beatings, electric shocks, and sexual abuse. Former detainees reported that authorities held them in secret detention and denied contact with lawyers or family. The AI report also documented accusations of arbitrary detention and forced confessions of detained terrorism suspects.

Authorities had not yet published a result of an investigation ordered in March 2004 by then Minister of Human Rights Mohamed Oujjar into whether those detained in connection with the May 2003 Casablanca explosions had been subjected to torture and human rights violations.

Prison and Detention Center Conditions

Prison conditions remained extremely poor and generally did not meet international standards, despite some improvements in medical care and efforts by the Ministry of Justice, Directorate of Prisons to expand capacity. Extreme overcrowding, malnutrition, and lack of hygiene continued to aggravate the poor health conditions inside prisons. Pretrial detainees were not held separately from convicts.

On May 3, Khalid Boukri, 28, died in prison near Benslimane. An autopsy indicated that he died of tuberculous pneumonia rather than from any wounds on the body. At the time of his death, he was participating in a hunger strike begun May 2 by 600 Islamist prisoners arrested following the May 2003 attacks. On April 10, Abdelmoumen Massoudi, imprisoned for assault and battery and who reportedly suffered from psychological problems, died of heart failure and dehydration, according to officials. Massoudi was on a hunger strike allegedly because he wanted to be isolated from other prisoners. In April 2004 Zakaria Douibi died in custody in Kenitra prison. Authorities said that he committed suicide by hanging himself with a blanket tied to an iron bar in his cell.

The Moroccan Prison Observatory (OMP), an NGO independent of the government that advocates prisoner rights, highlighted the lack of training and education of prison guards; the fact that prisoners frequently needed to pay for services; violence in the prisons as well as drug abuse, malnutrition, and mistreatment; and the incarceration of first-time offenders with hardened criminals. The government permitted some OMP members to visit prisons, particularly in Casablanca.

OMP, citing figures released in June 2004 by the International Centre for Prison Studies, reported that the population in the country's 46 prisons, designed to hold 39,000 prisoners, was 54,542.

In July 2004 the Commission of the Royal Advisory Council on Human Rights (CCDH) issued its first annual report, which mainly addressed prison overpopulation and poor prison conditions. In a speech following the release of the report, Minister of Justice Mohamed Bouzoubaa said that prison overcrowding was a major concern and that many detentions were unnecessary. Although Bouzoubaa said that his ministry was considering alternatives to prison sentences, no proposals had been announced by year's end.

d. Arbitrary Arrest or Detention

The law does not prohibit arbitrary arrest or detention, and police used both practices. Police did not always observe due process; for example, they sometimes did not identify themselves at the time of arrest of suspects, nor always obtain warrants. The police occasionally held detainees without being charged or, if charged, they were sometimes denied a public preliminary judicial hearing within a reasonable period.

Role of the Police and Security Apparatus

The security apparatus includes several police and paramilitary organizations with overlapping authorities. The National Police (DGSN), the DGST, the Mobile Intervention Corps, and the Auxiliary Forces are independent entities. The Royal Gendarmerie reports to the Ministry of Defense and was responsible for law enforcement in rural regions, including national highways. The Department of Royal Security reports to the palace.

The National Police managed the border and immigration services. The main federal investigative body, the National Brigade, investigated violations of the federal penal code, such as terrorism, organized crime, and white-collar crime. The DGST and the Auxiliary Forces had security functions.

The government continued to express concern about police corruption. Police impunity remained a problem; however, police training was ongoing, as well as investigations of police abuse.

Arrest and Detention

Police may make an arrest following a general prosecutor's issuance of an oral or written warrant, although in practice were sometimes issued after the fact. Detainees had no access to family members or lawyers during the first 48 hours of detention, and that period can be extended to 96 hours.

Under the antiterrorism law, those arrested may be held for 96 hours, with 2 additional 96-hour extensions allowed at the prosecutor's discretion. Authorities denied defendants access to counsel or family members during this initial period, which was when police interrogated detainees and abuse or torture was most likely to occur (see section 1.c.).

The law provides for a limited system of bail; however, it rarely was granted. The law does not require a written authorization for a person to be released from detention. In some instances judges released defendants on their own recognizance. The antiterrorism law, passed in 2003, does not include a system of bail. Under a separate military code, military authorities may detain members of the military without warrants or public trial.

According to law all defendants have the right to be represented by attorneys and, if a defendant cannot afford private counsel, a court-appointed attorney must be provided. This provision was respected in practice. The police were required to notify a person's next of kin of an arrest as soon as possible after the initial 48-hour incommunicado detention, but this provision was not always respected in practice. Because of delays in contacting family, lawyers were not always informed promptly of the date of arrest and were not able to monitor compliance with the administrative detention limits.

Several attorneys representing defendants who were arrested under the antiterrorism law charged that authorities falsified arrest records to cover up periods of detention exceeding the legal requirement. Many defendants attempted to recant confessions in court, saying that they had not read them. Most defendants did not have access to counsel until shortly before trial, and the detainees usually did not know the contents of the alleged confessions until they were introduced as evidence in court. Judges uniformly dismissed motions to recant confessions and often did not allow evidence and witnesses for the defense.

Some members of the security forces, long accustomed to indefinite access to detainees before charging them, continued to extend detention limits. In 2003 AI reported that some of those arrested had been held incommunicado for as long as 5½ months. A large increase in detainees and prisoners led to increased allegations of incommunicado detentions that were difficult to confirm.

There were no reports of political detainees. The government maintained that it detained individuals for criminal activity only; however, international and local NGOs stated that police detained individuals, especially in the Western Sahara, for apparently short-term political

motives and released them later without charge.

