HUMAN RIGHTS WATCH

“They’ll Get You No Matter What”

Morocco’s Playbook to Crush Dissent

Summary

> "You push back on absurd accusations and nasty hit pieces one at a time; you deny unfounded allegations, fight baseless charges… You talk, talk, and talk again. But in the end, they'll get you no matter what."
> — Omar Radi, journalist

Independent journalist Omar Radi, 33, looked a bit tired during his meeting with Human Rights Watch on a café terrace in Rabat on July 15, 2020.

Radi was just out of a press conference during which, assisted by his lawyer, he had sought to debunk multiple charges laid out against him by a prosecutor, the judicial police, and the state-aligned media in the previous few months: "sharing intelligence with foreign governments, firms, and organizations," "harming internal and external state security," "manifest public drunkenness"… The list went on and on.[1]

Radi's fatigue could also be explained by the five marathon police interrogation sessions – about nine hours each – he had undergone in the previous two weeks. "I have to end this meeting," he apologized. "I need to go the police headquarters again, right now, for yet another interrogation session." Indeed, six more would follow over the next two weeks.

The police finally arrested Radi on July 29, 2020. He spent the next year in pretrial detention, before a court pronounced him guilty, on July 19, 2021, not only for the original espionage charges, but also for indecent assault and rape, and sentenced him to six years in prison. An appeals court upheld the sentence on March 3, 2022. Radi remains in jail at time of writing.

Radi is an investigative journalist. He rose to prominence in the early 2010's after he exposed widespread state corruption in the sectors of natural resources and real estate.[2]

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[1] Omar Radi, press conference in Rabat, July 15, 2020, https://www.youtube.com/watch?v=8CrbmLK5Pk8 (accessed February 25, 2022).

[2] Omar Radi and Christophe Guguen, "Des exploitants pas comme les autres", *Lakome*, January 31, 2013, https://web.archive.org/web/20131004233809/http://fr.lakome.com/index.php/component/content/article/112-

He defended protesters who took to the street to claim social and economic rights in the northern Rif region. He also made incendiary comments on a famous talk show in 2018, including, "The ministry of interior, host of Morocco's biggest corruption scheme ever, should be dissolved."[3]

Before Radi was arrested and convicted in 2021, he was detained, tried, and convicted for a tweet, had spyware intrusion on his smartphone, experienced a pervasive defamation campaign against him by state-aligned media, and suffered a suspicious physical assault that the police, despite their promises, showed no sign of having ever investigated.

From Speech Trials to Criminal Prosecutions

Throughout the past two decades, Human Rights Watch and other human rights organizations have documented how Moroccan courts have convicted dozens of journalists and activists and closed, heavily fined, or otherwise sanctioned media outlets critical of the authorities on charges of libel, publishing "false news," "insulting" or "defaming" local officials, state bodies or foreign heads of state, and "undermining" state security or the institution of the monarchy.[4]

Trials for speech-related charges that clearly violate the right to freedom of expression are still commonly used to punish critical journalists, internet commentators, and protestors throughout the Middle East and North Africa. Morocco is no exception. In 2021 and 2022, social media commentators like Chafik Omerani, Mustapha Semlali, Jamila Saadane, Ikram Nazih, Saida El Alami and Rabie al-Ablaq, and protester Noureddine Aouaj were sentenced to prison terms for peacefully criticizing public figures.

Alongside these prosecutions for speech offenses, Moroccan authorities, since the mid-2010s, have increasingly accused and prosecuted high-profile journalists and activists of non-speech crimes, including crimes involving consensual sex. In the late 2010s,

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enquetes/carrieres-de-sable/330-ain-tizgha-des-exploitants-pas-comme-les-autres-2 (accessed February 25, 2022); هاشتاغ.. لأول مرة.. كاشف لائحة خدام الدولة بوجه مكشوف, interview of Omar Radi, https://www.youtube.com/watch?v=xuhJXUcXP_A (accessed February 25, 2022)

[3] "1D2CCons, ملحمة العدميين," YouTube, Video Clip, August 24, 2018, https://www.youtube.com/watch?v=v3saDv5cyf4 (accessed February 25, 2022)

[4] Human Rights Watch, *Morocco: Prosecution of Independent News Weeklies*, May 2006, https://www.hrw.org/news/2006/05/08/morocco-prosecution-independent-newsweeklies.

authorities started to prosecute critics for serious crimes such as money laundering, espionage, rape, or sexual assault, and even human trafficking.

According to historian and free speech activist Maati Monjib, who was jailed for three months in 2021 on money-laundering charges, "The political trials of the past gave prestige to [Moroccan] dissidents, made them heroes, mobilized public opinion around them. Designating them as traitors, thieves, and rapists – that's a better way to silence them."[5]

"Symbolic Assassination"

Serious crimes such as sexual assault or financial offenses should be investigated without discrimination, and those responsible brought to justice and punished, after trials that respect due process and are fair for both the complainant and the accused.

