

The decline in press freedom in Morocco: a letter to King Mohammed

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Morocco,

Reporters Without Borders secretary-general Robert Ménard held a news conference in Casablanca today about the decline in press freedom in the run-up to the 7 September legislative elections, releasing the text of a letter he wrote to King Mohammed a week ago.

Ménard condemned the lack of progress in press freedom since Mohammed succeeded his father as king. "When we met the Moroccan authorities a year ago, they showed an unprecedented interest in establishing a dialogue but today we have the impression that we were conned," Ménard said. "Above all, we deplore the cynicism of a government that talks of reform and yet imprisons and censors journalists."

Reporters Without Borders urged those who are elected to the national assembly not to approve the proposed reform of the press law. "In its current form, this bill is reactionary and repressive," Ménard said. "We call on the new legislators to embrace this issue and to convey our message to the highest authorities."

"Those elected to office need an insolent and disrespectful press," Ménard added. "Freedom of expression is essential for the kingdom to be democratised."

Reporters Without Borders was denied access to Oukacha prison where Al Watan Al An reporter Mustapha Hurmatallah is serving an eight-month jail term he received on 15 August for "receiving items documents by criminal means." The grounds given by the justice minister for forbidding the visit - the fact that his sentence had not yet been upheld on appeal - have no legal basis under Moroccan law.

This is the text of the letter to King Mohammed:

Your Majesty,

You paid a ringing tribute to Morocco's journalists in November 2002, calling them "essential actors in the nation's public life and key partners in the construction of democracy." You even added that "there could be no blossoming and growth of a quality press without the exercise of free expression." In this, you took up the message of your grandfather, Mohammed V, who said at a meeting with the press in 1956 that, "news and information are sacred, and one is free to comment." Democrats were reassured. The

kingdom would change course under your impetus. You were the embodiment of hope.

Unfortunately your promises have remained at the level of promises. The facts and figures show that the commitment you gave then has not been kept. Since you became king, no fewer than 34 news media have been censored and 20 journalists have been given prison sentences under the press law, the criminal code or the anti-terrorist law.

These repeated press freedom violations are a source of astonishment and dismay. These prosecutions do no honour to your government or to its judicial system, which appears to be under the heel of the authorities. You cannot claim that Morocco is heading towards the future and modernity and at the same time reserve this kind of treatment for the press, without which talk of democracy is futile.

We would like to sound the alarm. Morocco is on a dangerous slope. And you are responsible for this. The imprisonment of journalists, which we thought was a thing of the past, is once again a reality. More and more issues of newspapers are being seized. One grotesque trial follows another. Fear and self-censorship reign. The forward march that you advocated has come to a complete halt.

And yet, the Moroccan press has with difficulty achieved a level of outspokenness that was long banned. Like many, we have hailed the progress that has been made. Many subjects remain taboo, but journalists show less and less hesitation to tackle them. This progress had done a great deal to improve the kingdom's image on the international stage. But what does it all mean, now that increasingly harsh and unfair sentences are being imposed?

We were optimists, nonetheless. As soon as you took office, you stressed your support for "the construction of the rule of law and safeguards for human rights." The work of the Consultative Council for Human Rights and the creation of the Bureau for Grievances led us to believe in real progress.

We met a member of your government for the first time a year ago. It was your communication minister, Nabil Benabdallah. Other meetings followed. They allowed us to begin a debate about the evolution of Morocco's media. But it must be recognised that nothing concrete has come from this dialogue.

We hailed the Driss Jettou government's announcement in February of a plan to reform the press law, because the current law, amended in 2002, contains no fewer than 26 articles providing for prison sentences. But after obtaining a copy of the proposed reform law, we wrote a letter to the Prime Minister on 12 July highlighting all the shortcomings. We have until now received no reply.

And then, what is the point of adopting a new press law if other laws are routinely used to restrict the work of journalists? Allow us to remind you of all the things that have happened since the start of this year. We think this long list is eloquent, too eloquent. The year began with the seizure of an issue of the weekly *Nichane*, against which there was no appeal. This was followed by its suspension for two months. Journalists Driss Ksikes and Sanaa Elaji received suspended sentences of three years in prison and fines of 80,000 dirhams for a feature entitled "Jokes: How Moroccans laugh at religion, sex and politics." Convicted of "attacking Islam" and "publishing and distributing writings contrary to morals and customs," they decided not to appeal in case *Nichane's* suspension was extended.

A few months later, two Al Watan Al An journalists, editor Abderrahim Ariri and reporter Mostapha Hurmatallah, found themselves at the centre of a judicial storm after publishing a leaked internal security memo in their weekly. Taken into police custody on 17 July, they were charged after eight days with “receiving items obtained by criminal means” under article 571 of the criminal code. The Casablanca judicial police and prosecutors used every possible means to obtain information from them with complete disregard for the principle of the confidentiality of sources, one of the cornerstones of press freedom.

At the end of the trial, in which the judge ignored all the defence requests, Hurmatallah was given an eight-month jail term, which he is currently serving in Oukacha prison. Ariri got a six-months suspended sentence. Without trying to minimise the sensitivity of the information published in Al Watan Al An, we think journalists should not be made the scapegoats for problems within the security services.

The seizure of the weeklies Nichane and Tel Quel in August because of a column by their editor, Ahmed Reda Benchemsi, commenting on your recent address to parliament, is indicative of the tension within your government. He was charged with “disrespect for the king” under article 41 of the press law for expressing doubts about the electoral process. Like all of Morocco’s journalists, Benchemsi claims the right to criticise the political system. “One is free to comment,” as your grandfather said.

We would not like to talk about this spate of bad news for the Moroccan press without mentioning the fate of Ali Lmrabet, who has been banned from news media work since April 2005. This archaic measure designed to silence a journalist does not correspond to our idea of democracy.

Nothing is possible without you, without your commitment. The person you name to be the next prime minister will not be able to reform the press law without your consent and your personal involvement. He will only regard its revision as a priority if you, and you alone, encourage him to do so. You keep repeating that you are the guarantor of the constitution and of collective and individual freedoms, so it is up to you to ensure that Morocco finally takes the road of reform that has been promised for so many years.

At this moment in their history, the Moroccan media could move suddenly in either direction, for better or for worse. Their destiny is in your hands. You have the power and, we dare to hope, the desire to protect this profession, to work on behalf of its emancipation and to help to break down the barriers holding back its development. The key to this, before anything else, is reform of the laws governing the work of the press. The self-censorship that continues to prevail is a direct result of the refusal by those running the country, under your authority, to decriminalize press offences.

Morocco’s journalists have helped enormously to write this new chapter of the kingdom’s history that your years in power represent. You cannot continue to allow them to be treated with such contempt. You must act.

Respectfully,

Robert Ménard

Reporters Without Borders secretary-general

