



# MOROCCO

	2012	2013
<b>INTERNET FREEDOM STATUS</b>	N/A	PARTLY FREE
<b>Obstacles to Access (0-25)</b>	n/a	11
<b>Limits on Content (0-35)</b>	n/a	7
<b>Violations of User Rights (0-40)</b>	n/a	24
<b>Total (0-100)</b>	n/a	42

**POPULATION:** 32.6 million  
**INTERNET PENETRATION 2012:** 55 percent  
**SOCIAL MEDIA/ICT APPS BLOCKED:** No  
**POLITICAL/SOCIAL CONTENT BLOCKED:** No  
**BLOGGERS/ICT USERS ARRESTED:** Yes  
**PRESS FREEDOM 2013 STATUS:** Not Free

\* 0=most free, 100=least free

**KEY DEVELOPMENTS: MAY 2012 – APRIL 2013**

- Blocking orders on numerous websites and online tools were lifted as the government introduced a series of liberalizing measures to counter rising discontent heightened by the events of the Arab Spring (see **LIMITS ON CONTENT**).
- Despite constitutional reforms introduced in 2011, restrictive press and national security laws continued to plague the online media landscape and induce a spirit of self-censorship (see **VIOLATIONS OF USER RIGHTS**).
- Several online users were arrested under these laws for comments and videos they posted to Facebook, YouTube, and blogs (see **VIOLATIONS OF USER RIGHTS**).

## INTRODUCTION

Research universities led the development of the internet in Morocco from the early 1990s, with internet access extended to the general public in 1996. Initially, the internet's diffusion was slow in Morocco due primarily to the high cost of computers and poor infrastructure.<sup>1</sup> Under the combined impact of the liberalization, deregulation, and privatization of the telecommunications sector, as well as the legal and technological modernization of Moroccan broadcasting media, a growing and dynamic digital media market has emerged. This phenomenon has been furthered by the recent opening of the political system.

Social media has triggered a revival of the media's traditional function as a watchdog, acting as a check on the misconduct of the political regime. It has also been used as a tool for nascent political movements to organize and mobilize supporters across the country, particularly in the context of the Arab Spring. The February 20<sup>th</sup> Movement, which started on Facebook and relies heavily on digital media for communication, has held rallies throughout the country demanding democratic reforms, a parliamentary monarchy, social justice, greater economic opportunities, and more effective anticorruption measures. Two weeks after the first demonstrations, King Mohamed VI responded by announcing new constitutional reforms in which he promised to devolve limited aspects of his wide-ranging powers to the elected head of government and the parliament. Included in this reform package were provisions to grant greater independence to the judiciary and an expansion of civil liberties. The king's proposals were approved by 98.5 percent of Moroccan voters in a popular referendum held on July 1, 2011, for which voter turnout was 84 percent. The measures resulted in a lifting of all politically-motivated filtering.

The most remarkable change in internet use among Moroccans is the growing interest in social media and user-generated content, as well as domestic news portals. In 2010, the top ten most visited websites did not include any Moroccan news website.<sup>2</sup> By 2012, the sixth most visited site was Hespress.com, the most popular online news and information website in Morocco with estimated 400,000 unique visitors per day. Besides Hespress, the sports website Kooraa.com is the only other Arabic-language site in the Top 10.<sup>3</sup> Before the Arab Spring, government intervention to block and delete online content was relatively common. Today, the state no longer engages in technical filtering; it uses the existing laws to limit freedom of speech for online users. As a result, several online users were arrested over the past year.

<sup>1</sup> Ibaehrine, M. (2007). *The Internet and Politics in Morocco: The Political Use of the Internet by Islam Oriented Political Movements*. Berlin: VDM Verlag.

<sup>2</sup> Bouziane Zaid and Mohamed Ibaehrine, *Mapping Digital Media: Morocco*, available at, <http://www.opensocietyfoundations.org/reports/mapping-digital-media-morocco>, (accessed February 24 2013).

<sup>3</sup> Facebook, Google, YouTube, Google Morocco, and Blogspot were the five most visited sites in 2012. See "Top Sites in Morocco," Alexa, <http://www.alexa.com/topsites/countries/MA> (accessed January 14 2013).

