

MOROCCO**HUMAN RIGHTS DEVELOPMENTS**

Selective acts of repression limited the liberalization process started by the late King Hassan II and continued by his son, King Mohamed VI. Compared with previous years, there was freer public discussion of Berber rights, the Western Sahara conflict, and past human rights abuses. But with the occasional move to ban a newspaper, forbid a rally, beat up protesters, or jail whistle-blowers, the government remained the arbiter of how and when Moroccans could exercise their rights.

Speaking July 30 on the second anniversary of his accession to the throne, Mohamed VI called for “a modern democratic state, founded on public liberties and human rights.” But neither he nor Prime Minister Abderrahmane Youssoufi—a former victim of repression and longtime human rights activist—proved forceful advocates of human rights in the face of repeated violations.

The authorities frequently barred or broke up meetings or protests, using powers provided by the Law on Public Assemblies to prevent gatherings deemed capable of “disturbing public order,” even when they were peaceful. On January 12, the Interior Ministry banned a demonstration called by human rights organizations in front of Dar al-Mokri, a former secret detention center in Rabat. In June and July, the ministry prevented Berber rights groups from holding a meeting and a conference. It also banned a demonstration called for October 21 in Rabat against the U.S. air strikes in Afghanistan. At other times, police sometimes tolerated, sometimes broke up, sit-ins and rallies by workers and by groups representing the unemployed.

Trials of over 160 demonstrators arrested when police violently dispersed rallies on December 9 and 10, 2000 continued throughout much of the year. In the first instance, human rights activists had planned a peaceful sit-in near the parliament building in Rabat to demand accountability for past abusers, but police intercepted, beat up, and arrested participants before they could reach the venue. They were jailed overnight and on May 16 thirty-six of them were convicted and sentenced to three months in prison and fined for holding an “unauthorized demonstration.” The defendants, mostly members of the Moroccan Human Rights Association (Association Marocaine des droits de l’Homme, AMDH) and the Forum for Justice and Truth, remained free on appeal and on November 21 were acquitted. However, none of the police who beat them without provocation were charged. Many observers believed that the harsh suppression of the demonstration was prompted by the AMDH’s public naming of fourteen alleged torturers, including still-serving senior security officials and a member of parliament, and its demanding that the justice minister bring charges against them.

On December 10, 2000, police in Rabat and at least six other cities forcibly dispersed demonstrations staged by Islamists. Some 130 persons were arrested and eventually charged in connection with the rallies. Some received terms of up to one

year in prison, but as of this writing they were all free either because appeals courts had reduced their sentences or had yet to issue a verdict.

Morocco's private print media enjoyed considerable freedom, but mostly avoided criticism of the military, as well as direct criticism of the king, his predecessors, and the monarchy. For much of the year, newspapers were filled with revelations about the "dirty war" carried out against dissidents during the 1960s and 1970s. Former inmates of the secret Tazmamart prison described the horrendous conditions that led to the death of half of its inmates. Victims of torture and relatives of the "disappeared" also told their stories in the pages of newspapers. While torturers were accused by name, a taboo remained against implicating King Hassan II in the repression of those years. In addition, the memoir of Malika Oufkir, *Stolen Lives: Twenty Years in a Desert Jail*, was banned in Morocco. The book, a best-seller in the United States, described how her entire family was jailed for nearly two decades in reprisal for a failed coup attempt by her father, Interior Minister Mohamed Oufkir, in 1972.

Delving into sensitive past dossiers proved costly to the French-language *Le Journal*, its Arabic sister publication *as-Sahifa*, and *Demain*. In December 2000, Prime Minister Youssoufi of the Socialist Party banned the three weeklies, exercising a power granted his office by article 77 of the press code. *Le Journal* and *as-Sahifa* had just printed, and *Demain* commented on, a previously unpublished letter dating from 1974, in which a Socialist Party leader of the time implicated party leaders (including, from the letter's context, Youssoufi himself) in an unsuccessful coup attempt against Hassan II. Minister of Culture and Communication Mohamed Achaari said the newspapers had "launched campaigns using false reports against the political stability of Morocco and its democratic experience."

