

# Morocco - Human Rights Scorecard <sup>1</sup>

Morocco, officially the Kingdom of Morocco, is a country in the Maghreb region of North Africa. Geographically, Morocco is characterized by a rugged mountainous interior and large portions of desert.<sup>2</sup>

**Official language:** Arabic

**Ethnic groups:** 99% Arab-Berber; 1% other

**Government:** Unitary parliamentary constitutional monarchy

- King: Mohammed VI

- Prime Minister: Abdelilah Benkirane

**Death penalty:** Retentionist

**Population:** 33 million

**Life expectancy:** 71.6 years

**Under-5 mortality:** 30.4 per 1000

**Adult literacy:** 56.1 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Partially respected <sup>3</sup>

There was one report of the government committing an unlawful and arbitrary killing in the past year, which was not properly investigated by authorities.

### Freedom from disappearance



#### Respected <sup>4</sup>

There are no reports of recent disappearances in Morocco. The National Council on Human Rights continues to investigate disappearances from the 1970s and 1980s and provides reparations when warranted.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>5</sup>

Moroccan law prohibits these practices, but there are many reports of abuse within the prison system. UN observers also reported evidence of torture upon visiting the country. There are numerous reports of security forces using undue violence to disperse peaceful protestors.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>6</sup>

Arbitrary arrest or detention is prohibited under Moroccan law, but security officials routinely engage in it nonetheless. There were many reports of police not observing due process and failing to identify themselves when performing arrests.

### Freedom from denial of fair public trial



#### Largely disrespected <sup>7</sup>

Though the constitution calls for an independent judiciary, the courts are regularly compromised by corruption and extrajudicial influence. Publicly appointed defense attorneys are often poorly trained resulting in subpar representation.

### Freedom from arbitrary interference with privacy, family, home or correspondence



#### Largely disrespected <sup>8</sup>

Despite laws to the contrary, security officials frequently entered private residences without a search warrant and monitored private communications.

## Section 2: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 39.19, Rank: 130 / 179 – Partially controlled, limited or intimidated**<sup>10</sup>

While Morocco has implemented new legislation promoting freedom of the press in recent years, improvements are still needed. Freedom of expression is still limited by prohibiting coverage of the monarchy, Islam, Morocco's territorial integrity, and the criminalization of blasphemy.

### Freedom from academic censorship



**Partially respected**<sup>11</sup>

Though the state has the right to limit academic discussion regarding the monarchy, Islam, or the question of Western Sahara, religious and political activism was generally tolerated when limited to university campuses.

### Freedom of peaceful assembly and association



**Largely disrespected**<sup>12</sup>

The right to public assembly is limited to obtaining approval from the Ministry of the Interior, which provides approval inconsistently. The government also compromised various NGOs and associations by deeming them "unqualified for NGO status."

### Freedom of religion



**Partially respected**<sup>13</sup>

Freedom of religion is generally protected under the constitution. However, the government actively restricts any attempts to convert Moroccans from Maliki Islam to other religions. Non-Muslim communities are generally allowed to practice their faith.

### Protection of refugees and stateless persons



**Largely disrespected**<sup>14</sup>

The government has not established a system for the protection of refugees and largely defers to the UNHCR to grant protection to refugees, asylum seekers, or displaced persons. Refugees and asylum seekers are especially vulnerable to abuse.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**4 / 7 – Partly free**<sup>17</sup>

The government limits freedom of expression and the right to assembly, while also prohibiting the public discussion of certain topics. The Moroccan government does not adequately protect refugees and stateless persons. The judiciary is not independent.

## Section 3: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**5 / 7 – Partly free**<sup>19</sup>

While there are parliamentary elections, the King retains most of the government's critical powers and can dissolve Parliament should he wish to. There is a degree of political plurality, though some Islamist parties are illegal. The government is highly corrupt.

## Section 4: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 39%, Rank: 80 / 175 – Highly corrupt**<sup>21</sup>

Corruption is widespread in all three branches of government and laws to prevent corruption were not properly implemented. The law does not provide for any kind of whistleblower protection and there is no legislation ensuring freedom of information.

## Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### Largely disrespected<sup>22</sup>

Government responsiveness to human rights organizations varied depending on the political background of the issue. Reports pertaining to Western Sahara were largely disregarded or obstructed.

## Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### Score: 59.9%, Rank: 133 / 142 – Very unequal rights<sup>24</sup>

While the constitution provides for the political equality of women, social issues present a major problem. Spousal rape is not illegal in Morocco and domestic violence is widespread and rarely prosecuted. Women face discrimination with regard to inheritance and other aspects of family law.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### Score: 69.5%, Rank: 81 / 165 – Somewhat protected<sup>26</sup>

Child abuse is relatively common, especially among child domestic servants. Girls continue to lag behind boys in school, with 42% of women classified as illiterate. Child marriage is also common, particularly in rural areas.

### Rights of persons with disabilities



#### Largely disrespected<sup>27</sup>

While the law prohibits discrimination against persons with disabilities, it is not well enforced. Most public transportation and buildings built before 2003 were inaccessible to persons with disabilities. Disabled individuals are typically supported by their families or by begging.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Largely disrespected<sup>28</sup>

The Amazigh population is largely subject to systemic poverty, living in some of the most underdeveloped regions with illiteracy rates as high as 80%. Discrimination against Sahrawis in the controlled territory of Western Sahara is also widespread.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Largely disrespected<sup>29 30</sup>

Homosexual activity is criminalized under the Moroccan penal code with prison sentences of up to three years. Societal stigma against LGBTQ persons is widespread and there were reports of physical harassment and violence based on sexual orientation or gender identity.

## Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

### Rights to freedom of association and to collective bargaining



#### Partially respected<sup>31</sup>

Moroccan law allows workers to join unions and engage in collective bargaining, with the exception of the armed forces, police, members of the judiciary, and domestic workers. Enforcement of labour laws was inconsistent due to lack of personnel and resources.

### Freedom from forced or compulsory labour



#### Partially respected<sup>32</sup>

Forced or compulsory labour is illegal and carries a penalty of fines and/or imprisonment. Due to lack of resources, inspectors did not inspect small workshops or private homes, which is where forced labour is most common.

## Freedom from forced labour for children, and a minimum age of employment



### Largely disrespected<sup>33</sup>

While a minimum age of employment exists, it is largely disrespected, especially in rural area where children often work in agriculture. Because domestic work is not covered by the labour code, children as young as 6 are frequently sent to work as servants and face a number of abuses.

## Right to acceptable conditions of work



### Largely disrespected<sup>34</sup>

Many employers do not observe the legal conditions for acceptable work and labour inspectors face a severe lack of resources. Health and safety standards are rudimentary. Domestic workers, who are not covered by the labour code, often faced unfair working conditions.

## Right to employment



### 9.4% - High unemployment<sup>35</sup>

Morocco's unemployment rate remains relatively stable, though nonetheless higher than desired.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International.

<sup>3</sup> "Country Reports on Human Rights Practices for 2013 Morocco" U.S Department of State. Accessed February 24, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. Accessed February 24, 2015. <http://index.rsf.org/#!/index-details/MAR>

<sup>11</sup> "Country Reports on Human Rights Practices for 2013 Morocco" U.S Department of State. Accessed February 24, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>12</sup> Ibid. U.S. Department of State.

<sup>13</sup> Ibid. U.S Department of State.

<sup>14</sup> Ibid. U.S Department of State.

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>17</sup> "Morocco." Freedom in the World 2014: Morocco. Accessed February 24, 2015. <https://www.freedomhouse.org/report/freedom-world/2014/morocco-0#.VOzs1rPF-lw>

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 <https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>19</sup> "Morocco." Freedom in the World 2014: Morocco. Accessed February 24, 2015. <https://www.freedomhouse.org/report/freedom-world/2014/morocco-0#.VOzs1rPF-lw>

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "Morocco." Corruption by Country. Accessed February 25, 2015. <http://www.transparency.org/country#MAR>

<sup>22</sup> "Country Reports on Human Rights Practices for 2013 Morocco" U.S Department of State. Accessed February 25, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "Morocco." World Economic Forum. Accessed February 25, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=MAR>

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Score." The KidsRights Index. Accessed February 25, 2015. <http://www.kidsrightsindex.org/Index/Overallscore.aspx>

<sup>27</sup> "Country Reports on Human Rights Practices for 2013 Morocco" U.S Department of State. Accessed February 25, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. Accessed February 25, 2015. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>30</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>31</sup> "Country Reports on Human Rights Practices for 2013 Morocco" U.S Department of State. Accessed February 25, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

[http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>35</sup> "Global Employment Trends." International Labour Organization. Accessed February 25, 2015. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).