## OBSTACLES TO ACCESS

Internet access in Morocco has increased steadily in recent years, although obstacles remain in place in certain areas of the country. The internet penetration rate grew from just over 21 percent of the population in 2007 to 55 percent in 2012, according to the International Telecommunication Union (ITU).<sup>4</sup> By end of 2012, roughly 2 in 100 inhabitants possessed a fixed-broad subscription, or around 17.8 percent of all subscribers.<sup>5</sup> The remaining 82.2 percent of all subscriptions are through 3G devices, including both data-only and voice-and-data connections.<sup>6</sup> By December 2012, mobile phone penetration reached a rate of 119.7 percent, a rise of almost 20 percentage points compared to 2010.<sup>7</sup>

Internet access is currently limited to educated and urban segments of Morocco's population. There is a major discrepancy in terms of network coverage between urban and rural areas. Telecommunications companies do not abide by the ITU principle of telecommunications as a public service, instead preferring to invest in more lucrative urban areas. Rural inhabitants constitute 37.1 percent of the overall population and while many have access to electricity, television, and radio, most do not have access to phone lines and high speed internet. The high rate of illiteracy is another obstacle (43 percent of Moroccans aged 10 and above are illiterate). Most Moroccan households are not prepared to access content provided by digital media, but recent developments in the telecoms sector show that this situation is likely to change in the near future.

The Moroccan government has undertaken several programs aimed at improving the country's ICT sector. Launched in March 2005, the GENIE project (the French acronym for "Generalization of ICTs in Education") aims to extend the use of ICTs throughout the public education system.<sup>8</sup> Owing to positive results, another round of implementation was launched for the period of 2009-2013 to improve the training and professional development of teachers and encourage the adoption of ICTs by public school students. PACTE (French for "Program of Generalized Access to Telecommunications") was launched in 2008 to provide 9,263 communities, or 2 million Moroccans, with telecoms services by 2010.<sup>9</sup> Financing for the project came from Morocco's Universal Service Fund for Telecommunications. The fund was created in 2005 using contributions from the three major telecoms operators: Maroc Telecom, Medi Telecom, and INWI. More recently, in 2009, authorities established the national strategy "*Maroc Numérique 2013*" (Digital Morocco 2013).<sup>10</sup> The strategy aims to achieve nationwide access to high-speed internet by 2013

<sup>4</sup> "Percentage of individuals using the internet," ITU, 2000-2012, available at <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

<sup>5</sup> "Fixed (wired-)broadband subscriptions," ITU, 2000-2012, available at <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

<sup>6</sup> "Internet Market in Morocco: Quarterly Observatory" Agence Nationale de Réglementation des Télécommunications, March 2013, [http://www.anrt.ma/sites/default/files/2013\\_T1\\_TB\\_Internet\\_en.pdf](http://www.anrt.ma/sites/default/files/2013_T1_TB_Internet_en.pdf).

<sup>7</sup> "Mobile-cellular subscriptions," ITU, 2012, <http://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx>.

<sup>8</sup> ANRT, *Rapport Annuel* (Annual Report), 2008, available at [http://www.anrt.net.ma/fr/admin/download/upload/file\\_fr1702.pdf](http://www.anrt.net.ma/fr/admin/download/upload/file_fr1702.pdf), (accessed 5 January 2013) (hereafter ANRT, *Rapport Annuel*, 2008).

<sup>9</sup> ANRT, *Rapport Annuel*, 2008.

<sup>10</sup> "HM the King chairs presentation ceremony of national strategy 'Maroc Numeric 2013'," available at

and to develop e-government programs to bring the administration closer to its citizens, while encouraging small and medium-sized enterprises to adopt ICTs into their business practices. It has a budget of MAD 5.2 billion (around \$520 million).

Perhaps as a result of these efforts, internet use remains relatively affordable. For a 3G prepaid connection of up to 7.2 Mbps, customers pay MAD 223 (\$26) for initial connectivity fees and then MAD 10 per day (\$0.82) or MAD 200 per month (\$23.6). Internet users pay on average MAD 3 (\$0.35) for one hour of connection in cybercafés.