Examining 12 such court cases involving dissidents in Morocco, Human Rights Watch found that the authorities have committed an array of fair-trial violations and other abuses. Furthermore, in their aggressive pursuit of dissidents on serious charges, the authorities have violated the rights of their acquaintances, partners, and families, and even people the authorities allege to be their victims.

For example, Afaf Bernani, a newspaper employee turned activist, fled Morocco after she was convicted in 2018 for "defamation," because she accused the police of forging a statement in which she appeared to affirm that her former boss, opposition newspaper publisher Taoufik Bouachrine, had sexually assaulted her. Denying that she had ever made such an accusation against Bouachrine, she told a journalist: "Moroccan authorities have figured out that to accuse someone of a sex crime is an effective 'symbolic assassination.' It strips its targets of international solidarity and makes them pariahs in their own communities, shunned by friends and family who are either embarrassed or afraid to be associated with them."[6]

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[5] Rachida El Azzouzi and Rosa Moussaoui, "Omar Radi est devenu une ligne rouge, autant que le Sahara ou le Roi," *Mediapart*, September 21, 2020, https://www.mediapart.fr/journal/international/210920/omar-radi-est-devenu-une-ligne-rouge-autant-que-le-sahara-ou-le-roi?onglet=full (accessed February 25, 2022).

[6] Ursula Lindsey, "Me Too in Egypt and Morocco," *New York Review of Books*, April 8, 2021, https://www.nybooks.com/articles/2021/04/08/me-too-in-egypt-morocco/ (accessed February 25, 2022).

The legal case against Bouachrine, who has been serving a 15-year prison term since 2019, like those of Omar Radi, Maati Monjib, Soulaiman Raissouni, and other outspoken critics of the current monarchical system, cannot be dismissed out-of-hand as attacks on free speech by a repressive government. Regardless of the accused's professions and social statuses, such charges must always be taken seriously. The report seeks to examine the way the authorities investigated these cases, the basis of the evidence to support the charges, and the judicial processes by which they were tried.

Examining eight individual cases and 12 trials in which about 20 activists or journalists were involved in different capacities, as well as the attacks on such dissidents by an assemblage of media outlets that appear to follow the lead of Morocco's security establishment, Human Rights Watch in this report concludes that Moroccan authorities have developed and refined an array of tactics to silence dissent while claiming merely to be neutrally enforcing its criminal laws. In doing so, the authorities violated a long list of rights, including the rights to privacy, health, physical safety, property, and the right to a fair trial, while also making a mockery of serious crimes, such as rape, embezzlement, or espionage.

The Devil Is in the Details

In two cases this report examines, courts have convicted activists on charges that violated international human rights laws. In one case, a court convicted journalist Hajar Raissouni of having extramarital sex with her fiancé and an illegal abortion, and in another, a court convicted journalist Hicham Mansouri of complicity in adultery with a married woman who was also convicted. These charges of extramarital sex and abortion violate rights such as the right to privacy, health, and nondiscrimination. Morocco should remove these crimes from its criminal code and immediately drop all similar prosecutions under these charges.

In the rest of the cases brought before courts, which all occurred after Mansouri's and Raissouni's, the authorities have accused journalists and activists of sexual or financial offenses that are universally criminalized, offenses for which no person should be immune from investigation or prosecution. However, any police or judicial action in such cases must be non-discriminatory and fair, consistent with international standards.

When it comes to understanding how Moroccan authorities crush dissidents to muzzle them, the devil is in the details. To understand why prosecutions on criminal charges are often disguised political attacks on activists, it is necessary to examine the web of flaws that taint the state's treatment of these cases, both in the pre-trial and trial phase.

Even where there are allegations of serious crimes, the authorities' handling of the case undermined the impression that they are taking these crimes seriously. Sexual violence is a serious issue in Morocco – it is important that the authorities combat sexual violence properly and consistently, observing the rights of both the complainant and the accused.

Physical and electronic surveillance, abusive incarcerations, biased trials and unjust verdicts, character-assassination campaigns in state-aligned media of critics and their relatives and associates, and apparently the occasional use of physical violence and intimidation are among the tools used by a repressive state to silence its most vocal critics and intimidate others.

This is Morocco's playbook to muzzle dissidents. Below are some of the key tactics in that playbook.

Unfair Trial Proceedings

The cases of dissidents in Morocco that go to court are often marred by serious violations of due process and other rights.