During the year royal pardons and other judicial processes decreased to about one thousand the number of individuals held because of suspected links to terrorist groups or for suspected involvement in the 2003 Casablanca suicide attacks. Human rights activists and attorneys estimated as many as four thousand persons had been detained originally. The government did not provide a confirmed figure of the number of detainees held originally.

In March 2004 the AMDH reported that several Islamist prisoners, adherents of the Salafia Jihadia, a regional movement espousing violence to achieve Islamist goals, were isolated in the Kenitra jail, deprived of medical care and decent food, and not allowed private visits. On March 8, relatives protesting outside of the jail were forcibly dispersed and removed by police (see section 2.b.). The CCDH investigated the report and stated that none of AMDH's allegations was true. The prisoners were imprisoned for being part of the 2003 terrorist attacks, or members of extremist movements.

On April 7, authorities released Mohamed Bouhcini, a guide and translator, from jail. No formal charges had been brought against him since he was jailed in December 2004 after being accused by a convicted drug trafficker of delivering hashish to him during Bouhcini's trip with journalists to the Rif Mountains.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; nevertheless, the courts were subject to extrajudicial pressures, including government influence. Efforts continued to increase efficiency and to end corruption, but, according to most observers, corruption was viewed as a routine cost of doing business in court.

In June the Supreme Council of the Judiciary initiated disciplinary proceedings against seven judges for possible corruption. One of the judges was dismissed; three were temporarily dismissed; two retired early; and one was found not guilty. Disciplinary proceedings are conducted yearly by the Ministry of Justice.

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. All decisions made in criminal and civil matters in which the penalty exceeds approximately \$33 (330 dirhams) may be appealed to the courts of first instance (regional courts). The regional courts are subdivided into civil, commercial, administrative, and penal and rabbinical sections. Cases may be appealed from the regional courts to the appeals court.

The Supreme Court is subdivided into five chambers: constitutional; penal; administrative; social; and civil. The constitutional chamber is composed of the First President of the Supreme Court, three judges appointed by the king, and three judges appointed by the president of the Chamber of Representatives.

In theory there is a single court system under the Ministry of Justice; however, other courts also operated including administrative courts, commercial courts, and military tribunals that exist only for military personnel. The central audit court, which is the supreme audit institution, and nine regional audit courts had judicial powers as well. In January 2004 the Council of Ministers eliminated the Special Court of Justice, as the council perceived the court as lenient and discriminatory in its review of officials accused of bribery and other abuses of power. In place of the Special Court of Justice, appeals courts heard cases against government officials accused of abuse of power.

At the government's discretion, serious state security cases such as those relating to the monarchy, Islam, or territorial integrity (in practice advocating independence for the Western Sahara) may be brought before a specially constituted tribunal, responsible to the Ministry of Interior. There were no such cases during the year.

Trial Procedures

The law provides for the right to a fair public trial; however, according to human rights NGOs, this did not always occur in practice.

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

According to law all defendants have the right to be represented by attorneys and, if a defendant cannot afford private counsel, a court-appointed attorney is provided. The Ministry of Justice is required to provide an attorney at public expense for serious crimes (when the offense carries a maximum sentence of more than five years). However, attorneys were not always appointed, or if provided, they were poorly paid, resulting often in inadequate representation. In addition judges sometimes denied defense requests to question witnesses. Defendants are given the right to be present and to timely consultation with an attorney. Trials are public and juries are used. Throughout the year, progress was made regarding adherence to the law.

In general authorities arraigned detainees before a court of first instance. If the judge determined that a confession was obtained under duress, the law requires him to exclude it from evidence. However, human rights NGOs charged that judges decided cases often on the basis of forced confessions, especially in cases of Islamists accused of terrorism (see section 1.c.) or in the cases of some Saharawis.

Appeals court may in some cases be used as a second reference for courts of first instance, although they primarily handled cases involving crimes punishable by five years or more in prison. In practice defendants before appeals courts who are implicated in crimes with such a punishment consequently have no method of appeal. The Supreme Court does not review and rule on cases sent to it by the appeals court;

the Supreme Court may overturn an appellate court's ruling on procedural grounds only. Therefore, there were few appeals for defendants in crimes whose penalty was long periods of confinement. An investigation by an examining magistrate was mandatory only when life imprisonment or the death penalty was a probability.

Human rights groups criticized as unfair the trials of demonstrators in Laayoune and Dakhla (Western Sahara), some of which were held in June and July. The groups reported that confessions were acquired under duress and lawyers had inadequate access to the defendants.

Human rights groups also voiced criticism regarding the conduct of some 2004 trials, which proceeded very quickly for some defendants, including mass trials of 50 persons.

In October 2003 the Minister of Justice established family courts to adjudicate divorce and child custody cases in anticipation of proposed reforms to the *Moudawana*. These courts addressed family issues for Muslim citizens, and the judges were trained in Shari'a (Islamic law) as applied in the country. By the end of the year, the Ministry of Justice, often in cooperation with international NGOs, had trained 300 new judges and 60 family court judges, while 600 judges had participated in continuing education courses.

Plans called for the establishment of 70 family courts with 1 for each province. At the end of 2004, the government had established 20 of these courts. No new specific family courts had been established by year's end. Family matters for Jewish citizens were handled by a parallel legal system available to them (see section 2.c.).

Political Prisoners

The law does not distinguish political and security cases from common criminal cases. The government did not consider any of its prisoners to be political prisoners, although some NGOs considered selected detainees from the Western Sahara to be political prisoners.