In the post-Arab Spring era, the government no longer blocks Web 2.0 applications, anonymous proxy tools, and Voice over Internet Protocol (VoIP) services. However, in February 2012 there was a report that Maroc Telecom briefly disrupted VoIP services such as Skype, TeamSpeak, and Viber in order to tamper with the quality of the calls. Some speculated that the actions were motivated by financial concerns over competition to traditional fixed-line services provided by the telecommunications company.<sup>11</sup>

Service providers such as ISPs, cybercafés, and mobile phone companies do not face any major legal, regulatory, or economic obstacles.<sup>12</sup> The allocation of digital resources, such as domain names or IP addresses, is carried out by organizations in a non-discriminatory manner.<sup>13</sup> According to the Network Information Centre, which manages the “.ma” domain, there were 43,354 registered Moroccan domain names in 2012.<sup>14</sup>

The National Agency for the Regulation of Telecommunications (ANRT) is an independent government body created in 1998 to regulate and liberalize the telecommunications sector. The founding law of the ANRT considers the telecommunications sector as a driving force for Morocco’s social and economic development and the agency is meant to create an efficient and transparent regulatory framework that favors competition among operators.<sup>15</sup> A liberalization of the telecoms sector aims to achieve the long-term goals of increasing GDP, creating jobs, supporting the private sector, and encouraging internet-based businesses, among others. While Maroc Telecom, the oldest telecoms provider, effectively controls the telephone cable infrastructure, the ANRT is tasked to settle the prices at which the company’s rivals (such as Medi-

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<http://www.maroc.ma/PortailInst/An/Actualites/HM+the+King+chairs+presentation+ceremony+of+national+strategy+Maroc+Numeric+2013.htm> (accessed 24 February 2013).

<sup>11</sup> Hisham Almiraat, “Morocco: Historic Telecom Operator Blocks Skype,” available at, <http://globalvoicesonline.org/2012/02/19/morocco-historic-telecom-operator-blocks-skype/> (accessed 24 February 2013). See also, Brahim Oubahouman, “Maroc Télécom interdit Skype et d’autres services VoIP”, available at, <http://www.moroccangeeks.com/maroc-telecom-interdit-skype-et-autres-services-voip/> (accessed 24 February 2013).

<sup>12</sup> Interviews conducted on 20 February 2013, with Dr. Hamid Harroud and Dr. Tajjedine Rachdi, respectively director and former director of Information Technologies services of Al Akhawayn University in Ifrane.

<sup>13</sup> Network Information Centre, the service that manages the domain .ma, is owned by Maroc Telecom. There are calls for domain.ma to be managed by an independent entity, not a commercial telecoms company.

<sup>14</sup> Network Information Centre, available at <http://www.nic.ma/statistiques.asp> (accessed 18 February 2013). This service is owned by Maroc Telecom.

<sup>15</sup> Lois régissant la poste et les télécommunications (Laws governing the post and telecommunications), available online at [http://www.anrt.ma/fr/admin/download/upload/file\\_fr1825.pdf](http://www.anrt.ma/fr/admin/download/upload/file_fr1825.pdf) (accessed 11 February 2013).

Telecom and INWI) can access those cables. Thus the ANRT makes sure competition in the telecoms market is fair and leads to affordable services for Moroccan consumers.<sup>16</sup>

Some journalists argue that the ANRT is a politicized body lacking independence, citing the fact that its director and administrative board are appointed by a *Dahir* (Royal Decree). However, international organizations such as the World Bank and the ITU have not expressed any major criticism about the ANRT's neutrality.<sup>17</sup>

As mentioned, Maroc Telecom, Medi Telecom, and INWI are the three ISPs and mobile phone companies in Morocco. Maroc Telecom (*Ittissalat Al Maghrib*, IAM) is a former state company that held a monopoly over the telecoms sector until 1999.<sup>18</sup> That year, the ANRT granted licenses for Medi Telecom and INWI. Medi Telecom is a private consortium led by Spain's Telefonica, while INWI (formerly WANA, Maroc Connect) is a subsidiary of Ominum North Africa (ONA), the leading Moroccan industrial conglomerate also owned by the royal family.

## LIMITS ON CONTENT

Given the high rate of illiteracy and the many obstacles to access in parts of the country, online media do not enjoy the same popularity and influence as television and radio. For this reason, there are fewer instances of government intervention in the online sphere, even if much more controversial statements are made on the web. The state does not appear to currently block or filter internet sites.<sup>19</sup> Nonetheless, fears over intermediary liability and the prosecution of users have underscored an environment of continued self-censorship, particularly regarding so-called "sacred" issues such as the monarchy and Islam.