After re-launching *Le Journal* under a slightly different name (*Le Journal Hebdomadaire*), publication director Aboubakr Jamaï and general director Ali Amar were sentenced on March 1 respectively to three months and two months in prison and ordered to pay large fines. The verdict came in a defamation suit filed by Foreign Minister Mohamed Benaïssa, citing articles published in 2000 that charged him with squandering public monies in real estate transactions while serving as ambassador to the United States. Amar and Jamaï remained free pending their appeal, which got under way in November. On November 21, Ali Mrabet, editor of *Demain* magazine, received a four-month prison sentence and a fine for "disseminating false information likely to disturb the public order." The charge related to an article about the possible sale of a royal palace. Mrabet remained free as of this writing.

The Council of Ministers on September 6 approved amendments to the press code that retained the penalty of imprisonment for defamation. The bill, which still required approval by parliament as this report went to press, also preserved the executive branch's power to seize or suspend publications. On several occasions, authorities prevented, without explanation, the sale of issues of foreign publications when they contained sensitive coverage of Morocco. They seized, for example, the May 17 issue of the French weekly *Courrier International*, which carried a feature on Berbers in Morocco and a caricature of Mohamed VI.

Morocco had more than 2,150 cybercafes and between 300,000 and 400,000

Internet users, according to a September 13 letter from the Moroccan embassy in Washington to Human Rights Watch. The letter also claimed that the government did not censor or block any web content. However, the Islamist association al-'Adl wa'l-Ihsan (Justice and Charity), which is tolerated but not legally authorized, reported that authorities blocked its websites in April, including that of its organ *Risalat al-Futouwa* (www.el-fotowa.com). The embassy declined Human Rights Watch's repeated requests for comment. Al-'Adl wa'l-Ihsan also claimed that the paper edition of *Risalat al-Futouwa* was seized on occasion and that printers were pressured by authorities not to print it.

The number of political prisoners, much diminished by a series of releases and pardons in recent years, was further reduced with the freeing of fifty-six prisoners on November 7. These included Mohamed Daddach, a Sahraoui who was arrested in 1979 and was serving a life sentence for having deserted from the Moroccan security forces. However, King Mohamed VI's assertion, in an interview published in the London-based daily *ash-Sharq al-Awsat* on July 24, that "there is today not a single political prisoner in Morocco," was misleading as there remained a small number of prisoners, including Islamists and supporters of independence for the disputed Western Sahara, who were being held for nonviolent expression.

One political prisoner, army captain Mustapha Adib, had been convicted in 2000 in a military court of disobeying orders and insulting the army, charges that were clearly formulated to punish him for denouncing corrupt officers and then speaking out about the retaliatory harassment he had suffered. He was arrested in December 1999, one day after his complaints were quoted by the French daily *Le Monde*. On February 21, 2001, the Supreme Court confirmed Adib's sentence of two and a half years in prison and a discharge from the army. He was due to be released in June 2002.

In public forums, Moroccans made great strides in exposing the acts of repression committed during the reign of Hassan II. On the government side, steps were taken to acknowledge past wrongs and compensate some victims. Those official steps, though modest, were unparalleled in the Middle East and North Africa.

An arbitration commission, created in 1999 at King Mohamed VI's request within the official Human Rights Advisory Board (Conseil Consultatif des droits de l'Homme, CCDH), determined the amount to be paid to victims of prolonged illegal detention and to the relatives of "disappeared" persons who had applied for compensation. The CCDH announced in June that the arbitration commission had since its creation paid out compensation to 712 persons in 376 cases.

