

WESTERN SAHARA 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Kingdom of Morocco claims the territory of Western Sahara and administers the territory that it controls. The Popular Front for the Liberation of Saguia el Hamra and Rio de Oro (POLISARIO), an organization that seeks the territory's independence, disputes Morocco's claim to sovereignty over the territory. Moroccan and POLISARIO forces fought intermittently from 1975, when Spain relinquished colonial authority over the territory, until a 1991 cease-fire and the establishment of a UN peacekeeping mission. Then United Nations personal envoy of the secretary-general Horst Koehler convened a roundtable meeting on March 21-22. At the conclusion of that meeting, Koehler commended all delegations for their engagement and for demonstrating an awareness of the many individuals placing their hopes in the renewed political process. The delegations agreed to continue the discussion under a similar format to identify elements of convergence, although Koehler resigned from his position in May and by year's end was not replaced by the UN secretary-general.

Morocco administers the territories in Western Sahara by the same law and structures governing the exercise of civil liberties and political and economic rights as in internationally recognized Morocco. Morocco is a constitutional monarchy with a parliamentary national legislative system under which ultimate authority rests with King Mohammed VI, who presides over the Council of Ministers. The king shares executive authority with the head of government (prime minister) Saadeddine El Othmani. According to the constitution, the king appoints the head of government from the political party with the most seats in parliament and approves members of the government nominated by the head of government. International and local observers judged the 2016 parliamentary elections, held in both internationally recognized Morocco and Western Sahara, credible and relatively free from irregularities.

The security apparatus includes several police and paramilitary organizations with overlapping authority. The National Police Force manages internal law enforcement in cities and reports to the Ministry of Interior. The Auxiliary Forces also report to the Ministry of Interior and support gendarmes and police. The Royal Gendarmerie, which reports to the Administration of National Defense, is responsible for law enforcement in rural regions and on national highways. The judicial police (investigative) branches of both the Royal Gendarmerie and the National Police report to the royal prosecutor and have the power to arrest

individuals. Moroccan civilian authorities maintained effective control over security forces.

Significant human rights issues, predominantly the same as those in internationally recognized Morocco, included: allegations of torture by some members of the security forces, although the government condemned the practice and made efforts to investigate and address any reports; allegations of political prisoners; undue limits on freedom of expression, including criminalization of libel and certain content that criticized the monarchy and the government's position regarding territorial integrity; limits on freedom of assembly and association; and corruption.

The lack of reports of investigations or prosecutions of human rights abuses by Moroccan officials in Western Sahara, whether in the security services or elsewhere in the government, contributed to a widespread perception of impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the Moroccan government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of Moroccan government authorities during the year. According to the annual report from the UN Working Group on Enforced Disappearances, from May 2018 to May 2019, Morocco had 153 outstanding cases, seven fewer than at the beginning of the reporting period.

During the year the Laayoune branch of the National Council on Human Rights (CNDH), a publicly funded Moroccan national human rights institution, continued to investigate individual claims of disappearances dating from the 1970s through the 1980s. When warranted, the CNDH recommended reparations in the form of money, health care, employment, or vocational training to victims of forced disappearance (or victims' families) from previous years. The CNDH implemented arbitration decisions issued during the year for beneficiaries awarded financial compensation or social reintegration services because of gross human rights violations committed during the 1970s and 1980s, as determined by the defunct Truth and Reconciliation Commission.

For more information on unresolved disappearances dating from the 1970s, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Moroccan law and practice apply. The Moroccan constitution and Moroccan law prohibit such practices, and the government of Morocco denies it authorizes the use of torture. On June 10, Minister of State for Human Rights and Relations with Parliament Mustafa Ramid said that systematic torture no longer exists in Morocco and that reported cases of torture were isolated. Ramid made the remarks while responding to two questions submitted by the Authenticity and Modernity, and Justice and Development Parties in parliament's Chamber of Representatives about the implementation of recommendations from the Truth and Reconciliation Commission.

In the event of an accusation of torture, Moroccan law requires judges to refer a detainee to a forensic medical expert when the detainee or lawyer requests it or if judges notice suspicious physical marks on a detainee. Local and international human rights advocates claimed that Moroccan courts often refused to order medical examinations or to consider medical examination results in such cases. According to local and international nongovernmental organizations (NGOs), Moroccan authorities did not always investigate complaints, and medical personnel sometimes failed to document traces of injuries from torture and abuse.