Before the Arab Spring, government intervention to block or delete online content was relatively common. While ISPs rarely, if ever, blocked Web 2.0 applications such as YouTube, Facebook, or Twitter,<sup>20</sup> websites advocating controversial views or minority causes were systematically blocked.<sup>21</sup> However, owing to the post-Arab Spring environment, the government has made a concerted effort to show that it is implementing democratic reforms, rather than restricting access

<sup>16</sup> ANRT, *Lois régissant la poste et les télécommunications*.

<sup>17</sup> Caroline Simard, "Morocco's ANRT Guidelines Project Related to Fundamental Regulatory Aspects," available at [http://www.itu.int/ITU-D/treg/Newsletters/Research%20Material/MAR\\_Projetlignesdirectrices.pdf](http://www.itu.int/ITU-D/treg/Newsletters/Research%20Material/MAR_Projetlignesdirectrices.pdf) (accessed 31 January 2013); BjörnWellenius and Carlo Maria Rossotto, "Introducing Telecommunications Competition through a Wireless License: Lessons from Morocco," 1999, available at <http://rru.worldbank.org/documents/publicpolicyjournal/199welle.pdf>

<sup>18</sup> The State owns 30% of Maroc Telecom shares, 53% owned by the French telecoms company Vivendi, and 17% is public, available online at <http://www.iam.ma/Groupe/Institutionnel/Qui-Sommes-nous/Pages/StructureDuCapital.aspx>.

<sup>19</sup> Interviews with Hisham Almiraat on February 13, 2013, with Aboubakr Jamai on February 11, 2013, and two other interviews conducted during February 2013 with online activists who want to remain anonymous. Hereafter, Interviews with digital activists and online journalists.

<sup>20</sup> RSF reported one incident where Maroc Telecom blocked YouTube on 25 May 2007 for a few hours. Maroc Telecom reportedly said that it was a "technical problem." RSF speculated that Maroc Telecom may have blocked access to YouTube after videos "were posted on it of pro-independence Saharan demonstrations." Other Moroccan users of the other two ISPs, Medi Telecom and Wana, continued having access to YouTube during that day.

<sup>21</sup> Reporters Without Borders Annual Report 2007 – Morocco, available at, <http://www.unhcr.org/refworld/type.ANNUALREPORT,RSF,MAR,46e692cbc,0.html>, (accessed 29 March 2013).

to information. As such, sites related to the disputed territory of Western Sahara, the Amazigh minority, or Islamist groups are no longer blocked.<sup>22</sup> In addition, YouTube, Facebook, Twitter, and international blog-hosting services are freely available. Despite numerous reports to the contrary, Google Earth was found to be accessible in tests conducted by Freedom House in several cities and on a range of different devices by mid-2013. The service had been reportedly blocked in August 2009.<sup>23</sup>

Although technical methods to filter websites are no longer utilized, the government still controls the online information landscape through a series of restrictive laws that can be manipulated to serve political purposes. Under the 2002 Press Law, the government has the right to shut down any publication “prejudicial to Islam, the monarchy, territorial integrity, or public order,” and it maintains prison sentences and heavy fines for the publication of offensive content (see “Violations of User Rights”).

The Anti-Terrorism Bill, passed in 2003 after the May 16, 2003 terrorist attacks in Casablanca,<sup>24</sup> gives the government sweeping legal powers to filter and delete content that is deemed to “disrupt public order by intimidation, force, violence, fear or terror.”<sup>25</sup> According to this law, legal liability rests jointly with the author, the site owner, and ISPs. Intermediaries must block or delete infringing content when made aware of it or upon receipt of a court order. While the law was ostensibly designed to combat terrorism, the authorities retain the right to define vague terms such as “national security” and “public order” as they please, thus opening the door for abuse. Although ISPs have not conducted any significant blocking since 2011, many opposition news websites are hosted on servers outside of the country for security reasons, such as Lakome.com, Mamfakinsh.com, and Febrayer.com.

Given the history of media repression in Morocco, many internet users and cyber activists engage in self-censorship. Although activists and journalists face little constraints in voicing their opinions, harsh legal consequences for online speech ultimately deter freedom of expression.<sup>26</sup> According to Aboubakr Jamai, a prominent Moroccan journalist, many website owners continue to censor comments related to the royal family in order to avoid legal problems.<sup>27</sup> In a state that punishes investigative reporting and whistleblowing, people with sensitive information tend to stay quiet to avoid possible retribution.