Yet critics pointed out that the process of compensating victims was neither transparent nor accompanied by any larger truth-seeking project. Some relatives of persons who "disappeared" said they would accept no money so long as the fate of their loved ones was not revealed. Other victims said they wanted the abusers either identified or held accountable before they would seek compensation.

Critics also faulted the process for making "disappearances" and illegal detention eligible for compensation while arbitrarily ignoring other types of abuse, including torture and imprisonment on political charges. Another flaw to the process was that the CCDH had recognized only 112 cases of "disappearance" and said it had no information about other cases. Local human rights organizations

have documented some two hundred unresolved “disappearances” in Morocco and the Western Sahara and believe the number could be as high as six hundred. The families of “disappeared” persons whose cases were not recognized by the CCDH were left without any standing before the compensation commission or any other government agency. In July, a delegation representing the families of twelve “disappeared” Sahraouis visited Rabat in order to follow up on the dossiers they had submitted to officials more than a year earlier. They were sent from ministry to ministry but, as with their earlier initiative, received not a shred of information.

The year’s most sensational revelations about the past came from Ahmed Boukhari, the first secret police officer to reveal the inner workings of King Hassan II’s repression of dissidents in the 1960s and 1970s. In an exposé published June 29-30 in *Le Journal Hebdomadaire* and the French daily *Le Monde*, Boukhari also purported to answer one of the great mysteries of Moroccan political history: the fate of Mehdi Ben Barka, the exiled opposition leader who was abducted in Paris in 1965 and never seen again. According to Boukhari, Ben Barka died in France while under interrogation by Moroccan agents, who arranged secretly to fly his body back to Morocco. There, police dissolved it in acid.

Instead of opening a judicial inquiry into the credible allegations of murder and “disappearances” proffered by Boukhari, authorities instead jailed him on charges of writing bad checks. His imprisonment on August 13 prevented him from complying with a subpoena to testify in Paris before a French judge investigating Ben Barka’s disappearance. The timing of Boukhari’s arrest and his pre-trial detention left little doubt that he was being jailed to punish him for speaking out, and to intimidate other would-be whistle-blowers. On August 27, Boukhari was convicted and given a year in prison, a sentence that was reduced on appeal to three months.

The trials of Boukhari and Mustapha Adib illustrated the judiciary’s lack of independence, despite pledges of reform from Minister of Justice Omar Azzimane. In July, King Mohamed VI promoted Mohamed Mechbal, the military prosecutor who had prosecuted Adib in 2000, to the rank of brigadier-general.

Travel restrictions, once commonly imposed on ex-prisoners and human rights activists, were used sparingly. Some dissidents were allowed to travel abroad for the first time in years. On January 17, Ahmed Marzouki was given his first passport since his release from Tazmamart prison in 1991, enabling him to go to Europe to publicize his new book, *Tazmamart, Cell 10*. In July, Lahcène Moutiq, a Rabat-based Sahraoui member of the Forum for Truth and Justice, got his first passport in years to attend a human rights course in France. However, Sahraoui human rights activists Brahim Noumri and Mahmoud el-Hamed were turned back at the Casablanca airport on March 24, as they were about to fly to Geneva to attend the U.N. Commission on Human Rights. Authorities detained them at the airport for several hours and confiscated documents containing data and testimonies about abuses against Sahraouis. The documents had not been returned as of mid-October.

In March, King Mohamed VI formed yet another commission to examine reforming Morocco’s personal status code. On November 23, he publicly urged the new commission to work both on proposals to improve the application of existing

laws and on a longer-term “substantial reform” of the code. Women’s rights activists, who have long sought to amend the code’s sexually discriminatory provisions (see Women’s Human Rights), criticized the commission for taking too long to make recommendations.