Lack of free speech and media in the Western Sahara complicated attempts to confirm whether Sahrawis were imprisoned solely for their political affiliation, for open advocacy of independence, or for other violations of the law. In 2004 various international human rights groups estimated that 700 persons were imprisoned for advocating Western Saharan independence.

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

The law states that the home is inviolable and that no search or investigation may take place without a search warrant, although authorities sometimes ignored these provisions. The law stipulates that a prosecutor may issue a search warrant on good cause, particularly in cases of terrorism. Plainclothes security officers who did not identify themselves or present search warrants conducted home searches. The Moroccan Organization for Human Rights (OMDH) and AMDH, as well as the Islamist Justice and Charity Organization (JCO), reported home searches.

Government security services monitored certain persons and organizations, both foreign and domestic, and government informers monitored activities on university campuses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law generally provides for freedom of expression with restrictions, and throughout the year several publications tested the boundaries of press freedom.

The antiterrorist law and the press code impose financial penalties on journalists and publishers who violate the restrictions on defamation; libel; critical discussion of the monarchy; territorial integrity (advocating independence for the Western Sahara); and Islam. Prison sentences also can be imposed on those convicted of libel. The press code lists threats to public order as one of the criteria for censorship. Within these limits, politically diverse newspapers and weeklies published news and commentary and were sometimes critical of government policies. In October 2004 the government amended the press code to remove prison penalties for violations of the antiterrorist law's restrictions. The government punished persons who violated limitations on free speech.

In June Nadia Yassine, a leading member of the JCO and daughter of its leader, was summoned before the courts for publicly stating her belief that the country would be healthier as a republic than as a monarchy. Her trial was postponed.

The government generally controlled the media through directives and guidance from the Ministry of Communication, subsidies, and advertising allocation. The government confiscated or indefinitely suspended publications judged offensive. The government censored newspapers directly by ordering them not to report on specific items or events. The government registered and licensed domestic newspapers and journals and used the licensing process to prevent the establishment of new publications or the publication of materials that exceeded its threshold of tolerable dissent. The Ministry of Communication controlled foreign publications by removing banned publications from circulation.

There were approximately two thousand domestic and foreign newspapers, magazines, and journals during the year. The government owned the official press agency, Maghreb Arab Press. The government also supported two semiofficial dailies, the French-language *Le Matin* and the Arabic-language *Assahra Al Maghribia*, and subsidized the press through price controls for newsprint and office space.

The government owned Moroccan Radio-Television. While nominally private and independent, the French-backed Medi-1 practiced self-censorship, as did other media outlets. A government-appointed committee monitored broadcasts. The government owned the only television stations whose broadcasts could be received in most parts of the country without decoders or satellite dish antennas. Satellite dish antennas were widely used. The government did not impede the reception of foreign broadcasts.

The government did not allow the JCO newspaper, *Rissalat Al Foutuwa*, to be sold on newsstands.

According to a Committee to Protect Journalists (CPJ) report, on January 18, authorities told editors of the Oujda-based weeklies *Al-Sharq* and *Al-Hayat Al-Maghribiya* to cease publication of their weeklies immediately for three months because of an article published in support of the 2003 terrorist attacks. Authorities imprisoned the editors for three months before they received a royal pardon. At year's end, the publications had resumed publication.

In January 2004 the courts fined journalist Narjis Erraghay \$0.11 (1 dirham) for charges of defamation brought against her for a 1999 article she wrote for the *Al Bayanne* newspaper in which she named Minister Mahmoud Archane as a torturer during his tenure at the Derb Moulay Cherif police station in Casablanca. Erraghay appealed the case. The parties reached a nonpublic agreement and the case was dismissed.

In January 2004 the king pardoned 33 prisoners including 7 journalists. Among the journalists was Ali Lmrabet, who had been sentenced in 2003 under the press code, to 4 years imprisonment, later reduced to 3 years on appeal, and fined \$2 thousand (20 thousand dirhams) for disrespecting the king, disparaging the monarchy, and challenging the country's territorial integrity. Lmrabet's newspapers, the French-language *Demain* and the Arabic-language *Doumain*, remained banned at year's end.

The other journalists pardoned in January 2004 were Mustapha Alaoui, Abdel Majid Ben Taher, Mustapha Kechnini, Mohamed Al Herd, Abdelaziz Jallouli, and Miloud Boutrigui. All were convicted in 2003 of offenses related to the government's handling of the 2003 terrorist attacks.

On April 12 the Rabat court of first instance convicted Lmrabet of defaming The Association of Relatives of Sahrawi Victims of Repression, a progovernment group, banned him from journalism for 10 years, and ordered him to pay \$5 thousand (50 thousand dirhams). In a Spanish newspaper article in November 2004, he had referred to the Sahrawis in Tindouf, Algeria, as "refugees" rather than as prisoners of the Polisario. According to the CPJ, local journalists had never heard of the Association of Relatives of Sahrawi Victims of Repression prior to January when Lmrabet first tried unsuccessfully to register a successor weekly to his banned publications. On June 23, an appeals court upheld the 10-year ban on Lmrabet's writing and the fine. In addition, Lmrabet was obligated to publish the verdict for 21 days in an Arabic-language newspaper at a cost of up to \$120 thousand (1.2 million dirhams).

On August 15, a court sentenced Ahmed Benchemsi, director of an independent French-language weekly magazine, *TelQuel*, and Karim Boukari, a journalist for *TelQuel*, to two months in jail for an article that apparently defamed a parliament member. The magazine was also fined \$100 thousand (one million dirhams), enough to jeopardize the magazine's financial viability. The case was appealed, but there was no decision by year's end.

The media consistently practiced self-censorship.