<sup>22</sup> For example, sites such as arso.org, spsrasd.info, cahiersdusahara.com, wsahara.net, and even LiveJournal were blocked for promoting the independence of Western Sahara.

<sup>23</sup> For more, see “Current disruptions of traffic to Google products and services,” Google Transparency Report, accessed August 9, 2013, <http://www.google.com/transparencyreport/traffic/#expand=TJ,MA>.

<sup>24</sup> On 16 May 2003, Morocco was subject to the deadliest terrorist attacks in the country’s history. Five explosions occurred within thirty minutes of each other, killing 43 people and injuring more than 100 in suicide bomb attacks in Morocco’s largest city, Casablanca. Morocco has been a staunch ally of the U.S. The 14 suicide bombers all originated from a poor suburban neighborhood in the outskirts of Casablanca.

<sup>25</sup> Open Net Initiative, “Internet Filtering in Morocco. 2009,” available online at, <http://bit.ly/18GiHgW>

<sup>26</sup> Interviews with digital activists and online journalists.

<sup>27</sup> Interview with Aboubakr Jamai conducted on 11 February 2013. Jamai is a Moroccan journalist who founded some of the most progressive magazines such as *Le Journal Hebdomadaire* and *Assahifa al-Ousbouiya*. In 2003, he was awarded the International Press Freedom Award of the Committee to Protect Journalists.

In addition to state-run and opposition news outlets, the Moroccan media contains a variety of “shadow publications,” nominally-independent but editorially-supportive of the state.<sup>28</sup> The news outlets exist primarily to divert airtime from serious and more engaging news portals and to compete over online advertising money and audience share. There is no evidence to link these publications to a larger state strategy to counter the growth of voices of dissent. However, it is important to note that these shadow publications receive large amounts of advertising, possibly in return for their progovernment bias.

The government also uses financial pressure to push the most outspoken print media publications into closure or bankruptcy. Advertising revenue provided by the government or government-linked companies is not split fairly between independent and progovernment publications.<sup>29</sup> Powerful business entities, such as the three telecommunication companies, are known to adhere to state pressure to withdraw advertising money from news outlets that run counter to the state-owned media narrative.<sup>30</sup> The state, however, does not limit the ability of online media to accept advertising or investment from foreign sources, crucial to maintaining a profitable business and ensuring that citizens can access a range of different opinions and news sources. In addition, webhosting and free blogging services are freely accessible. ISPs are not known to employ bandwidth availability to discriminate on the basis of content.

Internet users take advantage of various social media tools to educate, organize, and mobilize people around a wide variety of issues. Facebook and mobile phones were used very effectively during the 2011 street protests. Facebook users grew by 490 percent from 860,000 to more than 5 million over the period of 2009 to 2012 and the social network is the most visited website in the country.<sup>31</sup> Bloggers were instrumental in disseminating their political views and managed to reach out to large numbers of protesters. Activists used mobile phones and cameras to present their versions of street events in a bid to counter the censored news coverage of state-controlled broadcasting.

The first widely-covered instance of online activism occurred in the summer of 2008, when an amateur cameraman in the northern Morocco area of Targuist filmed traffic police officers taking bribes from drivers. The “Targuist Sniper” video circulated widely on YouTube and Facebook, resulting in a police investigation that led to the arrest of the several police officers. The video served as a model of cyber-activism against daily and mundane corruption in other Moroccan cities. Nevertheless, the effects on corruption and accountability remained short-term as the government eventually stopped responding to such videos.

<sup>28</sup> Interview with Aboubakr Jamai conducted on February 11, 2013.

<sup>29</sup> Interview with Aboubakr Jamai conducted on February 11, 2013.

