



Rif: between repression and oblivion (2016-2023)

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This is a shortened version of the full report CIEMEN published in June 2023 on human rights situation in Morocco's Rif territory. The complete version of the report is available in Catalan and Spanish on www.ciemen.cat. The short version of the report provides a summary of the overall findings, as well as the complete conclusions and recommendations. For more detailed information on the context leading to the post-sentence situation, readers can refer to the full report.

INTRODUCTION. THE HIRAK RIF MOVEMENT AND THE FIGHT AGAINST INDIFFERENCE

On October 28, 2016, Al Hoceima lost Mouhcine Fikri under tragic circumstances, the 31-year-old fish wholesaler crushed to death inside a rubbish truck. The unwontedly violent scene of Fikri trying to flee the truck's crusher, agonised and asking for help, went viral on social media and aroused a wave of indignation. The citizens of the Rif's capital immediately took to the streets to express their repulsion against the oppression, abusive use of power, and impunity of the authorities, from whom they demanded responsibility. Week after week the mobilizations did not stop occupying the streets and gave rise to the Hirak, meaning "movement", also known as the Indignados of Al Hoceima. They were capable of organizing, structuring, and providing a meaningful program of political, economic, social, and cultural order demands. An eminently local phenomenon, however, spoke to the Moroccans from other regions as well as the Riffian diaspora in Europe, who joined the protest movement; which then adopted a transnational dimension.

The Hirak is not comprehensible without paying attention to the geographical framework of its birth with a specific language and culture, and a very particular history marked by confrontations with the central power, resistance against colonization, the Abd al-Karim al-Khat-tabi epic and the experience of Republic of the Rif, unfulfilled promises with the independence of Morocco, and the 1958-59 suppression led by the crown prince, the future Hassan II, the main architect of the Years of Lead. A region also marked by social injustice and economic marginalization, which caused the development of a particular economy that had emigration, cannabis culture, and smuggling as the main pillars of subsistence. Mohammed VI's arrival, illusions of change and subsequent disappointment caused by the inadequacies in rehabilitating historical memory, gaps in the democratization process, and the persistent underdevelopment of the region were also very present in the protesters' spirit.

Despite the many emissaries coming from Rabat, the Hirak did not accept intermediaries and only addressed the king, demonstrating the true nature of the power in Morocco and dismantling the democratic fable imposed since the adoption of the 2011 Constitution after the protests of the 20 February Movement (20-F), the Moroccan variant of the Arab Spring protests. Questioning reconciliation policies, assumed Arabness of the country, and manipulation of Islam by the State for political purposes also directly attacked the foundations of Moroccan power. In addition, the horizon of salvation wielded by the Hirak goes through internal self-determination, in other words, the Rif would assume a leading role in handling its own destiny through real autonomy within a democratic and plural Morocco.

In spite of authorities' attempts to contain the unrest and to multiply public investment announcements in the region, the credibility of the power is nil and protests did not grind

to a halt. During the first months of the protests The Makhzen, as the traditional Moroccan regime is called, predicted that the protests, perceived favourably by the public opinion of the country, would exhaust and lavished a certain laxity on the Hirak; but ended up adopting a significantly repressive approach. Beyond endangering the foundations of the regime, the authorities seemed unwilling to meet the demands, being aware that a favourable reaction could spread the protests to other parts of Moroccan geography, where there were many piled-up calamities and other silenced identities. Thus, coinciding with the peak of the mobilizations, during April and May 2017, the repression reached its zenith, approving of direct confrontation and use of excessive force by the police officers to disperse the marches. As a result, hundreds of people were injured, and even one protester, Imad El Atabi, died. In the end, the mobilizations were banned and the questioning, intimidation, and arbitrary detention of activists, journalists, and people who simply showed their support for the Hirak were multiplied. Many led to unfair judicial processes concluded in harsh sentences overthrowing the ruling leadership of the movement and weakening it, silencing or pushing activists into exile, and hindering the continuity of the protest.

One denunciation followed another: from inside, by different groups and organizations such as The Moroccan Association for Human Rights (AMDH); and from outside, organizations like Amnesty International (AI), Human Rights Watch (HRW), or the International Federation for Human Rights (FIDH), alerting to the situation and asking for explanations from the Moroccan authorities. At the urging of solidarity groups with the Rif in different countries, state and sub-state parliaments across Europe, and also the European Parliament, they gathered issues and initiatives to draw attention to the repression against the Hirak, demanding from the Kingdom of Morocco justice, respect for activists' and journalists' fundamental rights and freedoms, and an end to the harassment. All in vain!

The presence of security forces and corps in the Rif continued to be excessive, reinforcing 60 years of militarization of the territory, which has been kept under strict control, and even the access of activists and international journalists to the region has been prohibited. Having outlawed de facto the freedom of association and demonstration, the incidents of harassment, intimidation, and arbitrary arrests remained in place, compelling Hirak sympathizers and their families to abandon the protests. It has been demonstrated that the judicial processes of Hirak members, including its leaders, have been full of irregularities, profusely enumerated by international reports, without these complaints having changed one whit the meaning of the harsh penalties dictated: a possible amnesty dictated by Mohamed VI is the only solution presented to the convicted. The situation of the political prisoners of the Hirak includes imprisonment far from their homes, some being subjected to solitary confinement, in deplorable conditions in terms of hygiene and health care and conservation, multiplying the reports of torture and ill-treatment.

The grievances that originated the emergence of the Hirak stayed; the prolonged repression, too. Indifference prevailed, despite the attempts of collectives and activists to draw attention to the tragic situation. Except for some timid initiatives promoted by Hirak support platforms in Europe and groups from the European left, the Rif question has disappeared from the Community scene after Nasser Zefzafi, the movement's leader arrested in May 2017 and sentenced to 20 years in prison for "conspiracy against state security," became a finalist for the 2018 Sakharov Prize for freedom of conscience awarded by the European Parliament. For the first time in 25 years, on 19 January 2023, only the Qatargate —the scandal that uncovered the plot of Qatar buying the wills of EU officials and politicians, revealing the intimate Moroccan involvement in corruption and bribery— made the MEPs to expressly and directly condemn the Kingdom of Morocco, urging the country to respect media freedom and to release all imprisoned political prisoners and journalists. Nevertheless, Morocco continues to be a priority partner for EU countries and, in particular, for the Spanish State, where a large Moroccan community lives.

Morocco is also a determinant of the very internal stability of the Spanish State per Rabat's role in the control of irregular migration, and the fight against organized crime and Islamist terrorism. Moreover, there are wide and various economic interests in all areas, with

impact on sectors like fishing, agriculture, manufacturing, and commerce, or large investments and projects such as the development of significant Moroccan infrastructure or the opportunities offered by the renewable energy sector, highlighting the prospects of exploitation of green hydrogen. A network of interests that undermines any institutional action by Spain towards Moroccan authorities who, aware of their importance, do not hesitate to take advantage of the dependence and insecurities of their European “partners.”

The following report explains the political situation in Morocco, the evolution of the Hirak, and continuous and flagrant violations of freedom and rights of activists and journalists, and their families during the peak period of the mobilizations in the Rif (2016-2017) as well as during the recent years (2018-2023). This report aims to rescue individual and collective human rights violations in the Rif from oblivion and the media blackout. June 27, 2023 marks the fifth anniversary of the convictions of 54 activists linked to the Hirak Rif Movement for actions protected by the peaceful exercise of their human rights. Its leader, Nasser Zefzafi, and two other leaders of the movement, Nabil Ahamjik and Samir Ighid, were condemned to the highest sentence, 20 years in prison. In the face of this injustice, the present report seeks to serve as a vehicle for having an impact on public opinion and for prisoners to be released immediately, declaring their sentences null and void, and for the authorities of the Kingdom of Morocco to ensure respect for and effective protection of human rights in the Rif.

1. TRIVIALIZATION AND OBLIVION OF THE PROTEST

1.1 Women at the centre of the struggle

It is not the first time the women of the Rif have felt obligated to take on a driving role. What contributed to this situation are, among other factors, the wars of the twentieth century against European colonization, the attacks of the Royal Armed Forces in 1958-59, and the repression of the Years of Lead, which reduced the male population for being killed or imprisoned, or having to take the path of emigration, seeking better living conditions¹.

At the beginning of the Hirak, the presence of women was discreet, but they continue to gain prominence in the mobilizations. In May 2017, coinciding with arrest waves among the militants of the Popular Hirak Rif Movement, law enforcement officers try to dissolve demonstrations of women in Al Hoceima, surrounding them to prevent other people from joining them. On June 5, Silya Ziani's arrest, *the 23-year-old Hirak Singer*, on charges of treason and attack on the State's security marks a turning point, awakening the consciences of Riffian people and people elsewhere in Morocco². In the face of the rumours that Ziani suffers a deep depression in her cell, abused and regularly threatened to be raped, the reaction does not wait: women become much more visible and they move to lead the march³.

