



Freedom of expression and of press in Morocco

Over the past two decades, Morocco has distinguished itself as a regional pioneer in the promotion of home grown political and socio economic reforms including on human rights, and gender equality.

Among some of the landmark reforms undertaken which represent “firsts” in the region are : i) the setting up a truth and reconciliation process to investigate past human rights abuses (2002); ii) the adoption of the new family code promoting gender equality (2004); iii) the establishment of a new corps of female preachers/morbidates (2007); iv) the adoption by referendum of the 2011 Constitution which rests on the balance, independence and separation of powers as well as on a clear commitment to human rights, gender parity, the fight against corruption and advanced devolution of powers (2011); v) the full separation/independence of the judiciary from the executive and legislative branches according to democratic universal standards (2017); vi) introduction of holocaust education and jewish history in school curricula (2019); vii) ensuring social security access for all (2021).

These achievements have been lauded and have inspired others to follow suit. Despite these advances, Morocco remains fully resolute in further pursuing its reform agenda while being a regional beacon of stability, namely with the involvement of civil society, the most vibrant in the region with over 200,000 associations, also contributing to this vital process.

Regretfully, Morocco finds itself today confronting a negative campaign intended to discredit its institutions and its track record, as well as set a narrative of a so-called “regression” on all fronts including press freedom / freedom of speech

On this last point, Morocco is pursuing its efforts to strengthen press freedom and freedom of speech, in harmony with its legal framework, constitutional guarantees and international commitments. The Moroccan constitution ensures press freedom (article 28) as well as freedoms of thought, opinion and expression (article 25). The new press code adopted, in 2016, saw the abolition of custodial sentences against journalists for their journalistic work. Internet access remains open and uncensored and social media are not banned in Morocco.

According to the latest statistics, 3,394 journalists in Morocco received their press cards issued by the National Press Council (CNP), which is an independent constitutional body. These journalists exercise their profession in complete freedom, without any interference from the authorities. Of those 3,394 journalists, 1360 work for electronic media platforms, 1043 for audiovisual media platforms (including radio stations), 618 for newspapers, and 94 as freelancers.

In light of the ongoing pandemic and in order to ensure the non-interruption of the work of the press during these times, public authorities supported all media platforms by using public funds to sustain the salaries of journalists from July 2020 to March 2021 amounting to a total of 255 million Dirhams (26 million US Dollars).

Referring to the closing of the Akhbar Al-Youm newspaper, it should be noted that this publication has benefited from the same subsidies from the public authorities as other press outlets. The closure of this newspaper is linked to a decision taken by its management, without consultation with the staff, who did not hesitate to publicly denounce such a decision which they qualified as abusive.

Regarding the allegations of a so-called “weaponization of sexual assaults” to supposedly “silence journalists that are critics”, it should be noted that the constitution enshrines the universal principle of equality of all before justice, regardless of their corporation or professional quality. The independence of the Moroccan justice scrupulously ensures a fair trial, as well as the rights of all parties including victims of sexual assault, a crime trialed under common law.

What has emerged over the past few years is a disturbing trend marked by a systemic defamation campaign and media lynching against alleged or proven victims of sexual assault who decided to use their right to press charges against their attackers, particularly when the authors of rape or sexual assault crimes are members of the media corps/journalists or famous individuals.

Morocco’s public opinion is increasingly astonished by the attempts to deny justice when the accused is a journalist, by way of a systematic questioning of the right to free speech and freedom of press in Morocco. This leads to a toxic environment of amplified fallacies, and in some instances, to an insidious distortion of facts relayed without any fact checking or thorough examination by some international media and NGOs.

This modus operandi also involves the spreading on social media networks and outside the courtroom of unfounded information and subjective interpretations of legal proceedings, aimed at influencing the course of the trial as well as calling into question its fair character and the respect of due process. The purported finality is to allow journalists implicated in common law crimes to evade justice and thus bifurcate the principle that all citizens are equal before the law.

Fully confident in the irreversible democratic course charted by two decades of sustained home-grown reforms, Morocco will suffer no questioning of its continued commitment to reform and human rights. It is therefore incumbent upon objective, well-intentioned observers to separate fact from politically-motivated fiction by seeking to understand the reality on the ground and not fall prey to hasty conclusions based on salacious headlines. Morocco continues to stand ready to engage with those wishing to pursue an open and constructive dialogue to this end.

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