

Immigration and Refugee Board of Canada

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> Responses to Information Requests

Responses to Information Requests

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6 September 2013

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Morocco: Recourse available to victims of police abuse, including accessibility and effectiveness; whether a person must file a complaint in the area where the abuse occurred; treatment of victims of police abuse who report the abuse and protection provided to them (2011-August 2013)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Information about recourse available to victims of police abuse in Morocco was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

According to *Country Reports on Human Rights Practices for 2012*, published by the (US Department of State, "impunity was pervasive in the absence of effective mechanisms to investigate and punish abuse and corruption. There was no systematic prosecution of security personnel who committed human rights abuses" (US 19 Apr. 2013, 7).

Country Reports 2012 also states that "[t]he government claimed to investigate corruption and other instances of police malfeasance through an internal mechanism," but did not provide any details (ibid., 21). Still according to *Country Reports 2012*, authorities did not investigate many incidents of alleged abuse and corruption, and cases or proceedings often languished (ibid.).

Country Reports 2012 also states that there is no data available on investigations or prosecutions for human rights violations committed by members of the security forces or for police misconduct (ibid.). However, *Country Reports 2012* points out that, according to an unofficial police estimate, there were more than 100 cases of police misconduct prosecuted in 2012 (ibid.). Further information regarding recourse available to victims of abuse by members of the security forces, or information corroborating that provided in *Country Reports 2012*, could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Alkarama, an NGO based in Switzerland that defends human rights in the Arab world (Alkarama n.d.), states that the lawyer for a human rights advocate and member of the Moroccan Centre for Human Rights (Centre marocain des droits de l'homme, CMDH) who was apparently mistreated by the police after his arrest in May 2013 filed a criminal complaint on behalf of his client (ibid. 26 June 2013). However, as of 26 June 2013, there had been no follow-up on this criminal complaint or on a verbal complaint made by the detainee (ibid.). Information on how to file these types of complaints could not be found among the sources consulted by the Research Directorate.

Furthermore, according to *Country Reports 2012*, the National Human Rights Council (Conseil national des droits de l'homme, CNDH) acts as an ombudsman for human rights in Morocco (US 19 Apr. 2013, 4). According to the CNDH website,

[translation]

the Council protects human rights and supports victims of abuse by examining- on its own initiative or at the request of the party concerned -cases of human rights violations that are brought to its attention and submitting appropriate recommendations to the responsible authority. (CNDH n.d.a)

The Council's website also states that

[translation]

[t]he Council has regional powers through its regional human rights commissions, whose chairpersons are appointed by a Royal decree. These regional commissions are mandated to monitor the situation of human rights in the different regions of Morocco. They receive and investigate complaints and violations and draft special reports or progress reports to deal with regional or local cases and complaints. (ibid. n.d.b)

Information about how to file a complaint with the CNDH could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Alkarama. 26 June 2013. "Maroc: Un militant des droits de l'homme de Fès victime de mauvais traitements en garde à vue." <http://fr.alkarama.org/index.php?option=com_content&view=article&id=1291:maroc-un-militant-des-droits-de-l'homme-de-fes-victime-de-mauvais-traitements-en-garde-a-vue&catid=30:communiqu&Itemid=17> [Accessed 4 Sept. 2013]

_____. N.d. "A propos d'Alkarama." <http://fr.alkarama.org/index.php?option=com_content&view=article&id=1216&Itemid=32> [Accessed 4 Sept. 2013]

Conseil national des droits de l'homme (CNDH). N.d.a. "La protection des droits de l'homme." <<http://www.ccdh.org.ma/spip.php?article4881>> [Accessed 23 August 2013]

_____. N.d.b. "Présentation du CNDH." <<http://www.ccdh.org.ma/spip.php?article4881>> [Accessed 23 August 2013]

United States (US). 19 April 2013. "Morocco." *Country Reports on Human Rights Practices for 2012*. <<http://www.state.gov/documents/organization/204586.pdf>> [Accessed 23 August 2013]

Additional Sources Consulted

Oral sources: The Centre d'assistance juridique anti-corruption de Transparency Maroc was unable to provide information within the time constraints. Attempts to contact the following organizations were unsuccessful: Amnesty International in Morocco; Association marocaine des droits humains; Comité de défense des droits humains; Commissariat central de Casablanca; Commissariat central de Rabat; Embassy of Morocco in Ottawa; Forum vérité et justice; National Human Rights Council; Consulate of Morocco in Montréal; Moroccan Centre for Human Rights; Organisation marocaine des droits de l'homme.

Internet sites, including: Afrik.com; Amnesty International; *Aufait*; *Aujourd'hui le Maroc*; Avocat Maroc; Bassamet Fassi-Fihri, Asmâa Laraqui & associée; bladi.net; Demain online; Le Droit public marocain; ecoi.net; Embassy of Canada in Morocco; Embassy of France in Morocco; Embassy of the United States in Morocco; Factiva; Freedom House; Global Integrity; Human Rights Watch; iberag.com; *Jeune Afrique*; Khabar; Lawcouncil; Lefèvre Pelletier & associés; *Libération*; Medias for Africa; Morocco – Institution du médiateur; ministère de l'Intérieur; ministère de la Justice, Portail du Maroc, Portail Service-Public.ma; Oulamine Law Group; Radio France internationale; Radio Nederland Wereldomroep; Transparency International; UGGC Avocats; United Nations – Refworld; United States – Overseas Security Advisory Council; *La Vie éco*.

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