

**Morocco: Situation of lesbians; treatment by the authorities and society; state protection available; assistance or other organizations for the homosexual community in Morocco, including bars, restaurants, etc.**

Date: 3 Jun 2004 | Responses to Information Requests

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Information on the situation of lesbians in Morocco was limited among the sources consulted by the Research Directorate within the time constraints for this Response.

**Legislation:**

Homosexuality is illegal in Morocco (France 17 Feb. 2004; Gay Rights Info 1 May 2004; *Gay Times* 17 Sept. 20; *Sunday Telegraph* 21 Mar. 2004) under section 489 of the Penal Code (Behind the Mask n.d.; ILGA 31 July 2000; Sodomy Laws 17 July 2002; UEEH 1999). Any person found guilty of this crime can receive a punishment ranging from 6 months to 3 years prison (*Gay Times* 17 Sept. 2002; *Sunday Telegraph* 21 Mar. 2004), as well as a fine of 120 to 1,000 dirhams (Behind the Mask n.d.; ILGA 31 July 2000; Sodomy Laws 17 July 2002; UEEH 1999). One source stated that this fine can even go as high as 1,200 dirhams (Gay Rights Info 1 May 2004), which is approximately CAN\$182 (Bank of Canada 1 June 2004). Several sources indicated that this law applies to anyone who [translation] "commits a lewd or unnatural act with an adult of the same sex" (UEEH 1999; see also Behind the Mask n.d.; ILGA 31 July 2000; Sodomy Laws 17 July 2002). However, according to *Gay Times*, this provision is rarely enforced by the Moroccan authorities (17 Sept. 2002).

**The situation of lesbians**

The Let's Go travel guide Website indicated that "[l]esbianism is almost unheard of and unrecognized" (n.d.; see also *Kelmaghreb* Apr. 2001a). *Tel Quel* noted the lack of support from feminist and human rights associations; fundamentalists accuse feminist associations of allowing themselves to be manipulated by foreign influence (8 Apr. 2004b).

In an article entitled "Être lesbienne au Maroc," which appeared in the magazine *Kelmaghreb*, a lesbian writer stated that there are no laws to support women, aside from those regarding wives and mothers (*Kelmaghreb* Apr. 2001a). She added that, after a certain age, unmarried women are subjected to social pressures because an unmarried woman [translation] "weighs" on Moroccan society (ibid.).

**The situation of homosexuals :**

According to the authors of an article entitled "Être homo au Maroc," published in *Tel Quel* magazine, a homosexual must choose between [translation] "living a secret life" or being ridiculed (8 Apr. 2004a).

A book by the famous Moroccan writer Mohamed Choukri that addressed the subject of homosexuality was banned by the government (M2 Communications 19 Nov. 2003). During a UN conference on AIDS in June 2001, Morocco was one of 11 countries that opposed the participation of an International Gay and Lesbian Human Rights Commission (IGLHRC) representative (AFP 25 June 2001).

Morocco was previously considered a popular tourist destination for homosexuals, but increasingly fundamentalist attitudes have made it less attractive to gay tourists (Behind the Mask n.d.; *Chicago Tribune* 4 Aug. 2002).

For example, a 23 February 2004 MAP article reported that judiciary police had arrested three French tourists, five Moroccan men and one girl for engaging in "sexually deviant acts," which, according to the article, "are commonly understood to mean homosexual acts." The arrests were made after police had placed a residence under surveillance because they suspected it was being used as an illicit meeting place (MAP 23 Feb. 2004). The article also noted that, "[i]nitial investigations . . . showed that some of [the suspects] had previous criminal records related to theft and betrayal of trust" (ibid.). The accused are being investigated by the public prosecutor on "charges of preparing a residence for prostitution; sexually deviant acts; illegal sexual relations; and possessing and dealing in cannabis" (ibid.).

An article published in *Kelmaghreb* noted that homosexuals arrested in police raids are particularly subjected to [translation] "verbal and physical abuse, humiliation, deprivation, [and] contempt, . . . [not only] by police officers, but also by other detainees" (*Kelmaghreb* Apr. 2001b). The article also indicated that many Moroccan homosexuals carry only a limited number of condoms with them because these can be used as evidence of [translation] "a flagrant offence" if they are arrested in a meeting place for homosexuals (*ibid.*).

No reference to an assistance organization for the homosexual community in Morocco or to any gay bars or restaurants could be found among the sources consulted by the Research Directorate within the time constraints for this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### References

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*Sunday Telegraph* [London]. 21 March 2004. Julian Coman. "Vatican Joins Muslims to Fight Homosexual Partnerships." (Dialog)

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#### Additional Sources Consulted

Attempts to contact the following organizations were unsuccessful:

- Democratic League for Women's Rights (LDDF)
- International Lesbian and Gay Association (ILGA)
- Moroccan Association for Women's Rights (AMDF)
- Moroccan Association of Progressive Women (AMFP)
- Universités d'été euroméditerranéennes des homosexualités (UEEH)

**Publications:** *Lonely Planet: Morocco; Women, Family, Laws and Customs in the Muslim World.*

**Internet sites, including:** Ahbab, Amnesty International (AI), Arabic News, *Aujourd'hui le Maroc*, European Country of Origin Information Network (ECOI), *L'Express*, Freedom House, Gay and Lesbian Arab Society (GLAS), Gay Arab, Gay Middle East, *La Gazette du Maroc*, Human Rights Watch (HRW), International Federation for Human Rights (FIDH), International Gay and Lesbian Human Rights Commission (IGLHRC), *Le Journal de Tanger*, Maghreb Arabe Presse, *Le Matin*, *Les Nouvelles du Nord*, *L'Opinion*, United States Department of State, World News Connection (WNC)

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