In this context, an urban movement to support women in the most disadvantaged regions emerges: Moroccans Stand Against Political Arrests. Among their demands is the release of the voice of the Hirak, whose portrait the protesters display while shouting "We are all Silya⁴."

This collective's call transcends borders, speaking to emigration and the Moroccan diaspora. "We, Moroccan women, call upon all women of the diaspora and emigration to stand in solidarity with the cause of the political prisoners of the Hirak, and with the cause of the women of the Hirak, who today continue defending the cause of those whom the State

1 See: Aziza, M. (2003). La sociedad rifeña frente al Protectorado español de Marruecos (1912-1956). Bellaterra. p. 117-160; and Alvarado, D. (2017). Op. cit. p. 89-113.

2 Moussaoui, R. (July 11, 2017). Silya Ziani, voix bâillonnée du Hirak. L'Humanité. <https://www.humanite.fr/monde/maroc/maroc-silya-ziani-voix-baillonnee-du-hirak-638671>

3 Swweny, N. (July 26, 2017). Hirak : les femmes du Rif au cœur de la lutte. Politis. <https://www.politis.fr/articles/2017/07/hirak-les-femmes-du-rif-au-coeur-de-la-lutte-37413/>

4 Yosfi, F. (July 9, 2017). Moroccan women vow to continue protests. Al Jazeera. <https://www.aljazeera.com/features/2017/7/9/moroccan-women-vow-to-continue-protests>

decided to silence,” the statement read⁵. The reaction is not long in coming: the women of the Riffian diaspora organize protest rallies in several European capitals.

The demands of women since the struggle for the country’s independence had been limited to instructing young Muslim women in the morals and history of Islam in order to prepare them for domestic activity and the mother role traditionally assigned to them in the society⁶. Within this general framework, and despite disputed advances towards greater legal equity with the adoption of a new Family Code (*Mudawana*) in 2004, women had traditionally stayed away from the public sphere⁷. Mobilizing women is activating the whole society. Relying on the traditional role of defending their homes destroyed after the State’s repression, Riffian women broaden the claims of the Hirak towards new sections of the population.

With the appearance of mothers, daughters, and sisters of the Rif, the king, who had appeared on the sidelines of the protests avoiding any concession to the rebels, finds himself directly challenged. The first decree of royal amnesty towards political prisoners, enacted on the occasion of the Throne Day on July 30, 2017, is interpreted as a response to women breaking into the Riffian protests, and with the aim of tempering the conflict and reducing the climate of tension⁸.

1.2 Reaction to convictions

On June 26, 2018, the Casablanca Court of Appeal sentenced 53 activists that were at the heart of the Hirak, including its leaders (Nasser Zefzafi, Mustafa Ahamyik, Wasim al Bustati, and Samir Ighir), who were sentenced to 20 years in prison for attacking the internal security of the State, in addition to other crimes such as rebellion and participation in illegal protests⁹. The six indicted citizen journalists (Abdelali Hud, Mohamed al Asrihi, Rabi al Ablak, Hussein Al Idrissi, Foued Essaidi, and Jawad al Sabiry) were sentenced to 2 to 5 years in prison for “spreading false news” and “usurping the profession of journalism”¹⁰. In addition, a separate case was opened against Hamid El Mahdaoui, founder and director of Badil.info, who was sentenced to 3 years in prison¹¹.

There were numerous and significant procedural anomalies: amplification of charges, selection of witnesses, inaccurate translations of telephone conversations in Tarifit language, which gave accounts of inaccurate and non-factual events as to what was being said; inflated casual facts and current issues such as someone receiving a small amount of money from a relative from the diaspora; problems with lawyers, like changing attorneys and difficulties in

5 Marocaines debout contre l’emprisonnement politique (July 7, 2017). Appel de solidarité avec le Hirak du Rif. <https://www.cadtm.org/Marocaines-debout-contre-l>

6 Dialmy, A. (2008). *Le féminisme au Maroc*. Les Éditions Toubkal. p. 213-275.

7 On 10 October 2004, amid strong protests and resistance, Law No. 70.03 of the Family Code in Morocco, popularly known as *Mudawana* was enacted, and it was interpreted as a kind of revolution. Almost two decades later, the text seems insufficient and even Mohammed VI, in his July 30, 2022 Throne Speech, called for a new legal reform to “guarantee the rights of all people, men and women.”

8 Iraqi, F. (July 25, 2017). Contestation dans le Rif : à la grâce de Sa Majesté. Jeune Afrique. <https://www.jeuneafrique.com/mag/457222/societe/contestation-rif-a-grace-de-majeste/>

9 Reuters (June 27, 2018). Moroccan Protest Leader Is Sentenced to 20 Years in Prison. *The New York Times*. <https://www.nytimes.com/2018/06/27/world/africa/morocco-protest-sentence-zefzafi.html>

10 RFS (June 27, 2018). Morocco : six journalistes-citoyens injustement condamnés à de la prison ferme pour leur couverture du Hirak. <https://rsf.org/fr/maroc-six-journalistes-citoyens-injustement-condamn%C3%A9s-%C3%A0-de-la-prison-ferme-pour-leur-couverture-du>

11 RSF (29 June 2019). Maroc : RSF dénonce une condamnation inique dans le procès de Hamid el Mahdaoui. <https://rsf.org/fr/maroc-rsf-d%C3%A9nonce-une-condamnation-inique-dans-le-proc%C3%A8s-de-hamid-el-mahdaoui>

accessing defendants; incommunicado regime for the main accused, or the “disappearance” of National Council of Human Rights report (CNDH) that asserted the tortures and mistreatment of prisoners¹².

The dissent was blatant. Protests were organized in Al Hoceima province and across Morocco¹³. Rabat stood out among big marches on Moroccan scale, where tens of thousands of people attended, including Ahmed Zefzafi, the father of HIRAK’s leader¹⁴. Called on social media and convened in Al Hoceima on July 20, 2018, the large demonstration, coinciding with the anniversary of the Battle of Annual, was prohibited by the authorities, who justified their decision with the fact that they had not received an authorization request for it and that it constituted “a security threat to the citizens”¹⁵.

Despite the ban, multiple witnesses amongst people who tried to go to the capital of the Rif from different parts of Morocco and Europe explain how they were stopped at multiple checkpoints set by the Royal Gendarmerie. The high presence of security forces and corps in Al Hoceima province also prevented attempts of rallies of a certain entity in the Riffian town. Only the diaspora managed to express discontent in the streets, publicly, yet again in cities with a significant presence of Riffians such as Barcelona, Madrid, Bilbao, Paris, Brussels, Amsterdam, Bruges, or Berlin.

1.3 Distancing and prison conditions

According to the data provided by HIRAK activists, NGOs, and an approximate sum of information that appeared in the media, even without being able to specify an exact number, around 600 to 1.200 individuals have been sentenced by Moroccan courts for their connection to the Popular Rif HIRAK Movement, of whom around 340 remain in prison, including a dozen minors¹⁶. After dismantling the ruling elite of the HIRAK by arresting and prosecuting its leaders, the central power uses distancing the prisoners as a mechanism to quell the protest. Families continue to struggle, and even mothers, sisters, and wives take responsibility. Tafra Association of Allegiance to and Solidarity with the Families of Detainees of the Popular Rif HIRAK Movement was the main interlocutor of the HIRAK with the authorities for many months, and it is a clear example of the role that the families of the arrested people played.