These include pretrial detentions that are prolonged without individualized justification. International standards warrant that a magistrate who issues a pretrial detention order should justify their decision in writing, setting out the individualized reasons for this measure, which should be imposed more as an exception than as the rule, and that the order be subject to immediate and then periodic, meaningful judicial review by a judge or court independent of the magistrate who issued the order. However, no such justification was ever issued in the cases of journalists Omar Radi and Soulaiman Raissouni, who both spent one year in pretrial detention, the maximum under Moroccan laws.

Judges also prevented imprisoned dissidents from accessing their case files, and thus preparing their defense adequately. Radi and Raissouni did not access their case files until

after their trials started. Activist Maati Monjib was held in pretrial detention for three months while under investigation on charges of embezzlement but was never allowed to access his case file. The case, which opened in September 2020, is still pending and Monjib had still not been granted access to his file yet on July 2022.

Courts also frequently refused to summon witnesses requested by the defense, without providing reasoned justifications for their refusal. The Casablanca first instance court rejected a key witness in Radi's espionage case because hearing him would have "[uselessly] prolonged the trial," the written judgment said.

Courts also forced individuals to testify in favor of the prosecution, even when they resisted doing so. In the trial for rape of journalist Taoufik Bouachrine, police exerted intense pressure on journalists Hanan Bakour, Afaf Bernani, and Amal Houari to testify against Bouachrine, even though they had not accused Bouachrine of anything and had told magistrates and the press they did not want to be involved in his trial in any capacity. The three women were arrested and brought to court by force. Houari and Bernani were later convicted for refusing to cooperate with the court and "defaming the police," respectively. Bernani fled Morocco to escape incarceration and remains abroad.

Courts also tried and sentenced detained individuals in their absence. In August 2021, a first instance tribunal sentenced Radi for "public drunkenness" without hearing him. The reason Radi was not heard is that neither he nor his lawyers had received a notification of the trial sessions, and the police never brought him to the courtroom from the prison where he was being held at the time. In January 2020, Maati Monjib was sentenced, in his absence, to one year in prison for undermining state security, even though he was then in pretrial detention for another case. Neither Monjib nor his lawyers were notified of the trial session, and the police did not bring him to the courtroom.

In one case, a defendant was denied access to one of his lawyers. In June 2021, the police detained a Belgian lawyer hired by Radi's family upon landing in Casablanca and prevented him from accessing the courtroom. He was deported to Belgium the next day.

Digital and Camera Surveillance

The above-mentioned due process violations happened in a context of police harassment, and multi-faceted violations of the rights of dissidents.

The smartphones of at least five independent journalists and activists including Monjib, Radi, Bouachrine, Raissouni, and Aboubakr Jamai, and also those of multiple human rights defenders including Fouad Abdelmoumni, and lawyers including Abdessadek Bouchattaoui, alongside possibly thousands of other individuals, were infected with the spyware Pegasus between 2019 and 2021, according to an investigation conducted by Amnesty International and another by the Forbidden Stories journalistic consortium.[7]

Pegasus, a potent program that its developer, the Israeli company NSO Group, says it only sells to governments, is capable of accessing contact lists, reading emails and text messages, tracking calls, collecting passwords, localizing the target device, and hijacking its microphone and video camera to turn them into surveillance tools.[8] Moroccan authorities denied using Pegasus to spy on dissidents.[9]

One of those whose phone was infected by Pegasus, Fouad Abdelmoumni, was also subjected to video surveillance. In 2020, an anonymous sender sent on WhatsApp six short video clips showing him and his partner (they married the next year) having sex in intimate situations in a private setting to several close friends and relatives of theirs. In Morocco, nonmarital sex is a crime punished by prison and a cause for social stigma, especially for women. According to Abdelmoumni, judging by the angle of the shots, the cameras that recorded the intimate footage were planted inside two AC units placed in Abdelmoumni's apartment's bedroom and living room.

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[7] Project Pegasus: de nouveaux noms de journalistes révélés pour le Maroc," *Le Desk*, July 19, 2021, https://ledesk.ma/encontinu/projet-pegasus-de-nouveaux-noms-de-journalistes-reveles-pour-le-maroc/ (accessed February 25, 2022); "From India to Rwanda, the Victims of NSO Group's WhatsApp Hacking Speak Out", (blog) Access Now, December 17, 2020, https://www.accessnow.org/nso-whatsapp-hacking-victims-stories/ (accessed February 25, 2022); "Morocco: Human Rights Defenders Targeted with NSO Group's Spyware," Amnesty International, October 10, 2019, https://www.amnesty.org/en/latest/research/2019/10/morocco-human-rights-defenders-targeted-with-nso-groups-spyware/ (accessed February 25, 2022); "The Pegasus Project," Forbidden Stories, https://forbiddenstories.org/case/the-pegasus-project/ (accessed February 25, 2022).