Reports of torture have declined over the last several years, although Moroccan government institutions and NGOs continued to receive reports about the mistreatment of individuals in official custody. Reports of mistreatment occurred most frequently in pretrial detention. Most accusations stated that degrading treatment occurred during or following proindependence demonstrations or protests calling for the release of alleged political prisoners.

According to the April UN secretary-general's report, the UN High Commissioner on Human Rights (OHCHR) continued to receive communications from lawyers, family members, or both of the Sahrawi individuals arrested during the 2010 dismantling of the Gdeim Izik Camp, alleging that several were subjected to torture, prolonged solitary confinement, and other mistreatment.

The CNDH did not receive any complaints relating to allegations of torture in the territory as of October.

Prison and Detention Center Conditions

Prison and detention center conditions generally mirrored those in internationally recognized Morocco. Conditions improved during the year, but in some cases they did not meet international standards. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Physical Conditions: Prison and detention center conditions generally were similar to those in internationally recognized Morocco.

Families of detainees from Western Sahara charged that they faced unusually harsh prison conditions. The Moroccan Prison Administration (DGAPR) contested this claim and asserted that prisoners in Western Sahara and Sahrawi prisoners in internationally recognized Morocco received the same treatment as all other prisoners under its authority.

Police arrested 23 Sahrawi individuals during the 2010 dismantling of the Gdeim Izik Camp and subsequent violence in Laayoune that resulted in the death of 11 members of the security forces; the individuals were subsequently tried and sentenced. In 2016 the UN Committee against Torture declared that Morocco had violated its treaty obligations in Gdeim Izik detainee Naama Asfari's case, alleging that he was convicted by the military court based on a confession obtained under torture and that no adequate investigation was conducted. In 2017 the civilian court, as part of the new trial, offered medical exams in accordance with the Istanbul Protocol to look for residual signs of torture to the 21 individuals who remained in detention from the group's 2010 arrests and interrogations; however, Asfari declined to participate. Reports on the 15 detainees who willingly participated in the exams were admitted as evidence at the trial, and no link was found between the detainees' complaints and the alleged torture. As of October the Court of Cassation was reviewing the appeals to the verdicts the Court of Appeals in Rabat issued in 2017.

In 2018 Asfari was placed in solitary confinement. According to the government, Asfari is serving the remainder of his sentence in an individual cell that is compliant with international standards. According to the DGAPR, Asfari was in good health and had six medical consultations from January to June.

According to the October UN secretary-general's report, the OHCHR received several reports that Gdeim Izik prisoners had been subjected to mistreatment and medical neglect. The DGAPR reported these prisoners were held in individual prison cells in accordance with international norms and standards and had rights to collective social activities with other inmates.

For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Administration: Moroccan law and practice apply. While authorities generally permitted relatives and friends to visit prisoners, there were reports that authorities denied visiting privileges in some instances. The DGAPR assigned each prisoner to a risk classification level, which determined visiting privileges. At all classifications, prisoners may receive visits, although the length, frequency, and number of visitors may vary. Most prisons assigned each prisoner a designated "visit day" to manage the number of visits to the prison. The DGAPR authorizes religious observances and services provided by religious leaders for all prisoners, including religious minorities.

Independent Monitoring: The Laayoune branch of the CNDH conducted six monitoring visits in two prisons and found the local prison in Laayoune remained overcrowded and insufficiently equipped to provide appropriate living conditions to the detainees. According to the DGAPR, academics conducted seven visits and various NGOs conducted 10 separate visits from January through June. The Dakhla branch of the CNDH carried out 10 monitoring visits and found prison conditions in the region improved overall. The CNDH made recommendations to the government that some prisoners be transferred to regions close to their families.

Improvements: According to the CNDH, the Laayoune local prison offered vocational training to prisoners, including women and juvenile offenders, as part of the Mohammed VI Foundation Reintegration of Prison Inmates program. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

d. Arbitrary Arrest or Detention

Moroccan law and practice apply. Moroccan law prohibits arbitrary arrest and detention and provides for the right of any person to challenge in court the lawfulness of his or her arrest or detention. Observers indicated that police did not always respect these provisions or consistently observe due process, particularly

during and in the wake of protests. According to local NGOs and associations, police sometimes arrested persons without warrants or while wearing civilian clothing. The October UN secretary-general's report on Western Sahara noted the OHCHR received reports of human rights violations perpetrated against Sahrawis, including arbitrary detention.