The law requires the Ministry of Interior to justify to the courts any seizure or banning of domestic or foreign publications, suspension of the publisher's license, or destruction of equipment. The law provides for three to five-year jail sentences, fines, and payment of damages for newspaper officials found guilty of libeling public officials.

The government generally did not block Internet access; however, in November according to HRW, authorities began blocking access to Internet sites advocating independence for the Western Sahara.

The government restricted academic freedom. There was no open debate on the monarchy, Islam, or the country's incorporation of the Western Sahara per constitutional restrictions, but guidelines were not consistently enforced. Government informers monitored campus activities, mostly those of Islamist groups. The Ministry of Interior approved the appointments of university rectors.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, but it also permits the government to suppress peaceful demonstrations and mass gatherings.

Freedom of Assembly

The law requires government permission for public assemblies, and authorities granted permission only for events considered nonthreatening to government policies. Police forcibly prevented and disrupted some peaceful demonstrations and mass gatherings. There were numerous demonstrations held throughout the year on a variety of issues. Unemployed diploma holders demonstrated monthly in front of the parliament. Intervention by the security forces was consistently excessive, even when persons with physical disabilities participated. On December 15, during a police assault on a demonstration by the National Dependent Group of Unemployed Moroccans, five protesters attempted a collective self-immolation using gasoline; one of the protesters died after being hospitalized for burns.

Freedom of Association

The law provides for freedom of association, although the government limited this right in practice. Under a decree restricting civil society organizations, persons who wish to create an organization are required to obtain the approval of the Ministry of Interior to hold meetings. In practice the ministry generally used this requirement to prevent persons suspected of advocating causes opposed by the government from forming legal organizations. Historically, extreme Islamist and leftist groups encountered the greatest difficulty in obtaining official approval.

The Ministry of Interior must approve political parties, and in December the parliament passed legislation placing more stringent conditions on political parties. The law requires parties to hold frequent national congresses and to include women and youth in party leadership structures. Public funding of parties is to be based on a party's total representation in parliament and the total number of votes received nationally. Under the law a party can be disbanded if it does not conform to the provisions. To create a new party, a declaration must be submitted to the Ministry of Interior and signed by at least 300 cofounding members from one-half of the 16 regions of the country. Previously, under the 1957 law on associations, only three founding members were necessary. The new law reflects changes and revisions suggested by all political parties and members of civil society.

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice. The constitution designates the king as Commander of the Faithful and says that Islam is the official state religion; nevertheless, non-Muslim communities openly practiced their faiths with varying degrees of official restrictions. The government placed restrictions on certain Christian religious materials and proselytizing by members of any religion.

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

Beginning in 2003 authorities accused several imams and religious counselors of exploiting mosques to promote Islamist parties. The Ministry of Islamic Affairs and Endowments continued to monitor mosques, placed other restrictions on Muslims and Islamic organizations whose activities were deemed to have exceeded the bounds of religious practice or become political in nature, and began to provide religious training for imams, both male and female. The government strictly controlled the construction of new mosques, requiring a permit for construction. Authorities said that these measures were instituted to avoid exploitation of mosques for political propaganda, such as distributing pamphlets and raising funds, or for disseminating extremist ideas.

The Ministry of Islamic Affairs and Endowments monitored Friday mosque sermons and the Koranic schools (religious training institutions) to ensure the teaching of approved doctrine. At times the authorities suppressed Islamist activity, but they generally tolerated activities limited to the propagation of Islam, education, and charity. Unlike the practice until 2003, security forces did not close mosques to the public shortly after Friday services to prevent the use of the premises for unauthorized political activity.

The government provided funds for the teaching of Islam in public schools as part of overall public education funding.

On October 27, authorities dropped charges against Hamid Al-Madany, a Christian convert from Islam who had been arrested for proselytism after police found his passport on a foreign Christian arrested for distributing Christian materials in Tehouan.

The small foreign Christian community operated churches, orphanages, hospitals, and schools without restrictions or licensing requirement. Missionaries who conducted themselves in accordance with cultural norms could largely work unhindered, but those who proselytized publicly faced expulsion. During the year there were reports of police questioning foreign missionaries because they carried Christian materials. The number of local Christians, apart from foreign spouses of citizens, was minute.

The government permitted the importation, display, and sale of Bibles in French, English, and Spanish, but not in Arabic, despite the absence of any law banning such books.

Islamic law and tradition called for punishment of any Muslim who converted to another faith. Any attempt to induce a Muslim to convert was illegal.

At year's end the Shiite organization Al Ghadir had not received an answer to its 2002 request for official status, the first such request for a Shiite association.

Societal Abuses and Discrimination

There were no reports of anti-Semitic acts, publications, or incitements to violence or hatred.

Representatives of the Jewish minority, numbering about five thousand, generally lived in safety throughout the country. The Jewish community operated a number of schools and hospitals whose services were available to all citizens. The government provided funds for religious instruction to the small parallel system of Jewish public schools. Jews continued to hold services in synagogues throughout the country.

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

During the 2003 terrorist attacks, members of the Salafiya Jihadia bombed five targets, including a Jewish community center in Casablanca. After the attacks Muslims marched in solidarity with Jews to condemn terrorism. Annual Jewish commemorations took place in the country, and Jewish pilgrims from the region regularly came to holy sites in the country. The International Committee of the Red Cross (ICRC) assisted the Ministry of National Education and the Ministry of Islamic Affairs and Endowments in designing a course on tolerance and international humanitarian law, which was introduced in selected schools.

For a more detailed discussion, see the *2005 International Religious Freedom Report*.