[8] Ronen Bergman and Mark Mazzetti, "The Battle for the World's Most Powerful Cyberweapon," *The New York Times*, January 28, 2022 https://www.nytimes.com/2022/01/28/magazine/nso-group-israel-spyware.html (accessed February 25, 2022).

[9] *"L*e Maroc nie 'tout espionnage' de journalistes avec le logiciel Pegasus," *Africa News*, July 19, 2021, https://fr.africanews.com/2021/07/19/le-maroc-nie-tout-espionnage-de-journalistes-avec-le-logiciel-pegasus/ (accessed February 25, 2022).

The prosecution of Taoufik Bouachrine for multiple cases of rape and sexual assault was accompanied by several video clips purportedly showing the press publisher – or a man resembling him – in more or less explicit sexual situations with several women, in Bouachrine's Casablanca office. The police said they found two video cameras in Bouachrine's office and claimed he had recorded the videos himself. Bouachrine denied that the cameras were his or that he had installed them. He claimed that unknown parties had, unbeknownst to him, planted the cameras in the suspended ceiling of his office. Police agents retrieved them on the day of Bouachrine's arrest. He did not witness them doing so because at the time he was being held in a different room of the office suite.

Harassment Campaigns in Pro-Makhzen Media

Although not all of the individuals whose cases are examined in this report ended up in court or in prison, they have a common denominator: the targeted individuals were subjected, before they were ever summoned to a police station, to pervasive defamation campaigns in a certain constellation of websites.

In 2020, 110 Moroccan journalists signed a "Manifesto Against Defamation Media" in which they said: "Whenever the authorities have pursued a critical voice, certain websites have hastened to write defamatory articles, without any professional ethics, even violating the laws organizing the press in Morocco."[10]

Multiple investigative articles have described the websites in question as "close to the royal palace," or having close ties with Morocco's police and intelligence services.[11] The last section of this report, titled "Case Studies: Media institutions," discusses these allegations in detail, focusing on three websites: Chouf TV, Barlamane, and Le360.

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[10] "Manifeste: Des journalistes marocains contre les médias de diffamation", *En Toutes Lettres*, July 16, 2020, https://etlettres.com/manifeste-des-journalistes-marocains-contre-les-medias-de-diffamation/ (accessed February 25, 2022).

[11] Ali Amar, "'Barlamane': enquête sur une machine à salir," *Le Desk*, October 24, 2017, https://ledesk.ma/grandangle/barlamane-enquete-sur-une-machine-salir/ (accessed March 4, 2022); Ali Lmrabet, @alilmrabet, Twitter, July 7, 2018, https://twitter.com/Alilmrabet/status/1015634977764118533 (accessed March 4, 2022); Serge Michel and Youssef Ait Akdim, "Maroc : la méthode d'un média proche du palais pour « dégonfler » les scoops gênants," *Le Monde Afrique,* April 5, 2016, https://www.lemonde.fr/afrique/article/2016/04/06/maroc-la-methode-d-un-media-proche-du-palais-pour-degonfler-les-scoops-genants_4896687_3212.html (accessed March 4, 2022); Phineas Rueckert and Cécile Schilis-Gallego, "Journaliste Surveillé au Maroc: 'La Descente Aux Enfers,' D'Omar Radi," Forbidden Stories, July 7, 2020, https://forbiddenstories.org/fr/journaliste-surveille-au-maroc-la-descente-aux-enfers-domar-radi/ (accessed March 4, 2022).

In an e-mail sent on April 14, 2022, in response to a letter from Human Rights Watch, Wadi El Moudden, publication director of Le360, categorically denied that his website was part of what the manifesto calls "defamation media." By mid-July 2022, Human Rights Watch had not received any answer to similar letters it had sent to Chouf TV and Barlamane on April 1 and again on May 9.

On May 10, 2022, Human Rights Watch searched the phrase "defamation media" on the websites of Chouf TV and Barlamane. That search did not yield any result that indicated a clear response from, or positioning by, Chouf TV with regard to the manifesto. However, one article published under a pseudonym in Barlamane in November 2020 accused a US-based Moroccan journalist and human rights activist of producing "defamation journalism."[12] Another article published under unknown initials in Barlamane in March 2022 called a group of French media including Le Monde, Mediapart, and Radio France Internationale "defamation media" because of their "systematic and coordinated campaign against Morocco and its security services."[13]

The report henceforth refers to such websites, including Chouf TV, Barlamane, and Le360 as "pro-Makhzen" media or websites.