Ahmed Zefzafi, the father of HIRAK’s leader, is the most visible head of Tafra, and one of the objectives of the association is to draw attention to prisoners’ situation and, in passing, to pressure national and international public opinion. They organize meetings on a more or less regular basis in different locations, both in Al Hoceima and in Fez, Tangier, Rabat, and Casablanca. They also multiply international trips, participating in different forums in countries such as Belgium, the Netherlands, France, and Spain¹⁷. Although the association

12 El Yadari, I. (July 21, 2017). Alhoceima : Malgré l’étouffement, le HIRAK a pris la rue. Le Desk. <https://ledesk.ma/2017/07/21/al-hoceima-malgre-letouffement-le-hirak-pris-la-rue/>

13 RFI (July 9, 2018). Au Maroc, plusieurs manifestations de soutien aux militants du HIRAK condamnés. <https://www.rfi.fr/fr/afrique/20180709-maroc-plusieurs-manifestations-soutien-militants-hirak-condamnes>

14 Rédaction (July 15, 2018). Des milliers de personnes à Rabat pour la libération des détenus du HIRAK. TelQuel. https://telquel.ma/2018/07/15/des-milliers-de-personnes-a-rabat-pour-la-liberation-des-detenus-du-hirak_1603333

15 Rédaction (17 July 2018). Al Hoceima : La manifestation du 20 juillet interdite. <https://www.leconomiste.com/flash-infos/al-hoceima-la-manifestation-du-20-juillet-interdite>

16 Iglesias, M. (January 30, 2018). Ahmed Zefzafi: “Necesito la ayuda de España y Europa para que a mi hijo no le condenen a 30 años por defender los derechos humanos”. *EIDiario.es*. https://www.eldiario.es/andalucia/criminalizacion-derechos-humanos-marruecos-hirak_128_2817552.html

17 Redacción (January 27, 2018). El Parlamento acoge unas jornadas sobre derechos humanos en la zona del Rif. *Diario de Sevilla*. https://www.diariodesevilla.es/andalucia/Parlament-jornadas-derechos-humanos-Rif_0_1213078699.html

did not receive the approval of the Ministry of Interior for its request for the constitution, it uses administrative silence to carry out its activities. Among others, it regularly challenges the General Directorate of Penitentiary Administration and Reinsertion (DGAPR) to treat Hirak detainees fairly and to guarantee them the same rights as other prisoners. The CNDH, chaired by Amina Bouayach, has held several meetings with Tafra representatives in order to address detainees' conditions, their health status, and closeness to their places of origin, which seeks to make family visits easier¹⁸.

Since the transfer of the detainees to the Oukacha prison after their arrest, the CNDH has managed to get three minibuses every two Wednesdays to cover the 600-kilometre route that separates Al Hoceima from the penitentiary centre in Casablanca. At first, the visits were weekly, but few families could bear the cost of 300 dirhams (27,5 euros) per passenger per round trip, taking into account that the imprisoned husband or brother was often the only one who contributed an income, in a territory where 40% of young people are unemployed and the economy relies, partially, on informal activities¹⁹. Families must redouble their efforts to support their children and, at the same time, ensure that the imprisonment conditions of their family members do not degrade further. Everyone agrees with each other, highlighting the tiredness that the trips implied, going out at dawn and coming back late, at night, at home, and the cold of winter, and the excessive heat in summer, and the bends, and the dizziness... Nevertheless, mothers, wives, and sisters of Hirak prisoners in Oukacha would get onto buses to visit their relatives, initially for no more than five-minute visits²⁰.

The conditions of detention improved since the beginning of the imprisonments thanks to the struggle of the families, the protests of the prisoners themselves, and pressure from the media, which put the prison administration under the spotlight. At first, the detainees were separated into several groups and did not have the right to communicate with each other, they did not have hot water, and they were locked in the cells except for the time to walk. With time, the doors of the cells were opened, contact with each other was no longer so rare, and family visits lasted up to two hours in a common room with chairs, according to some relatives of the prisoners who went to the Oukacha prison.

However, and this fact extends to the rest of the prisoners in the country, they can only buy products from the commissary but is expensive and of poor quality, which implies an additional cost for the families; there is usually malnutrition, lack of regular communication with their relatives, absence of medical care, and in case there is, then absence of medicines, meaning the convicted do not receive appropriate treatments²¹. Also, small improvements can disappear without any warning, which often triggers hunger strikes and other types of actions, the only way for Hirak prisoners to protest, which increases the uneasiness

18 CNDH (May 20, 2019). Le CNDH reçoit une délégation de l'Association des Familles de Détenus "Taфра". <https://www.cndh.ma/fr/article/interaction-avec-les-familles-des-detenus-dans-le-cadre-des-evenements-dal-hoceima-et-gerada>

19 Alvarado, D. (2017). "Marginación y disidencia económica". En op. cit. p. 89-113.

20 Rhrissi, L. (February 7, 2019). La galère pour les familles des prisonniers politiques du Hirak. Orient XXI. <https://orientxxi.info/magazine/maroc-la-galere-pour-les-familles-des-prisonniers-politiques-du-hirak,2890>

21 As an example, Hirak activist Rabi Lablaq, an inmate in Tangier prison, where he led several hunger strikes since his arrest, at the end of June 2017 suffered an acute respiratory crisis and an accelerated heart rate, with the aggravating circumstance that he is diabetic. The prison administration subjected Lablaq to controls, but without diagnosing him with the disease or providing him with the necessary cure. The prison doctors estimated that the case required specialized medical attention and transfer to a hospital for treatment according to his symptoms, which, however, did not occur. For more details on the situation of prisons in Morocco, see: Observatorio Marroquí de Prisiones (2020). Rapport sur : La situation des prisons et des détenu-e-s au Maroc au titre de l'année 2019. http://omdp.org.ma/wp-content/uploads/2020/09/Rapport-annuel-situation-prisons-d%C3%A9tenus-2019_OMP_Fr-Final.pdf

and despair of families²². Although the conditions of detention have progressed in certain penitentiary centres, this is not the case for all, such as the prisons of Guercif, Oujda or Al Hoceima, to mention some centres where Hirak activists are serving prison sentences, which do not have the same attention from the international media.

From September 2020 on, the prison authorities of the DGAPR begin to regroup Hirak prisoners in Tangier II prison, after seven activists maintained a hunger strike for 25 days demanding this measure. The main demand was regrouping Selouan prison near Nador in the Rif, which the families had long claimed. Finally, the Penitentiary Administration agreed to the claim halfway, by regrouping them in another centre²³. It began with the transfer of three militants from Guercif prison to Tangier prison. Then Zefzafi and Nabil Ahmeyik, his number two and fellow prisoner, were transferred, who at that time were in the prison of Fez²⁴. The relocation to the northern Moroccan capital did not mean a significant improvement in the conditions of detention, which had directly affected the health of Hirak prisoners²⁵. In the end, the regrouping has not reached all Hirak convicts, who continue to claim to be able to serve their sentences in some penitentiary centre in the Rif.

1.4 Reports to confront the official truth

One of the first milestones of establishing the official truth about what happened in the Rif is the *Al-Hoceima Events and Protection of Human Rights* report, coordinated by Ahmed Benyoub, the Interministerial Delegate for Human Rights, presented on June 4, 2019, at MAP Forum, the official Moroccan press agency. The document emphasizes the kindness of protest management and highlights the danger of the Riffian protest movement²⁶. The report comforts the official position, leaving out violations by law enforcement, arrests, torture, threats, and pressure. The AMDH sources state that the work responds to clear interests, of the Ministry of Interior and a part of the leadership, and that the objective is not conciliation nor to reach an agreement.

For these sources, it is “inconceivable” that the report would conclude the “impeccable” actions of security forces and corps or even the “excellent work” of authorities and political parties to meet the demands of the population. A total innocence of the State, which has nothing to repel, and which does nothing but work for the well-being of Moroccans, including the Riffians, to whom all kinds of evils are attributed: the total culpability of the drift.

The second major one comes on March 8, 2020, more than three years after the tragic death of Mouhcine Fikri: the CNDH publishes a report through which it establishes the official

22 Zine, G. (April 8, 2019). Irak: Nasser Zefzafi et Mohamed El Haki se cousent les lèvres à la prison d'Oukacha. *Yabiladi*. <https://www.yabiladi.com/articles/details/76830/hirak-nasser-zefzafi-mohamed-haki.html>; L.I. (August 31, 2019). Maroc: un détenu du Hirak prend une décision radicale. *Bladi.net*. <https://www.bladi.net/maroc-detenu-hirak-greve,58838.html>; Zine, G. (January 28, 2020). Hirak: Les militants détenus à la prison de Guercif entament une grève de la faim. *Yabiladi*. <https://www.yabiladi.com/articles/details/88469>

23 Jaabouk, M. (May 6, 2019). Hirak du Rif : Les familles exigent de rassembler tous les détenus dans la prison de Nador 2. *Yabiladi*. <https://www.yabiladi.com/articles/details/77934/hirak-familles-exigent-rassembler-tous.html>

24 EFE (September 10, 2020). Marruecos empieza a reagrupar a los reclusos rifeños en una prisión de Tánger. *El Faro de Ceuta*. <https://elfarodeceuta.es/reagrupacion-reclusos-rifenos-tanger/>

25 Sempre, A. (May 7, 2021). Empeora el estado de salud del preso político rifeño Nasser Zefzafi. *El Mundo*. <https://www.elmundo.es/internacional/2021/05/07/609419d6fdddfef5728b4648.html>

26 Amnesty International (August 11, 2017). Morocco: Dozens arrested over mass protests in Rif report torture in custody. <https://www.amnesty.org/en/latest/press-release/2017/08/morocco-dozens-arrested-over-mass-protests-in-rif-report-torture-in-custody/>

version of the events occurred after the advent of the Hirak²⁷. During the press conference to present the report, the president of the CNDH, Amina Bouayach, did not hesitate to show her satisfaction with the results of the work, justifying the delay in the “methodological requirements in terms of research, and selection of information and data among demonstrators, families, detainees, and authorities.”²⁸

The report distinguishes the period of demonstrations into three major phases. The first is the “peaceful demonstrations” phase, between October 2016 and March 2017. The second is when the clashes start and the protesters begin to throw stones at law enforcement officers, at the end of March. And the third is the “extreme violence” moment, from March 26, in which the protesters use sharp weapons against police officers and the fire of a barrack occurs. The indications are precise: during this period there are 814 demonstrations, 340 of which are the target of a “special organization,” and 60 are those dispersed by the authorities; the report specifies that it is “less than 10%”. According to the report, these protests provoked a “deep trauma” in the police forces, with the result of 788 members of the security forces injured, two of them with “very serious consequences, of total incapacity.”