Human rights organizations continued to track alleged abusers who remained in leadership positions or who had been transferred to other positions. International and local human rights organizations claimed that authorities dismissed many complaints of abuse and relied only on police statements. Government officials generally did not provide information on the outcome of complaints. The CNDH and DGAPR provided human rights training for prison officials and members of the security forces in Western Sahara.

Arrest Procedures and Treatment of Detainees

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Arbitrary Arrest: Security forces often detained groups of individuals, took them to a police station, questioned them for several hours, and released them without charge.

NGOs reported several cases of alleged arbitrary arrest and detention, particularly following proindependence demonstrations, although there were fewer allegations than in previous years. Authorities argued that such temporary detentions without charges were not arbitrary but legal under Moroccan law, which allows detention of suspects without charge for preliminary investigations for up to six days for non-terrorism-related crimes and 12 days for terrorism-related crimes. Detentions noted by local NGOs were generally less than six days.

In 2018 police arrested Brahim Dehani, member of the Sahrawi Association of Victims of Grave Human Rights Violations Committed by the Moroccan State, while he was recording a demonstration in the region of Laayoune. Police confiscated his recording equipment, questioned him, and then released him on the same day. Dehani appeared before the Laayoune Court of First Instance in December 2018, where he was charged with defamation and was sentenced to a fine of 2,000 Moroccan dirhams (MAD) (\$200). On January 15, Moroccan authorities denied a Spanish lawyer entry to Laayoune; the lawyer intended to

observe Dehani's Court of Appeals hearing scheduled for January 16. On February 6, the Laayoune Court of Appeals acquitted Dehani of all charges.

Pretrial Detention: Conditions generally were similar to those in internationally recognized Morocco, with large proportions of detainees in pretrial detention; the government of Morocco does not disaggregate statistics for Western Sahara. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

In November 2018 the UN Working Group on Arbitrary Detention released an opinion in favor of Sahrawi human rights defender Mbarek Daoudi and subsequently referred the case to the special rapporteur on torture for allegations of torture when Daoudi was held for questioning in 2013. According to the working group, Daoudi was arbitrarily detained in 2013 for the alleged possession of a hunting rifle and other military paraphernalia. The arrest took place three months after Daoudi gave a statement to a group of foreign human rights visitors about the execution of a Sahrawi family in 1976 and location of the remains. In July 2018 the government responded to the working group's inquiries on the case. The government acknowledged Daoudi's arrest and detention and stated he had been scheduled to have a hearing in 2014, but it was then postponed indefinitely. Daoudi was held in pretrial detention for six years until his release from prison on March 28.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

e. Denial of Fair Public Trial

Moroccan law and practice apply. The Moroccan constitution provides for an independent judiciary, and, as in previous years, NGOs asserted that corruption and extrajudicial influence weakened judicial independence. The Supreme Judicial Council, mandated by the 2011 constitution, manages the courts and day-to-day judicial affairs in place of the Ministry of Justice. The president of the Court of Cassation (the highest court of appeals) chairs the 20-member body. In 2018 the Supreme Judicial Council established its internal mechanisms and began the process of taking over day-to-day management and oversight from the Ministry of Justice, although the activities of the Supreme Judicial Council experienced delays due to administrative and legal impediments. While the government stated the aim of creating the council was to improve judicial independence, its effect on judicial

independence was not clear. According to media reports and human rights activists, outcomes of trials in which the government had a strong interest, such as those touching on Islam as it related to political life and national security, the legitimacy of the monarchy, and Western Sahara, sometimes appeared predetermined.

As of August the Court of Cassation had not concluded its review of the appeals to the 2017 verdicts that the Court of Appeals in Rabat issued against 23 Sahrawi individuals arrested during the 2010 dismantling of the Gdeim Izik Camp (see section 1.c.). The sentences issued ranged from time served to life imprisonment. The individuals had been previously convicted in a military trial in 2013. A 2015 revision of the Code on Military Justice eliminated military trials for civilians, and in 2016 the Court of Cassation ruled on appeal that the group should receive a new civilian trial. Two were given reduced sentences (from 25 years to 4.5 years and 6.5 years) and were released, joining two others whose 2013 sentences of time served were confirmed by the civilian court. Two other individuals also received reduced sentences (from 30 years to 25 years and from 25 years to 20 years).