<sup>30</sup> According to *The Report: Emerging Morocco 2007* by Oxford Business Group, Maroc Telecom and Medi Telecom accounted for 16% of the total advertising market. In 2011, according to l’Economiste.ma, telecommunications advertising spending represents 23% of the total advertising market share, available at, <http://www.leconomiste.com/article/889132-investissements-publicitairesbrla-tele-en-perte-de-marche>, (accessed 29 march 2013)

<sup>31</sup> “Internet users, population and Facebook statistics for Africa 2012 Q2: Facebook 31-Dec-2012,” Internet World Stats, <http://www.internetworldstats.com/stats1.htm> (accessed 14 January 2013)

More recently, online activism led to a national debate on Article 475 of the Moroccan penal code, which allows rapists to avoid prosecution if they agree to marry their victims. Events were sparked in March 2012, when a 16-year-old girl committed suicide after a seven month ordeal in which she was forced to wed her alleged rapist. Women's rights activists successfully used social media and online news platforms to counter arguments made by state-controlled radio and television outlets, rallying popular support for changes to the law. In January 2013, the government officially announced plans to revise the controversial article.<sup>32</sup>

## VIOLATIONS OF USER RIGHTS

The Moroccan constitution of 2011 recognizes all Moroccan citizens as equals before the law.<sup>33</sup> Article 25 provides that the constitution guarantees all citizens "freedom of opinion and expression in all its forms." However, prior to the 2011 constitution, the Moroccan legislature adopted an array of laws that limited freedom of expression, such as the 2002 Press Code and the 2003 Anti-Terrorism Law. These provided legal sanctions against any criticism of "sacred" issues such as the monarchy, Islam, and territorial integrity. Crucially, these laws continue to be applied to online activity, resulting in the prosecution of several users for content posted online.

Article 27 of the 2011 constitution states that Moroccan citizens have the right to access information held by the government, elected institutions, and all public service institutions, except in cases in which doing so would violate national security, the privacy of individuals, or constitutional freedoms. For this constitutional right to become reality, a series of public policy debates are taking place to devise policies that would guarantee citizens access to information. However, given the authoritarian nature of the state, many activists are pessimistic and believe the end result will most likely lead to a stifling of internet freedom under the guise of privacy, national security, and counterterrorism.

Although the 2011 constitution strengthened the judiciary as a separate branch of government, the judiciary system in Morocco is far from independent. The king chairs the High Council of Judicial Power and appoints its members. As such, the courts often fail to produce fair and balanced rulings, frequently basing their decisions on recommendations from security forces.<sup>34</sup>

Articles 45, 46, and 47 of the 2002 Press Code stipulate that defamation against the courts, the military, public administrations, members of the government, and any public person are punishable by a prison term of one month to one year. Similarly, Article 52 outlaws criticism of foreign heads of state, foreign ministers, and diplomatic envoys residing in Morocco by stipulating punishments of one month to one year imprisonment and a fine of MAD 10,000 to MAD 100,000 (\$800 to

<sup>32</sup> Smail Bellaoui, "Morocco to change law that allowed rapists to avoid punishment by marrying their victims", available at, [http://www.huffingtonpost.com/2013/01/23/morocco-rape-marriage-law\\_n\\_2532259.html](http://www.huffingtonpost.com/2013/01/23/morocco-rape-marriage-law_n_2532259.html), (accessed 1 April 2013).

<sup>33</sup> Moroccan Constitution 2011, available at [http://www.maroc.ma/NR/rdonlyres/B4E91D55-9F14-4526-94A6-2665F12C9B54/0/BO\\_5964BIS\\_Fr.pdf](http://www.maroc.ma/NR/rdonlyres/B4E91D55-9F14-4526-94A6-2665F12C9B54/0/BO_5964BIS_Fr.pdf), (accessed 22 February 2013).

<sup>34</sup> Huffington Post, "Morocco Justice System: Justice Can Be Bought," available at, [http://www.huffingtonpost.com/2011/12/08/moroccan-justice-sold-to\\_n\\_1135895.html](http://www.huffingtonpost.com/2011/12/08/moroccan-justice-sold-to_n_1135895.html) (accessed 22 February 2013)

\$8,000). Judges often apply these vague and oppressive laws to the online domain. In one case from October 2012, the head of the Council for the Moroccan Community Abroad sued the news portal Yabiladi.com for defamation over an article detailing his travel expenses.<sup>35</sup>

When prosecuting online activists, the state strategically avoids arresting the sort of high-profile leaders that would lead to significant media coverage. For instance, members of the February 20<sup>th</sup> Movement that were arrested did not possess leadership roles, but were well-respected local actors key to mobilizing support in their communities. Meanwhile, prominent online public figures such as Aboubakr Jamaï or Ali Lamrabet remain free from prosecution, even if they are harassed or intimidated through more extralegal means.<sup>36</sup>