The document concludes that public order had to be restored, and after a period of indecision, the State reacts by arresting 400 people, including 129 minors. The document also points out that most of them have already served their sentences or received a royal amnesty, and the fate of 49 people, some of whom were sentenced to 20 years in prison, like the leader of the Hirak, remains to be determined. Faced with a drift that, as it is presented, did not respect the limits of freedom of expression and became violent, it seems that we can only congratulate ourselves, according to what the report indicates²⁹.

Regarding the judicial processes and the harshness of sentences, the CNDH specifies that these issues are not within its competence. However, the work concludes that the process has globally respected the rights of the convicts, despite the accusations of the defence and international organizations for the defence of human rights, who have denounced procedural irregularities, mistreatment, and torture. As to the 20 official complaints of torture and 58 of mistreatment in 2019 alone, the Moroccan court says it is not in a position to confirm these “accusations”, although it does confirm three cases of torture and four inhumane treatment.³⁰

Concerning the situation of the detainees, the report highlights that they were not deprived of meetings with their lawyers nor of visits from their families, nor were they prevented from receiving calls or necessary medical checks, not having detected any psychological impact on the prisoners after their confinement³¹. The lack of neutrality, eminently repressive reading of the facts, and the gaps in a report that, for example, does not explain the number of protesters injured is not convincing³². There are numerous gray areas, such as the period between the arrests of activists and their appearances before the Prosecutor’s Office. In the face of these unknowns, the CNDH limits itself to urging the competent bodies to investigate, without questioning the actions of the authorities whatsoever. The CNDH report is presented as the “established truth” of the events that

27 Conseil National des Droits de l’Homme (2020). Rapport sur les protestations d’Al Hoceima. CNDH. https://www.cndh.org.ma/sites/default/files/cndh_-_rapport_hoceima_vf.pdf

28 Jafar, N. (March 10, 2020). Hirak du Rif : le CNDH publie son rapport et prend position. LeBrief.ma. <https://www.lebrief.ma/5067-hirak-du-rif-le-cndh-publie-son-rapport-et-prend-position/>

29 Sehimi, M. (March 12, 2020). Le Hirak du Rif, version CNDH : Un rapport qui fait polémique. Maroc Hebdo. <https://www.maroc-hebdo.press.ma/hirak-rif-version-cndh>

30 CNDH (2020). Op.cit. p.108.

31 CNDH (2020). Op.cit. p.172-181.

32 Association TAFRA pour la solidarité et la fidélité; Association des Travailleurs Maghrébins de France (July 2020). Commentaires sur le rapport du Conseil National des Droits de l’Homme (Maroc) à propos du Hirak du Rif. <http://www.atmf.org/wp-content/uploads/2021/03/Commentaire-Rapport-CNDH-Maroc.pdf>

agitated the Rif in 2016 and 2017, and ultimately blames Hirak prisoners for what happened, reproaching the nature of their claims, as well as the drift of their leader, Nasser Zefzafi³³.

1.5 Intimidation behind closed doors

The Hirak continues to live, though far from the media attention, while the Rif is under strict control. The police and Gendarmerie are permanently present in the territory, more accentuated in Al Hoceima province and its capital. Although more discreet, the Auxiliary Forces vans remain parked on the outskirts. Meanwhile, the campaign of control and harassment towards activists and their families continues to cease any activity. The Royal Gendarmerie controls vehicle movements and has many checkpoints at the accesses to the province and its main capitals, where those who want to access the area can be required to justify the reason.

Arrests become ordinary, sometimes for an anti-Rabat post on a social media profile, a Facebook comment or a like on Twitter, or sometimes simply for handling a mobile close to an agent of the authority. It is the case of Hassan Bechaib, from Beni Buayach. On June 3, 2019, Bechaib was sentenced to two and a half years in prison by the Al Hoceima Court of First Instance for publishing information about the Riffian protest movement on Facebook. He was charged with “assaulting the territorial integrity of the Kingdom, inciting rebellion, the threat of crime, inciting to commit crimes, insulting law enforcement, and calling for participation in an unauthorized demonstration.”

Bechaib, like many others, is closely followed by law enforcement. His brother, Bachir Bechaib, is one of the leaders of the Hirak, serving a 12-year sentence for participating in demonstrations in Beni Buayach. The arrest and conviction of Hirak activists are commonplace. At the beginning of June 2019, Rachid Cabni, too, was sentenced to two years in prison for his Facebook posts, in which he criticized the sentence on appeal against the leaders of the Hirak, having also participated in the march in solidarity with them, which took place in Rabat on April 21, 2019.

After one year of preventive detention and solitary confinement, the Casablanca Court of First Instance found journalist Omar Radi guilty of espionage and rape and sentenced him to six years in prison. During the judicial proceedings, AI documented the violations of his procedural guarantees, such as limiting access to people on his defence team, denying the right to question prosecution witnesses, excluding defence witnesses, and refusing to admit evidence demonstrating inconsistencies in the complainant’s statement.³⁴ Prior to his arrest, Omar Radi had been repeatedly harassed by Moroccan authorities for his journalistic work criticizing human rights violations and denouncing corruption. Radi covered the Rif Hirak protests, in which he defended the social and economic rights of the territory, unleashing years of harassment and persecution³⁵. The case of Radi, along with other journalists, is the reason for the resolution passed on January 19, 2023, by the European Parliament to urge the Moroccan authorities to “respect freedom of expression and media freedom, guarantee imprisoned journalists [...] a fair trial with all due process guarantees, their immediate release, and cease the harassment of all journalists, their lawyers and families³⁶.”

33 Ketti, S. (March 9, 2020). CNHD et Hirak rifain : un rapport qui accable les leaders du mouvement. Le Desk. <https://ledesk.ma/enclair/cndh-et-hirak-rifain-un-rapport-qui-accable-les-leaders-du-mouvement/>

34 Amnesty International (March 3, 2022). Morocco: Authorities must ensure Omar Radi’s fair trial rights. <https://www.amnesty.org/en/latest/news/2022/03/morocco-authorities-must-ensure-omar-radis-fair-trial-rights/>

35 Moreno, S. (January 21, 2023). Omar Radi, el periodista perseguido por Marruecos que empujó la resolución del Parlamento Europeo. *elDiario.es*. https://www.eldiario.es/desalambre/omar-radi-periodista-perseguido-marruecos-empujo-resolucion-parlamento-europeo_1_9884028.html

36 2023/2506(RSP) – European Parliament resolution of January 19, 2023, on the situation of journalists in Morocco, notably the case of Omar Radi https://www.europarl.europa.eu/doceo/document/TA-9-2023-0014_EN.html

Another example of the state of affairs dates to May 17, 2019, when up to six students between 8 and 11 years old are arrested in the rural commune of Issaguen in Al Hoceima province for replacing the Moroccan flag with a white sheet. Two teachers and the school director find themselves implicated in the case, and their crime is not denouncing these acts since this change has been visible for days. The Moroccan penal code punishes these “outrages” against the national flag with prison sentences of up to six months and 100.000 dirhams (about 9.150 euros)³⁷. In the end, the students were not convicted, but it was not the case for other minors tried before them, as what happened with Mohamed Bouhenouch, a minor at the time of his arrest, who was sentenced to 15 years in prison for “attacking the security of the State” in the same trial of Nasser Zefzafi and other leaders of the Hirak³⁸.