"Makhzen" is a term that both Moroccans and Morocco observers use to refer to the network of power holders tied to the king and his associates through allegiance, patronage, and clientelism.[14] It is not an official entity; nor is there a single agreed-upon list of its components. In some respects, the term could be analogous to "the deep state"

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[12] Abou-Ali, "سامية رزوقي.. تمتهن "صحافة التشهير بلغة شكسبير", *Barlamane*, November 20, 2020, https://www.barlamane.com/%D8%B3%D8%A7%D9%85%D9%8A%D8%A9-%D8%B1%D8%B2%D9%88%D9%82%D9%8A-%D8%AA%D9%85%D8%AA%D9%87%D9%86-%D8%B5%D8%AD%D8%A7%D9%81%D8%A9-%D8%A7%D9%84%D8%AA%D8%B4%D9%87%D9%8A%D8%B1-%D8%A8%D9%84%D8%BA%D8%A9/ (accessed May 10, 2022).

[13] Kh. A, "القضاء الفرنسي يحمي صحافة التشهير ويرفض النظر في شكاية المغرب ضد وسائل إعلام فرنسية", *Barlamane*, March 25, 2022, https://www.barlamane.com/%D8%A7%D9%84%D9%82%D8%B6%D8%A7%D8%A1-%D8%A7%D9%84%D9%81%D8%B1%D9%86%D8%B3%D9%8A-%D9%8A%D8%AD%D9%85%D9%8A-%D8%B5%D8%AD%D8%A7%D9%81%D8%A9-%D8%A7%D9%84%D8%AA%D8%B4%D9%87%D9%8A%D8%B1-%D9%88%D9%8A%D8%B1/, accessed on May 10, 2022

[14] "Makhzen" is the Arabic word for warehouse. It was originally used to name the treasure chest where Sultans stored the taxes collected from the people. The meaning evolved through history. It first broadened up to mean, symbolically, the content of the chest—i.e., the Sultan's assets. Later, it embraced the personnel paid with these assets, then the whole government, administration and army. Since the Alaouite dynasty was installed in Morocco in the 17th century, "Makhzen" is used in reference to anyone who contributes to relaying the king's power to the population. See Michaux-Bellaire, Ed. and Buret, M., "Makhzen", in: Encyclopaedia of Islam, First Edition (1913-1936), Edited by M. Th. Houtsma, T.W. Arnold, R. Basset, R. Hartmann, available, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-1/makhzen-SIM_4477 (accessed March 4, 2022).

as the term is applied to some segments of the governing authorities in other countries. The Makhzen refers to those who function as shadow decision makers in Morocco, with a preponderant role played by the security and intelligence services. In Morocco, the term "Makhzen" is also commonly understood to refer to security services and their members at large.

The pro-Makhzen media specializes in generating a flood of articles about critics of the Makhzen, often featuring vulgar insults and personal information including banking and property records, screenshots of private electronic conversations, allegations about sexual relationships, or threats to expose them, along with intimate biographical details concerning the targets' parents, family members, and supporters.

For instance, after a woman posted a statement on Facebook in support of incarcerated journalist Soulaiman Raissouni, Chouf TV published the names of both her parents and their political leanings, and information on individuals she befriended and where she would meet them, presumably a way to intimidate her by showing their knowledge of personal information about her, even though she was not a public figure. The same website published the identity of a female roommate of Omar Radi and insinuated that he had implicated her in allegedly "dishonest" activities.[15]

After Radi's arrest, the same website listed several individuals presented as his "support committee," complete with insults and scandalous allegations on each one of them. The "support committee," which never publicized itself as such, was in fact an informal group, exchanging information about Radi's case and discussing support strategies in a private chat room on the encrypted messaging app Signal.

Such scandal-mongering and reporting by sensationalist media could be defended as protected speech in a country where a wide array of media voices flourish. However, in the heavily restricted media eco-sphere of Morocco, no media outlet dares to cover in this fashion powerful persons in the Makhzen. Only dissidents and those they associate with are targeted in such a way.

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[15] Human Rights Watch has read the articles that Chouf TV published in January and June 2020 (accessed on April 25, 2022) and is refraining from linking to them so as to avoid spreading the allegations they contain.

Many Moroccan critics of the authorities told Human Rights Watch that even in the absence of legal threats against them, the prospect of being targeted by pro-Makhzen websites deters them from speaking out. “When you see your name and your private information exposed in there, you think twice before taking public positions again,” one of them said, asking to be kept anonymous.

Journalist Hicham Mansouri, who obtained asylum in France after spending ten months in prison in Morocco for adultery, told a French newspaper in 2020: “There is a climate of inquisition. They know all our flaws, all our weaknesses. They know us better than we know ourselves. The goal is for each one of us to end up thinking of themself as a potential target. Sex, drugs, alcohol… if they can't find anything, they’ll fabricate accusations [against you].”

Surveillance: From Defamatory Articles to Courtrooms

Several targeted individuals told Human Rights Watch that while most of the information published about them in pro-Makhzen media was false or twisted, some of it was true – and detailed enough to lead them to conclude that it could have only been obtained through surveillance, including of their electronic communications.