Trial Procedures

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Political Prisoners and Detainees

Moroccan law and practice apply. Moroccan law does not define or recognize the concept of a political prisoner. The Moroccan government did not consider any of its prisoners to be political prisoners and stated it had charged or convicted all individuals in prison under criminal law. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Human rights and proindependence groups considered a number of imprisoned Sahrawis to be political prisoners. This number included the Gdeim Izik prisoners as well as members of Sahrawi rights or proindependence organizations.

Civil Judicial Procedures and Remedies

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

Moroccan law and practice apply. The Moroccan constitution and Moroccan law generally provide for freedom of expression, including for the press, although they criminalize and restrict some freedom of expression in the press and social media--specifically, criticism of Islam, of the institution of the monarchy, and of the government's positions regarding territorial integrity and Western Sahara. Such criticism may result in prosecution under the law, with punishments ranging from fines to jail time, despite the freedom of expression the law stipulates. The law applies only to journalists accredited by the Ministry of Communication for speech or publications in the line of work; private speech by accredited journalists remains punishable under the law. Authorities were sensitive to any reporting not in line with the state's official position on the status of Western Sahara, and they continued to expel, harass, or detain persons who wrote critically on the subject. According to the April UN secretary-general's report on Western Sahara, the OHCHR continued to be concerned by reports alleging excessive surveillance of human rights defenders and journalists in Western Sahara. The October UN secretary-general's report on Western Sahara also added that the OHCHR continued to receive reports of harassment and arbitrary arrests of journalists, bloggers, and human rights defenders covering human rights violations. Amnesty International stated Sahrawi human rights activists remained subject to intimidation, questioning, arrest, and intense surveillance that occasionally amounted to harassment.

Freedom of Expression: Moroccan law criminalizes criticism of Islam, of the legitimacy of the monarchy, of state institutions, of officials such as those in the military, and of the Moroccan government's position regarding territorial integrity and Western Sahara. Sahrawi media outlets and bloggers with opposing views to those of the government often practiced self-censorship on these topics.

Amnesty International and other NGOs reported that on April 11, Moroccan Security Forces arrested Saharawi activist Ali al-Saadouni after he posted a video of himself displaying POLISARIO flags during a demonstration the previous day in Laayoune. On April 29, a Laayoune Court of First Instance sentenced Saadouni to seven months in prison and a fine of 5,000 MAD (\$500) for assault and drug charges. AdalaUK NGO reported the public prosecutor did not present evidence to substantiate the charges. On June 13, the Laayoune Court of Appeals reduced the prison sentence to five months.

For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Press and Media, Including Online Media: Moroccan government practices concerning press and media freedom, violence and harassment, libel or slander, and national security topics were the same as those in internationally recognized Morocco.

On February 16, Ana Cortes, a journalist working for a Spanish news outlet, was expelled from Western Sahara to Agadir after police interrupted her meeting with members of the al-Kassam Association of Laayoune, according to Reporters without Borders (RSF).

Nazha Khalidi, a citizen journalist affiliated with Equipe Media, a Sahrawi online news agency not registered with the government of Morocco, was arrested in December 2018 as she attempted to livestream on Facebook security forces dispersing a demonstration in Laayoune. Police confiscated the cellphone Khalidi used to record the footage. Human Rights Watch denounced the charges filed against Khalidi for falsifying professional credentials by engaging in journalistic activities without state-issued accreditation as a journalist. On May 19, Moroccan authorities denied entry into the territory for five Spanish lawyers and two Norwegian human rights activists attempting to observe the Court of First Instance hearing initially scheduled for May 20. On July 8, the Laayoune Court of First Instance convicted Khalidi of falsifying professional credentials as a journalist and fined her 4,000 MAD (\$400).

Censorship or Content Restrictions: Moroccan law and practice apply. Self-censorship and government restrictions remained serious hurdles to the development of a free, independent, and investigative press. Publications and broadcast media require government accreditation, and the government may deny and revoke accreditation as well as suspend or confiscate publications. For more

information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

The government of Morocco enforced strict procedures governing journalists' meetings with NGO representatives and political activists. Foreign journalists needed, but did not always receive, approval from the Ministry of Communication before meeting with political activists.

Local and international media, including satellite television and POLISARIO-controlled television and radio from the Sahrawi refugee camps in Algeria, were available in the territory.