The authorities continue to obstruct numerous organizations from functioning, preventing them from obtaining legal recognition, contrary to the 2011 Moroccan Constitution, which protects the freedom of association. The police regularly proscribe the celebration of events hosted by the local section of the Moroccan Association of Human Rights (AMDH). On July 8, 2018, the authorities prevented access to the community centre in Zaouiat Cheikh village, where the AMDH had planned a public conference on human rights. Sometimes they block the delivery of documents required by law to organize public events, justifying it by procedural errors or lack of prior notice for the authorities’ interference. Moreover, the government continues to impose a de facto veto since 2015 on the missions of Amnesty International and Human Rights Watch³⁹.

Morocco has created a sort of sanitary cordon around the Rif to safeguard its international image. The siege exceeds the Riffians and the media, whether they are Hirak activists or not. On March 16, 2019, the victims were six people with Spanish nationality who were returned to the Melilla border when they intended to go to Al Hoceima on a trip, just for a day and a half, organized by the Andalusian Association of Friendship with the People of the Rif, where they would meet Ahmed Zefzafi⁴⁰. The situation is to such an extent that some people compare the control and intimidation experienced in the Rif with what Western Sahara suffered for many years⁴¹.

On the other hand, the persecution of information professionals, who are prevented from going to the area, not only the nationals, stands out. Between 2017 and 2023, there have been numerous cases of expulsions of foreign professionals who covered the Rif. Djamel Alilat, from the Algerian newspaper *El Watan*, was arrested while covering the demonstrations in Al Hoceima, taken to the police station, interrogated, and expelled to his country⁴². On July 25, 2017, Spanish journalists José Luís Navazo and Fernando Sanz were taken to the Ceuta border without any explanation⁴³. On September 28, 2017, *The Guardian* journalist

37 Benargane, Y. (June 3, 2019). Al Hoceima: Des enseignants convoqués après le remplacement du drapeau marocain. <https://www.yabiladi.com/investir/details/79149/hoceima-enseignants-convoques-apres-remplacement.html>

38 FIDH (June 28, 2018). Au Maroc, on recycle les années de plomb ! Des peines très lourdes pour les manifestants pacifiques du Rif ! Fédération Internationale pour les Droits Humains. <https://www.fidh.org/fr/regions/maghreb-moyen-orient/maroc/au-maroc-on-recycle-les-annees-de-plomb-des-peines-tres-lourdes-pour>

39 Morocco/Western Sahara: Events of 2017. World Report 2018. HRW. <https://www.hrw.org/world-report/2018/country-chapters/morocco/western-sahara>

40 EFE (March 16, 2019). Marruecos expulsa a un grupo de españoles simpatizantes del movimiento rifeño. *La Vanguardia*. <https://www.lavanguardia.com/internacional/20190316/461054512789/marruecos-expulsa-a-un-grupo-de-espanoles-simpatizantes-del-movimiento-rifeno.html>

41 Morocco/Western Sahara: Events of 2017. World Report 2018. HRW. <https://www.hrw.org/world-report/2018/country-chapters/morocco/western-sahara>

42 Abidellaoui, M. (May 30, 2017). Un journaliste expulsé du Maroc regagne l’Algérie. *Anadolu Ajansı*. <https://www.aa.com.tr/fr/monde/un-journaliste-expuls%C3%A9-du-maroc-regagne-lalg%C3%A9rie/830371>

43 RSF (July 28, 2017). Another Moroccan move to restrict coverage of Rif unrest. <https://rsf.org/en/another-moroccan-move-restrict-coverage-rif-unrest>

Saeed Kamali Dehghan was questioned in a hotel in Al Hoceima when he was interviewing two Hirak figures, Nawal Ben Aissa and Al Mortada Lamrachim, and was expelled to the UK⁴⁴. Arriving at the Rif to cover the protest, Vanessa Descouraux, a journalist for *France Inter*, was deported to France⁴⁵. On February 17, 2019, Gerbert Van Der Aa, Elsevier's Dutch correspondent, who was preparing an article in the area, was expelled to Melilla⁴⁶.

1.6 Forced into exile

Hundreds of Riffians, mostly Hirak activists or supporters, have fled Morocco in small boats to the shores of Spain, where many have applied for political asylum. Obtaining exact numbers is impossible since all these trips are made in secret. Although, the reports by the press speak of 1.766 arrivals from the Rif to the Spanish coasts during the second half of 2020, which gives an idea of the intensity of the repression in the region years after the mobilizations, and the difficulties that the neighbours are going through, even more since the Covid pandemic⁴⁷. Different sources state that the arrival of boats from the Riffian coasts has been unprecedented in recent years, and some activists indicate that they were aware of departures of up to four boats, each carrying at least a dozen people to the Andalusian coasts in a single day.

One of the notable activists who have gone into exile is Nawal Benaisa, who was considered the head of the Hirak since Zefzafi's arrest. On April 25, 2019, Benaisa fled Morocco via Ceuta and sought political asylum in the Netherlands⁴⁸. Unlike many others, Benaisa was recognized as an exile by the Dutch government in 2020⁴⁹.

Mohamed and Ibrahim Annabi are two brothers from Imzurem imprisoned for participating in Hirak marches and pardoned on August 20, 2018, by Mohamed VI, along with 186 other Riffians. The fact that they did not hesitate to get onto a boat in the direction of Spain attracts attention. A source quoted by the EFE Agency points out that the movement of boats is constant and that the authorities would encourage young people to leave, forcing them into exile, since they are the most combative, potentially rebellious people, and the source of instability for the regime⁵⁰.

Despite the conditions behind their decision to leave, few Riffians achieved refugee status compared to the hundreds who requested it, especially in Spain, France, Belgium, or the Netherlands. Associations working in Andalusia, Murcia, and Valencia say that hundreds of people submitted their applications and await a response while they remain, at best, in immigration detention centres (CIE) in Malaga, Motril, Ceuta, Melilla, Murcia, and Valencia

44 Bozzonet, C. (September 29, 2017). Un journaliste du "Guardian" expulsé du Maroc. Le Monde. https://www.lemonde.fr/afrique/article/2017/09/29/un-journaliste-du-guardian-expulse-du-maroc_5193779_3212.html

45 Miridjanian, A. (January 28, 2018). Au Maroc, des ONG de plus en plus muselées. *Libération*. https://www.liberation.fr/planete/2018/01/28/au-maroc-des-ong-de-plus-en-plus-muselees_1625156/

46 Rédaction (February 18, 2019). Censure : Un journaliste hollandais expulsé du Rif vers Melilla. Le Desk. <https://ledesk.ma/encontinu/un-journaliste-hollandais-expulse-du-rif-vers-melilla/>

47 A.P. (January 20, 2021). Maroc : sept militants du Hirak du Rif émigrant clandestinement en Espagne. Bladi.net. <https://www.bladi.net/maroc-militants-hirak-rif-espagne,78784.html>

48 De la Cal, L. (June 12, 2017). Nawal Ben Aissa, la mujer que levanta el Rif. El Mundo. <https://www.elmundo.es/cronica/2017/06/12/593d1828e2704e04628b45ff.html>

49 S.A. (February 8, 2020). Nawal Benaissa obtient l'asile politique aux Pays Bas. Bladi.net. <https://www.bladi.net/militante-hirak-asile-politique-pays-bas,64529.html>

50 Otazu, J. (September 20, 2018). Cientos de rifeños huyen de Marruecos en pateras y buscan asilo en España. EFE. <https://www.lavanguardia.com/vida/20180920/451928587021/cientos-de-rifenos-huyen-de-marruecos-en-pateras-y-buscan-asilo-en-espana.html>

city⁵¹. According to several NGOs, throughout 2017, a time of great repression in the Rif, only about 530 asylum requests by Riffians that alleged persecution were admitted⁵². This is a small number compared to other countries. In Spain, the asylum procedure requires a minimum of six months, and, in principle, each case is studied individually, without the Riffian origin itself being a factor in agreeing to refugee status. In the eyes of Morocco, the eventual widespread consideration of the Riffians as “refugees” could represent a major problem in the bilateral relationship with Spain⁵³. The lawyer Sergio Ramos from the Rif Support Platform, who denounced the situation of 16 activists at the CIE in Murcia, in January 2021, claimed that these applicants were treated differently from the asylum applicants coming from other countries like Venezuela⁵⁴.

While they wait for their cases to be resolved, the situation is challenging for those who arrive in Europe fleeing the Rif. Even though some have gone through temporary attention centres for foreigners (CATE) after being rescued by *Salvamento Marítimo*, the Spanish Sea Search and Rescue agency, and have expressed their intention to seek asylum from the beginning; the justice system did not allow them to register their claims and they were sent to a CIE against their will⁵⁵. In June 2019, the Spanish Ministry of Interior acknowledged in writing that in 2018 they had admitted 89 minors to CIE, a measure expressly prohibited by the law⁵⁶. The conditions inside these centres were aggravated during the Covid pandemic, given that they do not comply with basic hygiene and social distancing requirements in order not to risk the health of asylum seekers, as MEP Miguel Urban denounced in Brussels in February 2021 via a written question to the Commission⁵⁷. Only when they are interned, and their return order is initiated can they begin with the procedures, although always under threat of deportation, and aware of what awaits them if they were to be returned to Morocco⁵⁸.