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

The law provides for freedom of movement; however, the government restricted this right in certain areas. In the government-administered Western Sahara, authorities restricted movement in areas regarded as militarily sensitive and denied passports to a number of persons opposed to government policy in the territory.

The Ministry of Interior restricted the freedom to travel outside the country in certain circumstances. All civil servants and military personnel must obtain written permission from their ministries to leave the country.

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

The government welcomed voluntary repatriation of Jews who had emigrated. Jewish emigres, including those with Israeli citizenship, freely visited the country. The government also encouraged the return of Sahrawis who departed the country due to the conflict in the Western Sahara, provided that they recognized the government's claim to the territory.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. In November 2003 the government adopted the Law on Emigration and Immigration that provides for the rights of asylum seekers and the temporary residency of persons who do not qualify for refugee status or asylum. The UN High Commissioner for Refugees (UNHCR) is currently the sole agency in the country entitled to grant refugee status and verify asylum cases. The government generally cooperated with the UNHCR and other humanitarian organizations in assisting refugees. The UNHCR continued to evaluate claims of refugee status in its office in Rabat.

In practice the government provided some protection against *refoulement*, the return of persons to a country where they feared persecution, and provided refugee status and asylum; however, there were reports that persons with possible claims to refugee status were turned away at the country's borders. The government organized a series of repatriations at its own expense.

On October 7, the NGO Doctors Without Borders (MSF) found approximately 500 illegal immigrants in the Sahara desert, abandoned by the government without food or water. The government removed the illegal immigrants from the country through which they were attempting to pass on their way to Europe, particularly Spain, the closest point. The government repatriated many of the immigrants at its own expense prior to the MSF report and following the report.

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

The law provides for regular, free elections on the basis of universal suffrage, although citizens did 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 constitution authorizes the prime minister to nominate all government ministers, but the king may nominate ministers and has the power to replace any minister. The government consists of 35 cabinet-level posts, including 5 sovereign ministerial posts traditionally appointed by the king (interior, foreign affairs, justice, Islamic affairs, and defense). The Ministry of Interior nominates to the king the provincial governors (*walis*) and local district administrative officials (*caids*), and the king appoints them. The king also appoints the constitutional council.

Parliament has the theoretical ability to change the system of government, although the constitution may not be changed without the king's approval. Citizens elect municipal and regional councils.

Elections and Political Participation

In September 2003 the government held elections for positions on approximately 25 thousand municipal councils. The government listed official turnout at 54 percent. By most accounts the balloting was well organized, but there were allegations of corruption and vote buying in some of the races. The government limited the participation of the PJD, the only Islamist party to participate in the elections, running candidates in 18 percent of the municipalities. Female candidates won 1.7 percent of municipal council seats while fielding 5 percent of the candidates. Following the elections, council members elected new mayors in all cities.

In September 2002 the government held the first free and fair parliamentary elections. The election took place under a revised electoral code, including a proportional list system, plus a national list of 30 seats reserved for women. There were candidates from 26 parties, and 52 percent of those eligible voted, according to government statistics. Observers noted that the absence of fraud and manipulation generally

enhanced the credibility of reform efforts.

The parliament included 30 women who won seats reserved for women on the national list, plus 5 who won seats in their local districts. There were three female members of the upper house.

Government Corruption and Transparency

There was a general perception in the country that corruption existed in the executive and legislative branches of government. In June the Supreme Council of the Judiciary initiated disciplinary proceedings against seven judges (see section 1.e.). Some human rights observers described bribery of officials, including the judiciary, as a grave impediment to human progress. They claimed that bribery was increasing, and that senior officials lacked the will to combat it. Some human rights activists said that authorities made scapegoats of a few prominent cases.

Transparency International's Corruption Perception Index reported an increase in perceptions of official corruption in the current year as compared to the previous year.

There was no freedom of information law.

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

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

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

National human rights NGOs recognized by and cooperating with the government included: the OMDH; the Moroccan League for the Defense of Human Rights (LMDDH); and the AMDH. The AMDH did not cooperate officially with the government, but usually shared information. Since 2000 OMDH and LMDDH have had government subsidies in recognition of their serving the public interest. There were also numerous regional human rights organizations.

The Forum for Truth and Justice (FVJ) and the OMP were two additional prominent national human rights NGOs. Created by victims of forced disappearance and surviving family members, the FVJ's principal goal was to encourage the government to address openly the issue of past forced disappearances and arbitrary detention. The OMP's main purpose was to improve the treatment and living conditions of prisoners. These groups maintained fairly regular contact with government authorities throughout the year.

In 2003 authorities dissolved the Western Sahara branch of the FVJ on the charge that the organization had undertaken illegal activities that were likely to disturb public order and undermine the territorial integrity of the country. AI suggested that FVJ activities were the peaceful expression of views on the issues of self-determination and human rights. Six human rights activists arrested following the demonstrations in Laayoune in May were members of the FVJ, according to an AI report in August.

The government's attitude toward international human rights organizations depended on the sensitivity of the areas of the NGO's concern. The government generally was cooperative regarding disappearances and abuses by security forces. Although government officials met in 2002 with the International Council for the Rehabilitation of Victims of Torture (a Danish NGO), the government did not agree to its recommendation to permit the UN Committee Against Torture to make confidential investigations in the country and to consider individual complaints. There were no visits by the UN committee during the year.

During the year the ICRC made several visits, as did both AI and HRW.

Human rights training continued, based on an agreement between AI and the government for a 10-year human rights education program. The Ministry of Justice and the Ministry of National Education provided human rights education for teachers and, in cooperation with the ICRC, provided a curriculum for teaching international humanitarian law in schools. The government provided increased human rights training to prison officials, military officers, police, and medical personnel. The CCDH advised the palace on human rights issues, and the king charged CCDH to resolve cases related to persons who had disappeared.