For more information on these subheadings, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Internet Freedom

Moroccan law and practice apply. According to a June RSF report, Sahrawi citizen journalists' and bloggers' social media accounts were frequently hacked. In the same report, Equipe Media cited constant cyber-attacks against its Facebook page. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Academic Freedom and Cultural Events

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

b. Freedoms of Peaceful Assembly and Association

Moroccan law applies. As in internationally recognized Morocco, the Moroccan government limited freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

Moroccan law provides for the right of peaceful assembly. The government generally permitted authorized and unauthorized peaceful demonstrations to occur. According to Moroccan law, groups of more than three persons require authorization from the Ministry of Interior to protest publicly. As in internationally recognized Morocco, some NGOs complained that the government

used administrative delays and other methods to suppress or discourage unwanted peaceful assembly. Security forces intervened on occasion to disband both authorized and unauthorized protests when officials deemed the demonstration a threat to public security. On April 26, Amnesty International reported continued arbitrary restrictions on the rights to freedom of peaceful assembly and association, particularly of individuals supporting self-determination for Western Sahara.

Several proindependence organizations and some human rights NGOs stated that in recent years the submission of applications for permits to hold demonstrations declined because police rarely granted them. In most cases the organizers proceeded with planned demonstrations in the absence of authorization, and there was no discernable difference in security forces' reaction to authorized or unauthorized protests. Violent confrontations between security forces and protesters were less common than in previous years, according to several local NGOs, although violent dispersals occurred on occasion. Security force practices were similar to those in internationally recognized Morocco; however, in Western Sahara there was often a higher ratio of members of security forces to protesters.

The CNDH's Laayoune and Dakhla regional commissions monitored 40 demonstrations from January to July. Security forces dispersed several demonstrations by force, with clashes resulting in injuries on both sides.

Amnesty International published video footage and witness testimonies indicating that, on July 19, security forces used excessive force to disperse demonstrators after some participants at a street gathering in Laayoune--celebrating an Algerian soccer victory--began waving the Saharan flag. During the clash two Moroccan Auxiliary Forces vehicles ran over Sabah Othman Ahmida, an English teacher, who died at a local hospital. On July 29, the Court of First Instance initiated legal proceedings against 11 Sahrawis who were arrested and charged with sabotage, obstruction of a public road, and insulting public authorities. The CNDH visited the detainees at the local prison in Laayoune. At the third and final hearing on September 4, the court sentenced five defendants to two and one-half years in prison, five other defendants to five years in prison, and another defendant to a one-year suspended sentence. Each of the 11 individuals was also fined 30,000 MAD (\$3,000) in damages. The specific charges for which each individual was convicted were unknown. The defendants appealed the sentences, and the date of the Appeals Court trial was unknown at year's end.

Freedom of Association

Moroccan law and practice apply. Generally, the government denied official recognition to NGOs that it considered advocates against Islam's status as the state religion, the legitimacy of the monarchy, or Morocco's territorial integrity. Amnesty International reported that Moroccan authorities routinely rejected the registration applications of Sahrawi human rights groups. Organizations engaged in other activities did not report problems in registering with the government. The CNDH's Laayoune branch reported one complaint from an organization that was denied registration during the year.

The government tolerated activities of several unregistered organizations.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

Moroccan law and practice apply. Moroccan law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. NGOs and activists alleged that Moroccan authorities sometimes restricted access to Western Sahara for foreign visitors, including journalists and human rights defenders (see section 2.a. and section 5). The government of Morocco claimed it only restricted access when such visits challenged Morocco's territorial integrity or were perceived to be a threat to internal security and stability. According to the government, authorities granted access to 91,575 foreigners traveling to Western Sahara through Laayoune and Dakhla airports from January to October.

The government continued to make travel documents available to Sahrawis. There were some reported cases of authorities preventing Sahrawis from traveling. The government of Morocco encouraged the return of Sahrawi refugees from abroad if they acknowledged the government's authority over Western Sahara. Those refugees wishing to return must obtain the appropriate travel or identity documents at a Moroccan consulate abroad, often in Mauritania.

On January 15, Moroccan authorities denied entry to Spanish lawyer Louise Magrane upon her arrival to the airport in Laayoune. Magrane intended to observe Dehani's Court of Appeals hearing initially scheduled for January 16 (see section 1.d.).