1.7 Divided diaspora

Along with the dispersion through the Moroccan territory, with important Riffian communities in capitals like Tangier, Casablanca, Rabat, and Fez, the Rif has a high share of migration in Europe. Riffian transnational community is plural and diverse because they speak different languages, live in different countries, and maintain different cultural patterns,

51 E.F. (July 6, 2018). Asilo para el activista rifeño del CETI. El Faro de Ceuta. <https://elfarodeceuta.es/asilo-activista-rifeno-ceti/>

52 Ouled, Y. (October 11, 2018). De las calles del Rif a la patera: “La muerte antes que la rendición”. *El Salto*. <https://www.elsaltodiario.com/fronteras/de-las-calles-del-rif-a-la-patera-la-muerte-antes-que-la-rendicion>

53 Episodic crises and disagreements mark relations between Morocco and Spain. The most recent one is when Rabat broke ties with Spain after Brahim Ghali, the leader of the Polisario Front suffering from health problems, was admitted to a clinic in La Rioja on May 17, 2021. See: Alvarado, D. (May 21, 2021). Marruecos, el arte de la guerra. *Esglobal*. <https://www.esglobal.org/marruecos-el-arte-de-la-guerra/>

54 Gómez, A. (January 29, 2021). Activistas del Rif retenidos en el CIE de Murcia solicitan el asilo político. *Onda Regional*. <https://www.orm.es/informativos/noticias-2021/activistas-del-rif-retenidos-en-el-cie-de-murcia-solicitan-el-asilo-politico/>

55 Calvó, S. (September 20, 2018). Confinats al CIE de Barcelona un grup de joves fugitius de la repressió marroquina al Rif. *Directa*. <https://directa.cat/confinats-al-cie-de-barcelona-un-grup-de-joves-fugitius-de-la-repressio-al-rif/>

56 Sanmartín, O. (June 7, 2019). Interior admite que se internó a 89 menores extranjeros en los CIE, pese a estar prohibido por la ley. *El Mundo*. <https://www.elmundo.es/espana/2019/06/07/5cf95ec5fdddf170e8b45e6.html>

57 Question for written answer E-000694/2021 to the Commission (February 3, 2021). Failure to uphold the rights of prisoners from the Rif region in Murcia’s immigration detention centre https://www.europarl.europa.eu/doceo/document/E-9-2021-000694_EN.html

58 Vargas Martín, J. (February 3, 2021). Activistas rifeños luchan contra su deportación en el CIE de Murcia: “En Marruecos corremos peligro”. *Público*. <https://www.publico.es/sociedad/activistas-rifenos-luchan-deportacion-cie-murcia-marruecos-corremos-peligro.html>

but they are also one because they defend their sense of belonging⁵⁹. Parallel to the first HIRAK mobilizations, the newly created Mouhcine Fikri Committee in Brussels had already called a protest vigil at the beginning of November 2016. HIRAK support committees gradually proliferate in European states with a considerable Riffian diaspora, such as Belgium, the Netherlands or Spain. However, solidarity actions also arrive from Germany, Italy or even Canada, where there is also a significant community originally from the Rif. The activists, mostly of Riffian origin, create platforms, whether real or virtual, with a presence on social media⁶⁰, but these committees also visit each other in person to organize demonstrations and protests in front of Moroccan embassies and consulates, as well as in front of different EU headquarters in Brussels and the European Parliament in Strasbourg⁶¹.

The increasing arrival of exiles fleeing repression in Morocco reinforces this dynamic, raising the number of assemblies and committees, solidarity actions, and demonstrations of support, involving other actors, whether political parties, institutions, human rights organizations or individuals. Taking into account that the freedom of association and demonstrations are proscribed *de facto* in the Rif since the beginning of the repression in the HIRAK, Europe and, in particular, the Spanish State, due to its geographical proximity to Morocco, seem privileged places to take refuge and reorganize, raising awareness of the Old World's public opinion, and adding support to the Riffian cause. The task does not seem easy, not only because of the inherent complexity and difficulties in any social mobilization but also because of the particularities of a rather fragmented Riffian community.

The mass of sympathizers agree with the socio-economic demands of the HIRAK, demand respect for human rights in the Rif, and ask for the release of political prisoners. Beyond these meeting points, there is a clear division between the three groups within the HIRAK support groups—evident in the discussions during the activities, meetings, and on social media. On the one hand, there is a group, which is a minority, composed of the “stagnant” sector, who aspires to (re)build bridges with the central power to improve the situation of the Rif. At the opposite extreme is the “republican” sector that defends the right to self-determination of the Rif and, therefore, aspires to keep the conflict with Rabat open in all areas and in a durable manner. In between is the “autonomist” sector, which understands the Rif as a quite differentiated part within Morocco and, considering themselves as realistic and pragmatic, aspires to negotiate a road map with the Moroccan authorities, a road map to the democratic and socio-economic development of a territory with its own entity and prerogatives.

Geographical disintegration and different political realities and traditions among the countries where the Riffian diaspora is registered do not contribute to the union; but, in addition, the debate is characterized by disorder, exhaustion and sometimes by the low quality of purposes, multiplication of rumours and dissemination of false information, talking for the sake of it which results in a *de facto* stagnation. There is a fear of Moroccan secret services infiltrating into the groups in solidarity with the Rif, hence the multiplication of accusations about collaboration. Moreover, it is feared that the Moroccan authorities

59 Eguren Rodríguez, J. (2003). La comunidad transnacional rifeña. Primer coloquio internacional “Migración y Desarrollo”. http://meme.phpwebhosting.com/~migracion/ponencias/13_1.pdf

60 For example, the Spanish Platform to Support the Rif (<https://www.facebook.com/PlataformaApoyoAIRif/>) has a rather irregular presence on social media depending on the availability of its members, which makes it difficult to interact with other elements of the diaspora and mobilizations; similar to what happens with the Catalan Commission to Support the Popular Rif Movement (<https://www.facebook.com/comisiosuportrif/>), the Popular Rif Movement in Navarra (<https://www.facebook.com/NavarraRif/>), or the Andalusian Network to Support the Rif (<https://www.facebook.com/Hirakandalucia/>).

61 Schwarz, C.H. (2020). Transmediterranean Political Socialisation: The HIRAK Movement, the Moroccan Diaspora and Europe as a Political Imaginary. “QM 28/29: Civil Society in the Mediterranean Mirror”. <https://www.iemed.org/publication/transmediterranean-political-socialisation-the-hirak-movement-the-moroccan-diaspora-and-europe-as-a-political-imaginary/>

will retaliate against diaspora activists' families that remain in Morocco or even against the activists themselves when they travel to the North African country to visit their family and friends. The competing parties tend to lead inconsequential struggles that cause disputes over legitimacy, whether for ideology, proximity to HIRAK leaders, the fight on the ground during the mobilizations, or even for the exact geographical origin within the Rif. The discussions sometimes end in ideological clashes and personal legitimacy, too, and there are plenty of attempts to discredit and demonize supposed adversaries within the same Riffian area.

The disagreements are evident, with disqualifications and accusations of treason towards each other, working for the Moroccan regime, not being pure enough, or not having suffered repression in their own flesh. This situation favours that the more prominent issues that are needed to be addressed are sometimes left aside. This type of exchanges in social media is far from the real objectives of the HIRAK, which, for some sources, occurs intentionally, induced by interested parties and agents of Moroccan power, who do not want Riffians to be organized and prefer the current situation of disunity. The prolongation of the conflict, the difficulties of coordination and organization, together with the disintegration and particularities of the Riffian diaspora in Europe, culminate in inaction.

Morocco's action also plays a fundamental role, both through social media and on the ground, by mobilizing its emigration agents, whether they are linked to external intelligence (DGED) or with internal surveillance services (DST). They have reliable and timely information on different initiatives and their instigators. They do everything possible for these initiatives to fail so that the affinity between the Riffians does not come off and charismatic figures within the same movement do not appear.

Activists frequently denounce the use of *baltaji* groups against them⁶². In the diaspora, these *baltaji* can be a "simple" member of the Moroccan community living abroad, used as a tool through diplomatic and consular services of the Kingdom of Morocco. These *baltajis* carry out acts of intimidation against HIRAK sympathizers in Internet forums or on the street, discredit particularly active profiles, sabotage protest marches and schedule counter-demonstrations to highlight dissent on certain issues, and even raise violent initiatives to discredit the movement and justify the repression. In the Rif, the profile of the *baltaji* is more disturbing, given that they are often criminals paid by the authorities to intimidate any form of political protest through violence⁶³.

