

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2004/10/20/morocco-counter-terror-crackdown-sets-back-rights-progress>

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Morocco's campaign against suspected Islamist militants is undermining the significant human rights progress the country has made in recent years, Human Rights Watch said in a new [report](#) released today.

After suicide bombers attacked Casablanca on May 16, 2003, authorities adopted sweeping counter-terror legislation and arrested more than 2,000 suspected militants, subjecting many to threats and abuse. Suspects were held in prolonged incommunicado detention, and faced other violations of their right to due process and a fair trial.

Detainees are on a fast-track to conviction because prosecutors and judges show little interest in how the police obtained their statements, said Sarah Leah Whitson, Human Rights Watch's executive director for the Middle East and North Africa Division. Their treatment shows that the human rights advances in Morocco have largely bypassed the courts.

The 70-page report, [Human Rights at a Crossroads](#), features interviews with the lawyers and family members of Moroccan prisoners who said that their interrogators had subjected them to physical and mental abuse, in some cases amounting to torture, in order to extract confessions or to induce them to sign a statement they had not made. Many were held incommunicado by police beyond the legal time limit and did not have prompt access to defense counsel.

Human Rights Watch said that Morocco's counter-terror legislation, passed quickly in the wake of the Casablanca bombings, erodes rights protections. For example, the legislation extends to 12 days the time police can hold a terror suspect before he is brought before a judge, and to 10 days the time he can be held before consulting a lawyer. The legislation further introduces a sweeping definition of terrorism offenses, for which stiffer penalties are applicable.

The problems in Morocco run deeper than any one piece of legislation, said Whitson. Even the recent reforms to the criminal justice system have not alleviated the systemic failures to protect rights.

Human Rights Watch said that Moroccan courts should fulfill their role as a bulwark against abuse by rejecting evidence that is tainted by torture, improper coercion, or other serious violations of due process, and by holding the perpetrators of such abuse accountable.

The report also examines one of the positive human rights developments in Morocco, the establishment of a commission to document and provide compensation for grave abuses that the state perpetrated against dissidents and others under the rule of the king's father, Hassan II. The report describes the Equity and Reconciliation Commission as the Arab world's most serious effort yet to acknowledge and address past abuses, but expresses concern about limitations on the commission's mandate and powers. The report offers recommendations to help the commission address past abuses in a fashion that contributes more effectively to ending impunity.

Human Rights Watch urges the United States and the European Union to integrate respect for human rights in their growing security cooperation with Morocco. The recommendations also include a call for assistance in reforming the Moroccan criminal justice system while pressing the government of Morocco to make judicial independence a reality. The report also urges the United States and European countries not to extradite or otherwise forcibly return to Morocco persons suspected of terrorist offenses unless the government provides verifiable guarantees that such persons will not be subject to torture or other ill-treatment.

The suicide bombings of May 2003 were despicable attacks on innocent civilians, said Whitson. But unless authorities fight extremist violence in a way that is consistent with their public commitment to human rights, the rights of all Moroccans are at risk.

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