For example, one month before an anonymous sender sent hidden-camera videos of Abdelmoumni in intimate situations with his partner to the couple’s relatives and friends, Barlamane posted a video denouncing an unnamed “senior activist” who “[is promiscuous] with young girls the age of his granddaughter.” Abdelmoumni, whom the same video criticized – this time namely – for his “stinking adolescent behavior,” was then 62. His then-partner, now his wife, is a woman in her thirties.

The prosecution of Omar Radi for “sharing intelligence with foreign entities” was preceded by two articles in Chouf TV accusing him of being a “spy.” These articles contained specific information that Radi told Human Rights Watch could have been obtained only through monitoring of his email and WhatsApp conversations. Though the information in question was innocuous, it was later interpreted in court as evidence of guilt.

In one indication of connections between pro-Makhzen media and the police, these media have correctly predicted the date of arrest of a target who was still free at the time the

article was published. For example, Chouf TV on July 24, 2020, announced that Omar Radi would be behind bars by July 29 – which is the date on which the police actually arrested him. The article has since been deleted but is still available on web archives.[16]

In another instance, Chouf TV published on May 17, 2020, an article (also deleted, but viewable in web archives) titled: "Sulaiman Raissouni: Last Reveal before Destruction." In it, the author wrote, addressing the journalist: "The doors of hell will open [for you] … We will all celebrate Eid al-Fitr [a Muslim holiday] on a day that will be historic and that you will only live once in your life."[17] Raissouni was arrested in the evening of May 22, the day before the holiday began that year. Chouf TV, presumably tipped on the day, time and location of the arrest, was there to film it.[18]

Physical Surveillance, Intimidation, Aggression

Several Moroccan dissidents interviewed for this report told Human Rights Watch that they have been followed, either on foot or by unknown men in civilian cars, at various times and for extended periods.

Monjib said on-and-off physical surveillance has been part of his life for years. During weeks or months on end, he said, different cars followed him everywhere he went in Rabat and beyond or were stationed outside his house around the clock.

Researchers of Human Rights Watch have been episodically followed by unknown men in civilian cars at various times in the past years. In 2019, the janitor of a Casablanca building told a Human Rights Watch staffer, who then lived in the building, that two police officers came to ask questions about him and his family.

Abdellatif Hamamouchi, a close associate of Monjib and a member of the Moroccan Association for Human Rights, Morocco's most prominent rights group, wrote on Facebook on April 26, 2021:

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[16] Abu Wael Al-Rifi, "بوح بولفاف:هل يتذوقه الراضي في ضيافة التامك؟الأمير والدرابكي والتوارخي والحقوقي," Chouf TV, July 24, 2020, available via archives https://chouftv.ma/press/274611.html.

[17] Abu Wael Al-Rifi, "سليمان سليمينة الريسوني..البوح ما قبل الأخير ما قبل التدمير" Chouf TV, May 17, 2020, available via archives https://web.archive.org/web/20211027124557/https:/chouftv.ma/press/250314.html

[18] Chouf TV, "أول فيديو للحظة اعتقال سليمان الريسوني...شوفو شحال ديال البوليس شدوه 4 أو 15," YouTube video, May 22, 2020, https://www.youtube.com/watch?v=fR3jPSStNOo (accessed March 4, 2022).

> For more than three months, a car with two or three passengers has been parked near my home in Temara [near Rabat]. This car follows me wherever I go [...] even when I'm in another town. A strange thing: the same car, and the same driver, had been following Professor Maati Monjib or parking in front of his home until he was arrested. The very same car apparently became charged with monitoring me, until today.[19]

On July 16, 2014, Monjib's colleague Hicham Mansouri, a journalist and free speech activist, was assaulted in a street of Rabat. At around 9:30 p.m., shortly after he left a meeting with Monjib, two unknown men emerged from a car with tinted windows and violently assaulted Mansouri, including after he fell on the ground, before jumping back in the car and fleeing.

Mansouri was transported to the emergency room of a hospital, with multiple bruises on his face and elsewhere on his body. After he pressed charges for assault, the police said they conducted an investigation but eventually closed it for lack of evidence.

On July 7, 2019, journalist Omar Radi was driving his car around midnight in Ain Sebaa, a suburb of Casablanca, when about 10 men emerged from a dark corner and smashed his car with sticks, stones and bricks, Radi told Human Rights Watch. The attackers broke the front passenger window before he was finally able to flee the scene. Human Rights Watch saw pictures showing the heavy damage inflicted on the vehicle.

The next morning, Radi went to a police station near the incident scene and filed a complaint. A police officer promised an investigation, provided Radi a receipt with a police stamp and a file number, and told him to use that number to track his complaint's status at the Ain Sebaa tribunal. Months later, Radi's lawyer went to the tribunal to check the status of the complaint. He told Human Rights Watch that the serial number indicated on the receipt was false and did not relate to any existing judicial file.