1.8 Amnesty blackmail

From the beginning of the crisis, the eyes turned to Mohammed VI's capacity to decree an amnesty, which different political and social actors have evoked as an effective tool to end the confrontation. The hope that Mohamed VI would deploy his power to free the prisoners of the HIRAK was already flying over during the summer of 2017, on the eve of the Eid al-

62 This widespread term in the Arab world, *baltaji*, comes from the Turkish word *balta*, which means "axe". The designation has retained its symbolic nature since the actions of the *baltaji* aim at paving the way for the repression campaigns against opponents. Essentially, the role of these henchmen is to discredit and intimidate protest movements.

63 An example of the actions of this type of violent profile took place on July 6, 2020. Jaouad Benziane, a HIRAK activist who had been imprisoned and released, was assaulted by unidentified individuals who were pointed out as *baltaji*. Benziane received blows and kicks when he was already on the ground causing him bruises and cuts, and he fell unconscious. Due to the lack of instruments to perform a head CT at the Al Hoceima Hospital, the doctors limited themselves to stitches and prescribing sedatives. He went a few days without being able to eat, he hardly could drink, and he struggled to fall asleep because of the pain. Days later, Jaouad's friends confirmed that he was feeling better, strong and eager to continue the fight.

Fitr holiday. This holiday marks the end of Ramadan, and it is one of the indicated dates on which the king exercises this prerogative. At the time, "It is absolutely necessary that the detainees of the Rif be released before the Eid," said Mohamed Nesh Nash, spokesman for the Civil Initiative for the Rif, a collective of university students and heads of human rights organizations in Morocco⁶⁴.

With the penalties of the leaders of the Hirak already ratified after the appeal, the Islamist president of the Moroccan government at the time, Saadedin Elotmani, remarked that "the royal pardon to [Riffian] prisoners is a political behaviour of reconciliation to solve the problems by legal means," in an interview with the channel France24⁶⁵. According to Elotmani's argument, the royal amnesty would be the irrefutable proof that the country opted for reconciliation to solve the problems with the Rif.

In the eyes of the Moroccan political class, amnesty is presented as the only possible alternative to the situation of political prisoners. Mohamed Ziane, son of a Riffian father and a Spanish mother, former minister, lawyer, and member of the Hirak Defence Collective, currently in prison for questioning the sovereign⁶⁶, qualified the use of royal pardon as a "smart solution"⁶⁷. Abdellatif Ouahbi, who was a member of the parliament and was working as a lawyer during the peak of the repression, also a member of the Hirak Defence Collective, and the current Minister of Justice of the Kingdom of Morocco, had repeatedly declared that amnesty for the Hirak is a subject of discussion within the Executive and that he himself plans to request pardon for the last prisoners of the Riffian movement to end the conflict once and for all⁶⁸.

So, Mohammed VI goes on decreeing pardons for certain Hirak prisoners in dribs and drabs. The first time was on the occasion of Throne Day on July 30, 2017, when the sovereign granted amnesty to 1.178 people, including the ones who had been convicted in the framework of the mobilizations in Al Hoceima⁶⁹. From then on, on the occasions of major civil and religious holidays, almost every amnesty decree signed by Mohamed VI included some Hirak prisoner, such as in August 2018, 188 Riffian activists were released, or in May 2021, 17 Riffians out of a total of 810 beneficiaries of the pardon got out of prison⁷⁰. Every time the king sets out to exercise his amnesty prerogative, it is expected that the significant part of Hirak prisoners, including their leaders and imprisoned journalists, be released, but the moment does not arrive⁷¹.

64 Verdier, M. (June 17, 2017). Au Maroc, un appel à la grâce royale pour les détenus du Rif. *La Croix*. <https://www.la-croix.com/Monde/Afrique/Au-Maroc-appel-grace-royale-detenus-Rif-2017-06-17-1200855821>

65 Zine, G. (July 10, 2019). Hirak : Saadeddine El Othmani dit espérer une sortie de crise par la libération des détenus. *Yabiladi*. <https://www.yabiladi.com/articles/details/80877/hirak-saadeddine-othmani-esperer-sortie.html>

66 Sanz, J.C. (November 23, 2022). Encarcelado en Marruecos un exministro y político de oposición que cuestionó a Mohamed VI. *El País*. <https://elpais.com/internacional/2022-11-23/encarcelado-en-marruecos-un-exministro-y-politico-de-oposicion-que-cuestiono-a-mohamed-vi.html>

67 Iraqi, F. (July 25, 2017). Contestation dans le Rif : à la grâce de Sa Majesté. *Jeune Afrique*. <https://www.jeuneafrique.com/mag/457222/societe/contestation-rif-a-grace-de-majeste/>

68 Rédaction (November 10, 2021). Ouahbi compte demander la grâce royale pour les derniers détenus du Hirak. *Le Desk*. <https://ledesk.ma/encontinu/ouahbi-compte-demander-la-grace-royale-pour-les-derniers-detenus-du-hirak-rifain/>

69 MAP (July 29, 2017). Grâce royale pour des détenus du Hirak. *Maroc Hebdo*. <https://www.maroc-hebdo.press.ma/grace-royale-detenus-hirak>

70 AFP (August 22, 2018). Maroc : grâce royale pour des militants du mouvement Hirak. *Le Point*. https://www.lepoint.fr/afrique/maroc-grace-royale-pour-des-militants-du-mouvement-hirak-22-08-2018-2245041_3826.php; AFP (13 de mayo de 2021). Maroc : 17 détenus du mouvement de protestation Hirak graciés par le roi Mohammed VI. *Franceinfo*. https://www.franceinfo.fr/monde/afrique/maroc/maroc-17-detenus-du-mouvement-de-protestation-hirak-gracies-par-le-roi-mohammed-vi_4622391.html

71 S.A. (January 12, 2022). Pas de grâce royale pour les détenus du Hirak du Rif. *Bladi.net*. <https://www.bladi.net/grace-royale-detenus-hirak-rif,89639.html>

Some detainees, who initially demanded justice and were reluctant to be granted amnesty by the king, over the years and individually, have ended up taking on dialogue with the authorities and the path of a royal pardon for the sake of an early release. These cases are odd, very isolated, and barely representative. The rest have not moved from their initial position at all, and less when the possibility of benefiting from a royal pardon required that they had to present a demand in this sense; that is, each one of them has to ask for the magnanimity of the sovereign, which implies the assumption of guilt. Tafra Association has repeatedly called on the State to stop exerting pressure on political detainees and has denounced that they are being harassed to rethink their position and ask for amnesty⁷². Another alternative is the CNDH requesting a royal pardon for Hirak prisoners, but no initiative has seen the light in this regard.

There are moments when Hirak detainees and its leadership would be in a position more prone to outreach to the authorities, but they have ended up seeing things as they were, rejecting for the moment any initiative likely to be politically exploited by the authorities. The necessary elements to strike a happy medium do not converge, and there is no trust in the good faith of the authorities. There have been meetings with different intermediaries on a regular basis, such as Amina Bouayach or the inter-ministerial delegate for Human Rights, Ahmed Benyoub, who was totally discredited in the eyes of political detainees and their families after the publication of his report. None of the parties has publicly disclosed anything of the most sensitive content of these meetings.

Some sources from different profiles and positions, who prefer to remain anonymous, point out that there is some kind of a silent agreement between the Ministry of Interior, the detainees and their families, and also with active free members of the Hirak, for the sentences to be reduced or even the imprisoned Riffians to be granted a royal pardon, in exchange for keeping the peace and quiet in the Rif and the mobilizations from resurfacing. It seems difficult to reach a deal while, on the ground, the situation remains tense, and there are episodes of harassment, intimidation, and threats, as well as arrests and judicial convictions of those who dare to overstep the limits imposed by the authorities

72 Hatim, H. (May 21, 2019). Amina Bouayach reçoit les familles des détenus. *TelQuel*. https://telquel.ma/2019/05/21/amina-bouayach-recoit-les-familles-des-detenus_1639161

2. CONCLUSIONS AND RECOMMENDATIONS

The present report includes information that recollects the drift of Moroccan power towards repression, oppression, intimidation, and control of the activists of the Popular Rif HIRAK Movement and their families and friends, as well as the information about journalists that have been arrested and convicted by the courts of justice, and activists from other countries that have been expelled from Morocco. Based on the facts, testimonies of victims, and works and complaints of human rights defence organizations, CIEMEN concludes that Morocco has violated and continues to violate a wide range of fundamental rights and freedoms of the peoples of the Rif, which is contrary to the provisions of the very 2011 Moroccan Constitution and international human rights law. Respect for these fundamental rights and freedoms precisely lies in the *raison d'être* of the HIRAK and the program of the cause that peacefully manifested itself to raise its legitimate demands.