In one of the most well-documented cases related to online freedom of expression, rap artist Mouad Belghouat (known as *al-Haqed* or “the spiteful”) was sentenced to one year in jail on May 11, 2012 for “insulting the police” in a music video that denounced police corruption and brutality.<sup>37</sup> The title of the song was “Kilab ed-Dowla” (Dogs of the State). His defense lawyer had argued that there was no evidence to link Belghouat to the uploading of the video. In another case, Walid Bahomane, an 18-year-old student, was sentenced to 18 months in prison for “attacking the nation's sacred values” after he allegedly ridiculed the king in a post he published on Facebook.<sup>38</sup> The 25-year-old activist Abdelsamad Haydour was also sentenced to three years in prison in February 2012 over a YouTube video in which he allegedly criticized the king.<sup>39</sup>

The blogger Mohamed Sokrate was controversially sentenced to three years in jail and a fine of MAD 5,000 (\$590) by a Marrakech court in June 2012. The charges were drug-related, which his defense adamantly denied. Reporters Without Borders argued that his conviction was instead based on his online activism, in which he promoted secularism, defended civil liberties, and criticized the government.<sup>40</sup>

Ali Lmrabet, the well-known progressive journalist, has been the target of constant violent and nonviolent harassment by the security and intelligence services in the northern city of Tetouan.<sup>41</sup> Lmrabet runs the website *Demainonline*, which is openly critical of the monarchy and politicians in Morocco. However, in 2005 he was banned from publishing in Morocco for a period of 10 years, and some believe the state has not arrested him given the negative media coverage it may generate.

<sup>35</sup> Reporters without Borders, “Hazards mount for freedom of information in Morocco,” available at, <http://en.rsf.org/morocco-hazards-mount-for-freedom-of-08-10-2012,43499.html>, (accessed 29 March 2013).

<sup>36</sup> Reporters without Borders, “Hazards mount for freedom of information in Morocco.”

<sup>37</sup> Human Rights Watch, “Rapper sentenced to one year in prison for criticising police,” available at, [http://www.ifex.org/morocco/2012/05/14/alhaqed\\_sentenced/](http://www.ifex.org/morocco/2012/05/14/alhaqed_sentenced/), (accessed 29 March 2013).

<sup>38</sup> Reporters without Borders, “Appeal court extends online critic's sentence,” available at, [http://www.ifex.org/morocco/2012/03/28/bahomane\\_haydour\\_sentences\\_confirmed/](http://www.ifex.org/morocco/2012/03/28/bahomane_haydour_sentences_confirmed/), (accessed 29 March 2013).

<sup>39</sup> Reporters without Borders, “Appeal court extends online critic's sentence.”

<sup>40</sup> Reporters without Borders, “Blogger gets two-year jail sentence on trumped-up drug charges,” available at, <http://en.rsf.org/morocco-blogger-gets-two-year-jail-15-06-2012,42803.html>, (accessed 29 March 2013).

<sup>41</sup> Reporters Without Borders, “Journalists targeted for criticising Moroccan officials,” available at, [http://www.ifex.org/morocco/2012/10/10/journalists\\_targeted/](http://www.ifex.org/morocco/2012/10/10/journalists_targeted/), (accessed on 29 March 2013).

Following street protests in January and February 2012 in the northeast city of Taza, Mohamed El Boukili, Abdul-Samad and Essam Morsi, and 18 other activists from the February 20<sup>th</sup> Movement were sentenced to jail terms and steep fines on various charges ranging from "insulting to the sanctities of the state," "disobedience," "insulting public officials while performing their duties," and "insulting to the sanctities of the King."<sup>42</sup> These online activists participated in street protests and posted content on YouTube that criticized the government and called for political reform.

While users are punished for content they post online, Moroccan citizens can create websites and write for blogs without any registration requirements imposed by the government. Mobile phones and SIM cards may also be purchased anonymously. In addition, customers do not need to register or provide any kind of identification at cybercafés. There are no indications that the purchase and use of encryption software by private citizens or companies is restricted.<sup>43</sup>

Nonetheless, activists who openly criticize government policies, particularly online opinion makers, receive personal attacks and derogatory comments from other users on their Facebook walls and Twitter accounts.<sup>44</sup> New accounts are created every day for the sole purpose of attacking digital activists. There is no clear indication regarding the identity behind the accounts and whether they are state-sponsored or simply overzealous private individuals. However, due to the amount of time and energy needed to engage in such activity, there are serious doubts that these are private citizens acting on their own personal resolve.