In August 2019, when the police arrested journalist Hajar Raissouni outside her gynecologist's office on suspicion that she had just had an illegal abortion, a prosecutor

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[19] Abdellatif El Hamamouchi, Facebook post, April 26, 2021, https://www.facebook.com/abdellatif.elhamamouchi/posts/3764908366971309 (accessed March 4, 2022).

said in a communique that Raissouni's arrest was prompted by the ongoing police surveillance of the medical office, which was performed as part of a legally warranted investigation on suspected illegal activities.

However, Raissouni told Human Rights Watch that during an interrogation session at a police station later that same day, police agents provided her details about her relationship with her then-fiancé. The details were as specific as the dates and hours when Raissouni came to her fiancé's apartment to walk his dog – along with the dog's name. Raissouni told Human Rights Watch that such information could only have been obtained through physical or electronic surveillance of her and her fiancé.

In December 2019, the sister of rights activist Fouad Abdelmoumni received a call from an individual who presented himself as a police officer, falsely informing her that Abdelmoumni and "a woman [they] caught him with" had been imprisoned. Abdelmoumni told Human Rights Watch that he understood it as a move meant to intimidate him through his family.

In February 2019, Ouahiba Khourchech, a female police officer who had been harassed for months by presumed security agents after she filed sexual harassment charges against her supervisor, was accosted by two unknown men in a street in Casablanca who told her, "Your daughter [they mentioned the six-year-old child's name] is dead, you will never see her again," then walked away. Khourchech immediately called her mother, with whom the child was staying, to check on them. Both were safe.

In July and September 2014, Maati Monjib told Human Rights Watch, unknown men who were walking behind Monjib in streets of Rabat threatened him with physical harm if he did not mute his criticism of the state, before quickly walking away. The second time, Monjib said, a man told him: "If you don't shut up, ISIS will take care of you."

Targeting Relatives

When the police interrogated Hajar Raissouni in August 2019, most of the questions police agents asked her were not about the crimes she was suspected of having committed — sex outside marriage and abortion — but rather about her two uncles, religious scholar Ahmed

Raissouni and journalist Soulaiman Raissouni, both considered renowned critics of the monarchy, Hajar Raissouni told Human Rights Watch.

Hajar Raissouni told Human Rights Watch that she believed the targeting of her was not in response to any misconduct on her part but rather a way for the authorities to get at her family. Raissouni was later sentenced to one year in prison for sex outside marriage and an illegal abortion, both of which she denied. Forty-five days later, following an outcry by Moroccan rights groups and the international community, King Mohammed VI pardoned her.

In October 2020, Chouf TV named the partner of Fouad Abdelmoumni, after he was clandestinely filmed in an intimate situation with them in his home. The website stigmatized the woman for having extramarital sex, and mentioned some of her own relatives, also by name, apparently to embarrass them as well. Chouf TV also alleged in February 2021 that the mother of a dissident journalist based in France had been the victim of sex-tape extortion by "her lovers." The journalist and his mother were named in the article. The same website, in June 2020 and later, alleged that a human rights defender had fathered an "illegitimate child" (i.e., a child conceived outside of marriage, which is considered a crime under Moroccan law) with a fellow rights activist. The website published the full name of the man, the woman, and the child.

In July 2020, a Chouf TV film crew travelled to a countryside location in Morocco to interview a farmer who is a father of a critical female journalist. At some point, the interviewer asked the man what he would do if he learned his daughter had sex without being married. The man said such a situation would be a "catastrophe" and that she "wouldn't be [his] daughter anymore and [he] would write her off the family book." A few days later, Chouf TV published an article naming the journalist and saying she had had sex with a human rights activist, referencing her father's previous statements. Before, and after this, Chouf TV and other pro-Makhzen media ran many articles lambasting the journalist's private life. She now lives in France and has not visited Morocco since 2018 because she is "afraid to come back after this lynching campaign," she told Human Rights Watch.

To avoid further stigma on the persons mentioned in the two paragraphs above, Human Rights Watch has withheld their names and abstained from featuring links to the articles and videos in question.

In 2020, entrepreneurs Nasser Ziane and Nabil Nouaydi, sons of renowned lawyers critical of the authorities, were arrested and prosecuted on various charges including "counterfeiting a trademark." The two men were kept in pretrial detention without a detailed justification for six months, then convicted after a trial of the offense. Ziane was sentenced to three years in prison and Nouaydi to ten months.