In July 2004 the CCDH produced its first annual report on human rights in the country, a report mandated in 2002 by the government. The CCDH report focused at length on prison conditions and prison overpopulation. In December 2002 the king established a nonjudicial ombudsman to consider citizen allegations of governmental injustices and thereby ensure respect for the rule of law and justice. The last report submitted was in 2004 and the CCDH reviewed it.

In January 2004 the Equity and Reconciliation Commission (IER) began work. The authorities tasked the IER with making reparations for families of disappeared persons and other victims of abuse, restoring the dignity of victims, providing for their rehabilitation and medical care, and creating a thorough accounting of the events which led to human rights abuses and the circumstances of the crimes. The IER, headed by former political prisoner Driss Benzekri, had a one-year mandate that authorities extended until November 30 due to the larger than expected number of petitions.

The IER staff interviewed petitioners through the year, held public hearings on torture and disappearances, visited former prisons, and met

with victims in regions that were particularly victimized, families of victims, and witnesses of violations. The press widely publicized the IER's activities. Under agreement with the IER, participants in public hearings did not disclose the names of persons they considered responsible for violations. During its mandate the IER received more than 22 thousand applications. Of these, the IER assessed 16,861 cases. While the IER had prepared for public hearings in the Western Sahara, they were not held due to time constraints and unrest in the territory.

On December 1, the IER submitted its final report to the king, who determined that it would be released to the public. A newly formed section of the CCDH had responsibility to ensure compensation of all victims and follow through on the final IER recommendations.

Section 5 Discrimination, Societal Abuses, Trafficking in Persons

The law prohibits discrimination based on race, sex, disability, language, or social status; however, traditional practice discriminated against women, particularly in rural areas. In January 2004 both houses of parliament unanimously approved a new law governing personal status. These reforms to the *Moudawana* were designed to make the law freer of gender discrimination.

Women

The law does not specifically prohibit domestic violence against women, but the general prohibitions of the criminal code address such violence. Spousal abuse was common, but there were no reliable statistics regarding its extent. Spousal abuse was more frequent in rural than urban areas and among less-educated persons. Although a battered wife had the right to file a complaint with police, as a practical matter, she would do so only if prepared to bring criminal charges. Physical abuse legally was grounds for divorce, although for legal and societal reasons, few women reported abuse to authorities.

While there was substantial progress in making the public aware of problems concerning women, public awareness was uneven. In July 2004 the Ministry of Family Solidarity set up toll free numbers for victims of domestic violence in 20 centers throughout the country. The government established the centers based on statistics relating to each category of violence as compiled by the Ministry of Justice and the size of the urban area. There was no information available on the effectiveness of this initiative.

The criminal code provides for severe punishment for men convicted of rape or sexual assault, and the authorities enforced the provisions. 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 by law, victim's families may offer rapists the opportunity to marry their victims to preserve the family honor. Spousal rape was not a crime.

The law is lenient toward men with respect to crimes committed against their wives. Police are reluctant to become involved in what are considered private matters between husband and wife. Police hesitate also to violate privacy laws. Honor crimes, or assaults against women with the intent to kill, are committed because of the perception that a woman's behavior brings shame on the family. Such crimes were extremely rare.

The law prohibits prostitution; however, it was prevalent, especially in urban centers. NGO activists estimated that there were thousands of teenage prostitutes in urban centers. Their clientele were both foreign tourists and citizens. In July the government acted against sex tourism, convicting 60 local prostitutes in Agadir, a resort town. Authorities also arrested three young women in Agadir after their photographs were discovered on a pornographic Web site. The arrests drew criticism from human rights activists, who pointed out that the men involved, tourists from Gulf countries and Europe, were not punished. At the end of the year, authorities discovered an international prostitution ring in the Ifrane area with links to Jordan. Trafficking in persons was a problem (see sections 5, Trafficking, and 6.c.).

There was no law against sexual harassment, and there were no reliable statistics reporting on the extent of the problem.

The changes to the *Moudawana* introduced a number of changes to the status of women. The new law increased the marriage age for women from 15 to 18 years, placed the family under the joint responsibility of both spouses, rescinded the wife's duty of obedience to her husband, eliminated the requirement of a marital tutor for women as a condition to marry, created divorce by mutual consent, and imposed limitations on the practice of polygamy.

Authorities predicated the reforms on the establishment of 70 family courts and the training of judges to implement the reforms (see section 1.e.). The new family status code relies much more heavily on the court system than the previous law. Under the reforms time limits were established for the family courts to pronounce judgments; for example, a month for alimony cases and six months for divorces.

The criminal code generally accorded women the same treatment as men; however, the family status code governs family and estate cases. Even in cases in which the law provides for equal status, cultural norms often prevented a woman from exercising her rights.

While many well-educated women pursued careers and there were two female ministers and a number of female CEOs, few women rose to the top echelons of their professions. Women constituted approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. Government statistics indicated that 22 percent of women were the primary wage earners for their families. The government reported that the illiteracy rate for women was 62 percent in urban areas (82 percent in rural areas), compared with 41 percent for men (50 percent in rural areas). Women in rural areas were most affected by inequality. Women who earned secondary school diplomas had equal access to university education. During the last academic year, over 80 percent of the attendees at government supported literacy programs were women, 55 percent of whom were in rural areas.

Many NGOs worked to advance women's rights and to promote women's issues. Among these were the Democratic Association of

Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights; all advocated enhanced political and civil rights. There were numerous NGOs that provided shelters for battered women; taught women basic hygiene; family planning; childcare; and promoted literacy.

