1. **(A) Introduction**

1.1 In this consolidated document,¹ CIVICUS analyse Morocco’s fulfilment of the rights to freedom of association, assembly, and expression, as well as unwarranted restrictions on human rights defenders (HRDs), since its previous UPR examination in May 2012. To this end, CIVICUS assess Morocco’s implementation of recommendations received during the 2nd UPR cycle relating to these issues and provide a number of specific, action-orientated follow-up recommendations.

1.2 During the 2nd UPR cycle, the Government of Morocco received 19 recommendations relating to the above mentioned rights. Of these recommendations, 18 were accepted, and 1 was noted. An evaluation of a range of legal sources and human rights documentation addressed in subsequent sections of this submission demonstrate that the Government of Morocco has not implemented 10 of recommendations relating to civil society space, partially implemented seven recommendation, and fully implemented two.²

¹ TO READ THE FULL SUBMISSION PLEASE SEE HERE:  
² See Annex 1, Matrix of recommendation and implementation status
CIVICUS is deeply concerned by the lack of implementation of recommendations in relation to freedom of expression, including that a number of legitimate forms of free speech continue to be criminalised. We are further concerned by the authorities’ continued use of the penal code to suppress independent dissent.

CIVICUS is further alarmed by the deterioration of the space for civil society and human rights defenders. Since Morocco’s previous UPR examination, the authorities have increased the prosecution of civil society groups and their representatives, including through the imposition of travel bans, preventing and banning meetings and conferences of CSOs and unjustifiably denial of formal registration to some CSOs.

2. (B) Freedom of association

During Morocco’s examination under the 2nd UPR cycle, the government received 8 recommendations on the right to freedom of association. Of the 8 recommendations received, the government accepted 7, noted 1. However, as evidenced below, the government has failed to take adequate measures to realise all of these recommendations which remain unimplemented.

2.2 Recommendations

- Refrain from acts leading to the closure of CSOs or the suspension of their peaceful activities.

- Promote meaningful political dialogue that embraces diverging views, including those of human rights defenders, CSOs, journalists, political activists and others. Specifically, the Law on Associations and the Penal Code should be suitably amended to remove unwarranted restrictions on freedom of association.

- Instructions should be issued to local officials not to undermine the rule of law by arbitrarily obstructing the registration of CSOs.

3. (C) Harassment, intimidation and attacks against human rights defenders, civil society activists and journalists

Under Morocco’s previous UPR examination, the government received three recommendations regarding this issue. Of the recommendations received, Morocco considered that two of them had already been implemented or were in the process of implementation. However, as examined in this section, the government has failed to effectively operationalise these recommendations. Only one recommendation was

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3 Recommendation 131.4
4 Recommendations 129.91; 130.3 and 130.12
fully implemented, as the government revised the press code and removed all prison sentences.

3.2 Recommendations

- Ensure that human rights defenders including those working on self-determination issues and in the Western Sahara territory are able to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.

- A consolidated process of repeal or amendment of legislation restricting the legitimate work of human rights defenders should be initiated in accordance with the UN Declaration on Human Rights Defenders. Specifically, article 206 of the penal code should be suitably amended in accordance with the ICCPR and the UN Declaration on Human Rights Defenders.

- All human rights defenders including, journalists and bloggers detained for exercising their fundamental rights to freedom of expression, association, and assembly should be unconditionally and immediately released. Their cases should be reviewed to prevent further harassment.

4. (D) Freedom of expression, independence of the media and access to information

4.1 Under Morocco’s 2nd UPR examination, the government received 12 recommendations relating to freedom of expression and access to information. Of the recommendations received, all were accepted. Of the 12 recommendations pertaining to these issues, the government has only fully implemented two recommendations relating to the adoption of a new press code and the removal of prison terms in the legislation. However, total decriminalisation of press related crimes has not been implemented and journalists continue to face harassment, criminalisation and censorship. In Western Sahara, the situation is critical as the government persistently fails to respect the right to freedom of expression in the territory.

4.2 Recommendations

- Review Penal Code provisions and amend defamation legislation in conformity with article 19 ICCPR.
• Unfettered access to online information resources should be allowed by removing restrictions on access to national and international news websites and social media outlets and the websites of civil society organisations.

• A law on access to information should be adopted in line with international standards.

5. (E) Freedom of peaceful assembly

5.1 During Morocco’s examination under the 2nd UPR cycle, the government received two recommendations on the right to freedom of assembly. However, as evidenced below, the government has not implemented these recommendations.

5.2 Recommendations

• The Law 76 on Public Assemblies should be amended in order to fully guarantee the right to freedom of assembly.

• All instances of excessive force committed by security forces while monitoring protests and demonstrations should be immediately and impartially investigated.

• Review and, if necessary, update existing human rights training for police and security forces with the assistance of independent nongovernmental organisations to foster more consistent application of international human rights standards.5

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5Including the UN Basic Principles on the Use of Force and Firearms.