Infringements of rights by the Moroccan authorities include disregarding the freedoms of assembly, association, and peaceful demonstration (Articles 6, 12, and 29 of the Moroccan Constitution), the right to security (Article 21), and the physical and moral integrity of persons (Article 22), the right not to be arbitrarily arrested, the right to be presumed innocent until proved guilty and a fair trial (Article 23), the inviolability of domicile and communications (Article 24), as well as freedom of thought, opinion, and expression in all forms (Article 25). On the other hand, the 2011 Constitution sanctions the right to work, decent housing, quality education, health care, and social protection (Article 31). The body of law also supports respect for a linguistic and cultural plurality (Article 5), advanced regionalisation principle, understood as the right of interested populations to manage their own affairs (Article 1 and Title IX), honouring dialogue and consulting to associate different social actors with the enactment, implementation, execution, and evaluation of public policies (Article 13).

These conclusions portray a profound imbalance between the spirit of the Moroccan Constitution and the actual political practice, which is currently materialized in the continuity of economic marginalization of the Rif, the repression of the peaceful HIRAK movement, the initial drift of the justice—which resulted in trials full of irregularities with excessive convictions—and the continuation of extreme surveillance, harassment, and threats towards activists and sympathizers, their close allies, information professionals, and representatives of international organizations. With this in mind, CIEMEN makes the following recommendations to the Moroccan authorities and other relevant parties to end this situation and the violations against fundamental human rights and freedoms in Morocco's Rif territory.

1. MOROCCAN AUTHORITIES

With Regard to Political Prisoners

CIEMEN recommends that Moroccan authorities:

- Immediately and unconditionally release each and every one of the persons associated with the Hirak who have been imprisoned for peacefully exercising their right to freedom of expression, assembly, and demonstration and drop all the charges against them and withdraw their sentences.
- If the charges against them stand, implement fair and transparent judicial processes in which the defendants count on all their rights, their presumption of innocence is respected, they have access to defence lawyers without limits or obstructions, doubtful evidence is rejected, reliable translations are provided in and from defendants' mother tongue, and convictions are not based on confessions obtained under duress, torture, and ill-treatment.
- Support independent and impartial investigations with a gender perspective into the possible cases of isolation, torture, and ill-treatment of people arrested for participating in or supporting the Hirak protests by the Moroccan state security forces and corps, demanding criminal accountability for the people who were responsible.
- Until the unconditional release of Hirak prisoners is put into effect, that the prison authorities end dispersing Hirak prisoners in different prisons in the Kingdom of Morocco and transfer them to penitentiary centres closer to their respective homes and places of residence, to facilitate family visits and maintaining emotional and familial ties, if possible, by expanding the regime of visits.
- Take care of the conditions of detention of Hirak prisoners in terms of their upkeep, hygiene, medical assistance and monitoring, and prison regime, reducing the time they spend in cells, and without prohibiting or limiting meetings with other Hirak members within the same prison.

With Regard to the situation in the Rif

CIEMEN recommends that Moroccan authorities:

- End abuse and arbitrariness of power and respect human rights in the actions of state security forces and corps in the Rif.
- End the harassment of activists, journalists, or anyone who, within the free exercise of their rights, may show opinions critical of the official positions of the Kingdom of Morocco.
- End arbitrary arrests, which are contrary to the most basic human rights and the presumption of innocence and serve as intimidation mechanisms.
- Secure, without retaliation, the safe return of Hirak activists and supporters who were forced to flee the country to escape repression.
- Restore, without limitations or censorship, the freedoms of peaceful assembly, association, and demonstration in the Rif, which remain de facto prohibited.
- Ensure the free movement of people within the Rif and end the increase in the number of Gendarmerie and Police controls, reducing the presence of state security forces and corps in the territory.
- Guarantee the right to security and the physical and moral integrity of persons, regar-

dless of their personal ties with Hirak members, their degree of activism, or regardless of whether they may or may not show divergent positions concerning the policies deployed by the Moroccan authorities.

- Respect the inviolability of domicile, private life and communications of persons, particularly of activists and supporters of the Hirak, their families and information professionals.

- Implement effective measures and mechanisms, and with a gender perspective, for adequate recognition of the historical memory of the Rif, establishing the truth about the historical facts and laying the foundations for proceeding with a genuine reparation for the victims of violent repression by the authorities.

- Respect, protect, and promote the Amazigh cultural and linguistic identity of the Riffian people as well as increase efforts and investments to ensure access to quality education for men and women.

- Promote infrastructure improvements in the Rif, including transport and communications, and provide the necessary means to guarantee medical assistance, including diagnostic equipment and oncological treatments, and quality social protection services that pay special attention to the most disadvantaged social sectors.

- Promote productive investments in the Rif and prepare, implement, and ensure the proper evolution of public policies capable of improving the economic conditions of the territory and generating quality work that also promotes women's financial independence.

- Encourage a critical implementation of the advanced regionalization, consulted and participated by all sectors of the Rif, which can provide local and regional authorities with the necessary competence and resources to manage their own affairs, reflecting the precise needs and interests of the population.

- Honour and promote the peaceful resolution of conflicts through dialogue and consulting to associate different social actors with the enactment, implementation, execution, and evaluation of public policies in the Rif.

2. INTERNATIONAL COMMUNITY

EU and member countries

CIEMEN recommends that the EU and member countries:

- Urge the community institutions and Member States to persist in raising the situation of Hirak prisoners, detained journalists, and prisoners of conscience with the Moroccan authorities, calling on them for the immediate and unconditional release of 2018 Sakharov Prize finalist Nasser Zefzafi and other political prisoners.

- Call on the Moroccan authorities to respect freedom of expression and media freedom and for the immediate release of imprisoned journalists, ending the harassment of information professionals, lawyers, and families.

- Demand the Moroccan authorities to end the surveillance of political opponents and journalists, including the use of NSO Group's spyware, Pegasus, and enact and enforce legislations on the matter for their protection, urging Member States not to export surveillance technology to Morocco.

- Regarding the relations with Morocco, apply the democratic conditionality clause, which obliges the countries subject to development policy aids and those that have established trade relations as a preferred partner of the Union to implement reforms directed towards the

value system governing the Union.

- Require the Moroccan authorities to comply with their international human rights obligations in line with the EU-Morocco Association Agreement.

- Investigate deeply into the existing evidence of the Members of the European Parliament corrupted by the Moroccan authorities, applying the same provisions adopted in the case of the representatives of Qatar.

Spanish authorities

CIEMEN recommends that Spanish authorities:

- Within the framework of bilateral relations with Morocco, take the necessary steps for the release of Nasser Zefzafi, other political prisoners, and the journalists that are imprisoned for doing their job; and for the repeal of guilty verdicts dictated in trials with full of irregularities.

- Clarify their official position regarding flagrant violations of rights and freedoms in Morocco and review agreements and plans for institutional, political, economic, social and cultural cooperation, prioritizing the protection of human rights.

- Give priority to cooperation and investment projects in Morocco in the Rif as part of the necessary recognition of the historical memory of the region and establish the basis for an authentic reparation for the victims of Spanish colonization.

- Individually review and evaluate the international protection applications of Riffian people who are retaliated against or at risk of having their rights violated or being subject to retaliation and persecution in case of their return to the Rif; and refrain from applying the immigration law in order to prevent Riffian people in vulnerable situations, such as asylum seekers, minors or victims of human trafficking, from being interned in detention centres for foreigners.

Autonomous Communities of the Spanish State

CIEMEN recommends that Autonomous Communities of the Spanish State:

- Transfer, in an official and institutional manner, the petitions for the immediate release of Hirak prisoners, journalists and other prisoners of opinion to the Embassy of the Kingdom of Morocco in Madrid and different consulates of the Kingdom of Morocco in Spanish State,

- Review agreements and plans for institutional, economic and commercial, social, cultural or any other type of cooperation with the Kingdom of Morocco in order to incorporate the protection of human rights as a cross-cutting element in any field of action.

- Provide economic, logistical and any other type of support to the collectives of the Riffian diaspora to safeguard and promote their Amazigh culture; and denounce human rights violations in their territory of origin.

- Recognize the Amazigh or Berber language as the mother tongue of the migrant Riffian community and a wide range of the Moroccan community residing abroad.

**[CIEMEN is a Catalan civil society association
working to make the Catalan national reality
known and to promote it in the world,
to disseminate stateless peoples
and nations' knowledge,
and to defend their collective rights]**

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