Children

The government was committed to the protection of children's welfare. The law provides for compulsory, free, and universal education for children between the ages of 6 and 15, and the government increasingly sought to enforce the law. For example, in the last academic year, 51 percent of kindergarten-aged children were enrolled; for the current academic year, 61 percent were enrolled. The number of students enrolled after 6 years of age increased from 53.5 percent to 91 percent in the past year, according to the Ministry of National Education.

A May 2004 report from the Secretariat for Literacy and Non-Formal Education estimated that as many as 1.5 million children between the ages of 9 to 15 were not in school. Over 140 thousand were enrolled in government remedial and vocational education programs.

The Ministry of National Education stated its goal was to reduce the student dropout rate from the current 40 percent to 20 percent. In the past the dropout rate had been as high as 70 percent. The ministry attributed the reduction in the rate was a result of boarding schools established in small towns and rural areas. Students were able to attend these schools, spend the night, and receive meals.

There were no reliable statistics on the number of girls married below the age of 18. UNICEF reported in 2004 that 18 percent of all marriages were child marriages; 24 percent of these occur in rural areas and 13 percent in urban areas. Using the family status code, the government, in coordination with international and local NGOs, informed women of their rights, partially in order to combat child marriages.

Child labor was a serious problem (see section 6.d.).

In 2003 the government signed an accord with Spain to repatriate unaccompanied minors. As part of the accord, Spain agreed to help the government reunify children with their families, place the children in halfway houses, and provide remedial education for the repatriated children. The accord has assisted the government with the repatriated minors; however, during the year a problem developed concerning these unaccompanied repatriated children. Upon their return to the country, the children encountered material difficulties and abuse on the streets, as well as abuse by border officials. The government had limited capacity to deal with this problem (see section 5, Trafficking).

The new family law provides that children born out of wedlock can carry the father's name.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, and within the country. The 2003 Immigration and Emigration Act specifically prohibits trafficking in persons and fines and imprisons those, including government officials such as border patrol and immigration officers, who are involved in or who fail to prevent trafficking in persons. Under the penal code, perpetrators were prosecuted either for fraud, kidnapping, corruption of minors, or for forcing others into prostitution.

Women were trafficked abroad, and internal trafficking was also a problem, particularly of women for sexual exploitation or of young girls for domestic service. The government, working with local NGOs, particularly the Casablanca-based Baiti, provided health services to the women and girls as well as vocational training leading to employment.

The country was a transit point for trafficking and alien smuggling to Europe. Spain, the closest European country, was the initial destination point. In 2003 the government created a binational commission on illegal migration and trafficking in persons with Spain, and began conducting joint patrols of the waters between the mainland and the Canary Islands. While the patrols were concerned primarily with reducing the voluntary migration of persons through the country to Spain, the effect of the patrols hindered trafficking.

Trafficking of women for prostitution was prevalent, and prostitution was a problem particularly in cities with large numbers of tourists, as well as near towns with large military installations. Prostitution of trafficked minors was a particular problem in the village of El Hajeb near Meknes, as well as in Agadir and Marrakech, which attracted sex tourists from Europe and the Arab Gulf states (see section 5, Children). To combat prostitution the government amended the penal code in 2003 to make sex tourism a crime, while other amendments increased the penalties for promoting child pornography and child prostitution and for employing underage children. Recent arrests indicate that the amendment had an impact.

The government did not provide direct funding to NGOs offering services to victims of trafficking; however, the government provided in-kind support. The government supported programs to keep children in school, improve education opportunities for rural girls, and expand economic opportunities in high-risk areas.

Persons with Disabilities

There are no laws to assist persons with disabilities. The government has guidelines on how to deal with persons with disabilities, but they have no legal effect. Specifically, the law does not mandate access to buildings for persons with disabilities. While the Office of the Secretary of State for Families, Children, and the Handicapped attempted to integrate persons with disabilities into society, in practice integration largely was left to private charities. Nonprofit special education programs were too expensive for most families. Typically, families supported persons with disabilities, and some of the disabled survived by begging.

National/Racial/Ethnic Minorities

The official language was Arabic; however, both French and Arabic were used in the news media and educational institutions. Science and technical courses were taught in French, thereby preventing the large, monolingual Arabic-speaking population from participation in such programs. Educational reforms in the past decade emphasized the use of Arabic in secondary schools. Failure to transform the university system similarly led to the disqualification of many students from higher education in lucrative fields. The poor lacked the means to obtain additional instruction in French to supplement the few hours per week taught in public schools.

Approximately 60 percent of the population claimed Berber heritage, including the royal family. Berber cultural groups contended that their traditions and language were being lost rapidly. Responding to this concern, official media broadcasts in the Berber language increased during the year from four to eight hours a day. Berber language classes also were included in the curriculum of 350 primary schools, affecting approximately 25 thousand students.

Section 6 Worker Rights

a. The Right of Association

The law permits workers to establish and join trade unions, although the laws reportedly have not been implemented in some areas. Most union federations were allied with political parties, but unions were free from government interference. Approximately 5.5 percent of the country's workers were organized. Companies were forbidden from undermining legitimate work stoppages.

In June 2004 a new labor code went into effect. Nevertheless, the government continued to rely on an older tripartite process to reach accords on a reduction in the workweek from 48 to 44 hours, and on a 10 percent increase in the minimum wage. The labor code details restrictions on the number of overtime hours worked per week and rate of pay for holidays, nightshift work, and routine overtime.