Minister of Islamic Affairs Abdelkebir M’daghri Alaoui tacitly condoned verbal attacks by state-administered mosque preachers against Hakima Chaoui, a poet and member of the AMDH. The trouble began when the Islamist newspaper *at-Tajdid* accused her of insulting the Prophet Muhammad in a poem in favor of women’s rights that she had written and recited on March 8, International Women’s Day. She subsequently received phone threats and in August was shouted down at a public meeting. Minister Alaoui commented on the attacks on Chaoui, “While the reputation and dignity of individuals are to be protected and respected, protecting the person of the Prophet does take priority, as does upholding sacred, religious and national principles.”

Prisoners in Morocco suffered from severe overcrowding, inadequate medical care, unhygienic conditions, contagious diseases, and mixing of minors and adults. These conditions were described in the first major report issued by the Moroccan Prisons Observatory, an independent monitoring organization formed in 1999. The group conducted several inspection visits during 2000 and said its access to facilities and prisoners was unrestricted.

As of June, 1,479 Moroccan soldiers remained prisoners of the Polisario Front in Tindouf, Algeria, according to the International Committee of the Red Cross (ICRC), which visited them regularly. Of these, 840 had been held by the Polisario Front for over twenty years, bargaining chips in the long-festering conflict. King Mohamed VI softened the late Hassan II’s stance of rejecting anything short of a single repatriation of all Moroccan prisoners of war held by the Polisario, enabling two batches of some two hundred imprisoned soldiers each to return to Morocco during 2000.

During 2001, the ICRC urged the immediate repatriation of all prisoners of war. Morocco was not believed to be holding any, although it held in prison a small number of Sahraouis civilians convicted of pro-independence activities, and continued to provide no information on the whereabouts of Sahraoui civilians who had been forcibly “disappeared” during the years of conflict.

DEFENDING HUMAN RIGHTS

Morocco’s human rights movement generally enjoyed considerable freedom to meet, collect information, and convey its perspectives in the print press. However, this freedom was tempered by the brutal arrest and prosecution of activists who demonstrated on December 9, 2000, the jailing of whistle-blower ex-policeman Ahmed Boukhari, and the constant pressure facing rights defenders in the Western Sahara.

In January, the International Federation of Human Rights held its world congress in Morocco, the first time a major international rights group has done so in the Arab world.

THE ROLE OF THE INTERNATIONAL COMMUNITY

European Union

Relations between the European Union (E.U.) and Morocco focused on economic and social issues following the Association Agreement that came into force in early 2000. Respect for human rights and democratic principles was an essential element of the legally binding agreement, but the E.U. did not publicly raise any human rights concerns at the time of the October 9 E.U.-Morocco Association Council meeting. European Union policy continued to be guided by a desire to curb migration, legal and illegal, from Morocco to member countries such as France, Spain, and Belgium. However, the E.U. provided 1.2 million euros for projects on freedom of expression, migration, promotion of women's rights in Morocco, as well as human rights education and prison reform.

United Nations

United Nations Secretary-General Kofi Annan, in his April 24 report on the Western Sahara conflict, urged the "parties to arrange the early repatriation of all prisoners." Security Council Resolution 1359 of June 29 asked the parties "to solve the fate of people unaccounted for" and to "abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict."

SAUDI ARABIA

HUMAN RIGHTS DEVELOPMENTS

Saudi Arabia's human rights record remained poor and there were no discernible improvements in 2001. The government took no steps to ease restrictions in the key areas of freedom of association and expression, women's rights, and religious freedom, or move toward a more open and tolerant society. The continued absence of institutions independent of the government, such as political parties and nongovernmental organizations (NGOs), allowed the ruling royal family to maintain its historic franchise on power, beyond public reproach and accountability. A May 24 royal decree increased the members of the all-male Consultative Council from ninety to 120, although the appointed body remained toothless with respect to any substantive oversight of the executive branch of government. Workers, including millions of foreigners, were not permitted to form trade unions, strike, or engage in collective bargaining, and household servants—numbering an estimated one million foreigners—continued to be excluded from protection under the labor law. The kingdom also remained off-limits to international human