Nasser Ziane is the son of attorney Mohamed Ziane, who defended high-profile dissidents including protest leader Nasser Zefzafi and journalist Taoufik Bouachrine – they were sentenced to 20 and 15 years in prison, respectively – and had been harassed for years by the authorities. Nabil Nouaydi is the son of Abdelaziz Nouaydi, a foremost human rights lawyer in Morocco who defended many state critics, and who also served as a member of Human Rights Watch's Middle East and North Africa advisory committee.

In separate interviews they gave to Human Rights Watch, both lawyers Nouaydi and Ziane said they suspected that their sons' arrests and trials were in retaliation against their own political positions and an indirect means to pressure them into stopping or muting their opposition to the regime.

Targeting Finances

In March 2020, the Moroccan government ordered newspapers to stop printing and distributing paper copies as a way of minimizizing social interactions and fighting the Covid-19 pandemic and created a compensation fund to pay for salaries of journalists.[20] Hundreds of journalists in Morocco, including those of critical daily *Akhbar Al-Yaoum*, benefited from that mechanism until October 2020. That month, salary payments by the fund to *Akhbar Al-Yaoum* alone stopped.[21] The government never explained that discrimination or reinstated the salaries.

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[20] Kaouthar Oudrhiri, "Médias : la presse prise à la gorge par le coronavirus," *TelQuel*, March 25, 2020, https://TelQuel.ma/2020/03/25/la-vague-de-coronavirus-met-en-peril-le-secteur-de-la-presse_1675500 (accessed March 4, 2022).

[21] "نقطة نظام.. الجحيم مع الفردوس," Akhbar Al-Yaoum, December 9, 2020, https://alyaoum24.com/1483993.html (accessed March 4, 2022).

Combined with a state-led advertisement boycott against the paper, this was the financial *coup de grâce* after a decade-long harassment campaign against the newspaper including the imprisonment of its publisher Taoufik Bouachrine and the detention of editor-in-chief Soulaiman Raissouni.[22] *Akhbar Al-Yaoum* announced its closure on March 14, 2021.[23]

In 2018, the Ministry of Agriculture awarded human rights defender Fouad Abdelmoumni an investment grant of about US$30,000 to develop agriculture and livestock-raising activities in a farm he owns near Rabat. About two years later, the money had still not posted in Abdelmoumni's bank account. He followed up many times, including in writing and through 13 in-person visits to the ministry, but no one ever answered his letters or accepted to receive him or tell him about his grant's status. As of April 2022, Abdelmoumni still has not received the money, he told Human Rights Watch.

Conclusion

As discussed above, the Moroccan authorities' "playbook" to muzzle critics of the state includes multiple, varied, and aggressive tactics.

Some of those, such as covert video surveillance in peoples' private homes physical assaults on targets, or acts of intimidation against them or their relatives, are hard to trace back to state-linked perpetrators.

Other playbook tactics, including the launching of slander campaigns against dissidents in pro-Makhzen websites, are arguably unethical or unsavory but not necessarily illegal under Moroccan law. It is also difficult to prove that the state has a direct hand in such campaigns. However, judging by what these websites publish, they seem to be fully aligned, and sometimes even work in tandem, with Morocco's security establishment. This conclusion is supported also by what they do not publish – they never target powerful Makhzen figures for denigration or character assassination.

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[22] Kaouthar Oudrhiri, "Dans le rouge, le journal Akhbar Al Yaoum joue sa survie," *TelQuel*, February 10, 2020, https://TelQuel.ma/2020/02/10/dans-le-rouge-le-journal-akhbar-al-yaoum-joue-sa-survie_1668442 (accessed March 4, 2022); Ahmed Benchemsi, "Tribunue. La tragique saga d'« Akhbar al-Yaoum », dernier journal indépendant au Maroc," April 1, 2021, *L'Obs*, https://www.nouvelobs.com/monde/20210401.OBS42208/tribune-la-tragique-saga-d-akhbar-al-yaoum-dernier-journal-independant-au-maroc.html (accessed March 4, 2022).

[23] "بيان حول أسباب توقف جريدة "أخبار اليوم" عن الصدور," Akhbar Al-Yaoum, March 14, 2021, https://www.akhbarona.com/national/322351.html (accessed March 4, 2022).

As for cases that make it to courtrooms and land the targeted individuals in prison, some are based on recognizable, serious criminal charges, which warrant punishment when culpability is sufficiently proven in a fair trial. However, as this report documents, the trials in question are marred, from the suspects' arrests to the verdicts pronounced against them, by multiple violations of due process and fair trial guarantees. There are other cases where the charges themselves are inherently in violation of human rights and should never have been brought regardless of the facts in the case.

The tactics listed complement each other in what can be described as an ecosystem of repression, aiming not only to muzzle individuals or media institutions that the authorities deem troublesome, but also to deter all potential state critics from speaking out.

Morocco's "playbook" is not just a menu of tactics. It is a comprehensive methodology to muzzle dissent.