The law specifically prohibits antiunion discrimination and incorporates elements of ILO Convention 87, but prohibits several categories of public employees the right to form unions. These include members of the armed forces, the police, and the judiciary. The new law expressly prohibits companies from dismissing workers for participating in legitimate union organizing activities. The law also prescribes the government's authority to intervene in strikes. Under the law, employers are no longer able to initiate criminal prosecutions against workers participating in strikes.

Union officers were sometimes subject to government pressure. Union leadership did not always uphold the rights of members to select their own leaders. Government pressure to remove the leader of the General Union of Moroccan Workers (UGTM), one of Morocco's most powerful unions, was controversial because of the pressure applied and the fact that the leader had been in office for 40 years.

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

b. The Right to Organize and Bargain Collectively

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

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

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

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

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

In general the government ensured the observance of labor laws in larger companies and in the public sector. In the informal economy, such as in the family workshops that dominated the handicrafts sector, employers routinely ignored labor laws and regulations, and government inspectors lacked the resources to monitor violations effectively.

In the Tangier Free Trade Zone, an export processing zone, the country's labor laws and practices fully apply to the 10 thousand employees. The proportion of unionized workers in the export zone was comparable to the rest of the economy, at approximately 6 percent.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see section 5, Trafficking). In practice the government lacked the resources to inspect the many small workshops and private homes where the vast majority of such employment occurred. Forced labor persisted in the practice of adoptive servitude in households (see section 5, Children).

d. Prohibition of Child Labor and Minimum Age for Employment

Many children worked in the informal and farming sectors due to the economic difficulties of their families. The government had difficulty addressing the problem of child labor, except in organized labor markets (see section 6.c.). Despite legislation young girls were exploited as domestic servants on a large scale (see section 5, Trafficking).

The practice of adoptive servitude, in which urban families employed young rural girls and used them as domestic servants, was widespread. Credible reports of physical and psychological abuse in such circumstances were common. Some orphanages were charged as complicit in the practice. More often, parents of rural girls contracted their daughters to wealthy urban families and collected the salaries for their work as maids. The public generally accepted the concept of adoptive servitude. It was unregulated by the government, although public criticism of the practice was growing. The National Observatory of Children's Rights had since 2000 conducted a human rights awareness campaign regarding the plight of child maids.

According to HRW the majority of child domestics worked 14 to 18 hours per day without breaks, 7 days a week, for salaries of \$0.40 to \$0.11 (0.4 to 1 dirham) per hour, and most child domestics did not receive any money directly; rather, they worked in effect for food, lodging, and clothing. HRW reported that police, prosecutors, and judges rarely enforced penal code provisions on child abuse or on "forced labor in cases involving child domestics," and few parents of children working as domestics were willing or able to pursue legal avenues that were unlikely to provide any direct benefit.

During the year, however, the government arrested on abuse charges two local employers of child maids. The arrests were made under new provisions of the penal code and were facilitated by government-NGO cooperation. The court sentenced 1 employer to 18 months in jail. The publicity surrounding these arrests helped inform the public about the legal and moral issues involved.

In May a foreign-government-funded child labor education initiative project, ADROS, announced that it had successfully withdrawn 3,543 children (including 2,417 former child maids) from the labor market and placed them in training and educational programs. Along with UNICEF and several domestic NGOs, the IPEC had several small, ongoing programs to provide child maids and other working children with rudimentary education, health care, and leisure activities.

The legal minimum age of employment was 15 years. The minimum age applied to all sectors and included apprenticed children and those in family businesses. The law prohibits children under 18 from being employed more than 10 hours per day, including a minimum of a 1-hour break, or in hazardous or night work.

The number of children working illegally as domestic servants was high, approximately 36 thousand. Of this number, 59 percent were under 15 years of age, 89 percent were recruited from rural areas, and 80 percent were illiterate. A 2001 joint study by the Moroccan League for the Protection of Children and UNICEF denounced the poor treatment many children received, such as being forced to work all day with no breaks.

Noncompliance with child labor laws was common, particularly in agriculture where, according to a 2003 survey by the International Program on the Elimination of Child Labor (IPEC) and the Ministry of Employment, 84 percent of the country's 600 thousand underage workers worked on family farms. In practice children often were apprenticed before age 12, particularly in small, family-run workshops in the handicraft industry. Children worked also in the informal sector in textile, carpet, and light manufacturing activities. Safety and health conditions, as well as wages in businesses that employ children, often were substandard. Children working in the textile sector remained a problem, and the government maintained that the informal handicrafts sector was difficult to monitor.

Ministry of Employment inspectors enforced child labor regulations, which generally were observed in the industrialized, unionized sector of the economy. Before the passage of the 2003 labor code, the inspectors were not authorized to monitor the conditions of domestic servants. The law empowered labor inspectors and police to bring charges against employers of underage children and specify penalties.

e. Acceptable Conditions of Work

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

The minimum wage was approximately \$223.30 (2,023 dirhams) per month in the industrialized sector. It was approximately \$5.60 (56 dirhams) per day for agricultural workers; however, businesses in the informal sector, which accounted for 60 percent of the labor force, often ignored the minimum wage requirements.

The minimum wage was not enforced effectively in the informal and handicraft sectors. To increase employment opportunities, the government allowed firms to hire recent graduates for a limited period through a subsidized internship program at less than the minimum wage. However, due to economic conditions, most interns were not offered full-time employment at the conclusion of their internships. According to the government, the overall unemployment rate during the year was 10.8 percent, but some union leaders contended that a more accurate figure, including underemployment, was approximately 35 percent. The government pay scale exceeded the minimum wage for workers at the lowest civil service grades.

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

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

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