Some activists have voiced their suspicion that, given their docile nature, telecommunication companies may be cooperating with government authorities by passing on swathes of user data to security forces to conduct widespread surveillance. For example, there are suspicions that Maroc Telecom, through its subsidiary in Mali, performed intelligence gathering for French authorities prior to the recent military intervention in that country by French troops.<sup>45</sup> Many activists have questioned whether the company performs similar actions in Morocco.

In December 2011, Reflets.info, a French news site, published an investigation on the purchase of spyware from the French company Amesys.<sup>46</sup> The article refers to an investigation carried out by journalists from the Wall Street Journal who found that Amesys sold spyware to the former Qadhafi regime in Libya.<sup>47</sup> Reflets.info argues that the same spyware was sold to the Moroccan government and that engineers from Amesys spent time in the country training government

<sup>42</sup> Arabic Network for Human Rights Information, "Activist sentenced for 'insulting' the king", available at, [http://www.ifex.org/morocco/2012/02/15/alhaidour\\_sentenced/](http://www.ifex.org/morocco/2012/02/15/alhaidour_sentenced/), (accessed 20 February 2013).

<sup>43</sup> Interviews conducted on 29 March 2013 with Dr. Fouad Abbou, full professor of computer Science and Telecommunications and Dr. Hamid Harroud, director of the Information Technologies Services of Al Akhawayn University in Ifrane.

<sup>44</sup> Interviews with digital activists and online journalists.

<sup>45</sup> Fouad Harit, "Charlie Hebdo confirme: Vivendi est un acteur majeur de la guerre au Mali," February 11, 2013, available at <http://www.afrik.com/charlie-hebdo-confirme-vivendi-est-un-acteur-majeur-de-la-guerre-au-mali> (accessed 6 March 2013), and Mustapha May, "Charlie Hebdo: Maroc Telecom, big ears of France in Mali," available at, <http://www.moroccomirror.com/index.php/politics-news/item/167-charlie-hebdo-maroc-telecom-big-ears-of-france-in-mali?tmpl=component&print=1>, (21 February 2013).

<sup>46</sup> Reflets.com, "Amesys: un Finger de Pop Corn pour le Croco," available at <http://reflets.info/amesys-un-finger-de-pop-corn-pour-le-croco/> (accessed 20 February 2013).

<sup>47</sup> Paul Sonne And Margaret Coker, "Firms Aided Libyan Spies," available at, <http://online.wsj.com/article/SB10001424053111904199404576538721260166388.html> (accessed 20 February 2013).

personnel for the use of such sophisticated spyware. The software, called Pop Corn, is used to monitor emails, Skype conversations, and other kinds of encrypted materials.

In addition to surveillance and malware attacks, online news portals that express dissenting voices are subject to continuous cyberattacks. Activists have admitted that, in order to maintain a functional news website, they must pay a substantial amount of money to maintain guards against cyberattacks. For example, Hisham Almiraat,<sup>48</sup> the co-founder of Mamfakinsh.com and one of the leaders of the February 20<sup>th</sup> Movement, stated that in July 2011 his website was subjected to a cyberattack by a sophisticated computer virus. The site administrator had received an e-mail through the page's contact form that seemed to contain promising journalistic leads, such as videos of police scandals. An investigation into the source and nature of the virus revealed that it was a Trojan Horse developed by a company in Milan, Italy. The virus downloads itself and hides among files, reading keystrokes and taking control of the keyboard and webcam at will.

The company refused to disclose its list of clients and there is no direct evidence that can link the state to such a purchase. However, prices for this type of software range in the hundreds of thousands of dollars, thereby ruling out private individuals. "There is only circumstantial evidence," Almiraat said in an interview, "but it leads to one and only one conclusion; the state is the only entity that has the financial power and the political motivation to target websites who publish dissenting content."

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<sup>48</sup> Interview with Hisham Almiraat, conducted February 13, 2013. Almiraat, a medical doctor by profession, is the advocacy director for Global Voices, and a prominent digital activist in Morocco and abroad.