On May 19, Moroccan authorities denied five Spanish lawyers and two Norwegian human rights activists entry into Laayoune for attempting to observe a court of first instance hearing for Nezha Khalidi (see section 2.a.).

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

g. Stateless Persons

Not applicable.

Section 3. Freedom to Participate in the Political Process

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Elections and Political Participation

Recent Elections: In 2016 Morocco held direct elections for the Chamber of Representatives (the lower house of parliament). Registered voters in Western Sahara elected representatives to fill 13 regionally designated seats and for parties' candidates to fill the nationally allocated quotas for women and youth representatives. The major political parties and local observers considered the elections free, fair, and transparent. International observers considered the elections credible, noting voters were able to choose freely, and deemed the process relatively free of irregularities.

Participation of Women and Minorities: Moroccan law and practice apply. No Moroccan law limits participation of women or members of minorities in the political process, and the participation of women and minorities was similar to that in internationally recognized Morocco. A substantial number of candidates for elected offices self-identified as Sahrawi. For more information, see the

Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Section 4. Corruption and Lack of Transparency in Government

Moroccan law and practice apply. Moroccan law provides criminal penalties for corruption by officials, but the government generally did not implement the law effectively. Officials sometimes engaged in corrupt practices with impunity. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Corruption: Development spending and military officers' involvement in private businesses created susceptibility to corruption, as well as opportunities for impunity, in Western Sahara. The government and state-owned enterprises were the territory's principal employers, and residents sought civil service jobs and taxi licenses through personal contacts within the government.

Financial Disclosure: Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

The government generally tolerated but did not recognize local NGOs that exhibited proindependence or pro-POLISARIO views.

The United Nations or Other International Bodies: The Moroccan government cooperated with the United Nations and permitted requested visits. Nonetheless, in April the UN secretary-general urged the state and other parties to address outstanding human rights problems and enhance cooperation with the OHCHR.

Government Human Rights Bodies: The same government human rights bodies operated in the territory as in internationally recognized Morocco. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

Via its regional offices in Dakhla and Laayoune, the CNDH continued a range of activities, including monitoring demonstrations, visiting prisons and medical centers, and organizing capacity-building activities for various stakeholders. It also maintained contact with unrecognized NGOs. The CNDH also occasionally investigated cases raised by unrecognized NGOs, especially those that drew internet or international media attention. The CNDH operated in conformity with the Principles of Paris, according to the Global Alliance of National Human Rights Institutions, which recognized it in 2015 as a “class A national human rights institution” within the UN framework. In April Amnesty International raised concerns over the CNDH’s independence and impartiality since its president and a third of its leadership are appointed by the king of Morocco.

In April Amnesty International reported the government expelled or denied access to Western Sahara to several international observers and lawyers. The April UN secretary-general’s report on Western Sahara cited that between October 2018 and the end of March, 15 persons were deported from or denied entry to Western Sahara. As of August several human rights organizations and the press reported that authorities denied access to more than a dozen foreigners traveling to Laayoune who were associated with human rights organizations or the press.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Moroccan law and practice apply. For more information, see the Department of State’s 2019 *Country Reports on Human Rights Practices* for Morocco.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

Moroccan law and practice apply. For more information, see the Department of State’s 2019 *Country Reports on Human Rights Practices* for Morocco.

The government and employers generally respected freedom of association; Moroccan unions covering all sectors were present but active only in the phosphate and fishing industries. The largest trade union confederations maintained a nominal presence in Laayoune and Dakhla, and most union members were employees of the Moroccan government or state-owned organizations.

b. Prohibition of Forced or Compulsory Labor

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

c. Prohibition of Child Labor and Minimum Age for Employment

Moroccan law and practice apply. The Moroccan government continued to invest in education in the territory through the Tayssir cash assistance program and continued to provide child protection services through the second phase of the National Initiative for Human Development Support Project. Residents of Western Sahara received more assistance per capita from this program than persons living in internationally recognized Morocco.

For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco. Also see the Department of Labor's annual *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

There were anecdotal reports that Sahrawis faced discrimination in hiring and promotion.

e. Acceptable Conditions of Work

Moroccan law and practice apply. For more information, see the Department of State's 2019 *Country Reports on Human Rights Practices* for Morocco.

As an inducement to relocate to the territory, workers in the formal sector earned up to 85 percent more than their counterparts in internationally recognized Morocco. The government also provided fuel subsidies and exempted workers from income and value-added taxes.