

## **41<sup>st</sup> UPR Pre-session**

### **Oral Statement**

#### **National Human Rights Council of Morocco**

***Presented by: Khalid Ramli, Director of Cooperation and International Relations***

- The CNDH is pleased to participate in this 41<sup>st</sup> pre-session of UPR in order to share with you the main progress made in the implementation of previous UPR recommendations and some of its key recommendations that you may consider during the 4<sup>th</sup> cycle of UPR;
- The CNDH submitted a detailed parallel report under the UPR, in consultation with its 12 Regional Human Rights Commissions, which cover the entire Moroccan national territory.
- Regarding the progress made, several recommendations related to the NHRI of Morocco were implemented. Indeed, a new founding law was adopted in 2018, establishing mainly three mechanisms hosted by the CNDH and provided for by international human rights standards. These are the National Preventive Mechanism against Torture, the National Child Redress Mechanism, and the Disability Rights Mechanism.
- Due to time constraints, I will focus on economic, social, civil and political rights. Further details on these rights are included in the CNDH annual reports.
- Concerning the right to education, the CNDH welcomes the importance given to education in the report on the new development model as well as the government programme. The CNDH believes that the implementation of the measures included in both documents are likely to address the challenges facing the right to education, such as quality of public education, school dropout, access to education especially for girls in rural areas and persons with disabilities, mainly to due to cultural considerations.
- Regarding the right to health, the CNDH acknowledges the efforts made by the State to manage the pandemic crisis, improve the health infrastructure and launch a significant project to guarantee social security for all. However, the CNDH expresses its deep concern regarding the obstacles facing citizens to access their right to health, including the insufficient human and financial resources as well as geographical disparities in terms of health infrastructure. Therefore, the CNDH believes that a national health strategy based on the human rights approach needs to be adopted. Further details on the right to health are included in the CNDH thematic report on this right, released in last April.
- As to the right of employment, the pandemic has a significant impact on the enjoyment of this right, exacerbating fragility especially of vulnerable groups and increasing the loss of jobs, mainly among the youth. The implementation of the measures of the government program and recommendations of the new development model would provide practical solutions enabling people, especially the youth to enjoy this right. Regarding business and human rights, the CNDH recalls its recommendation to adopt a national action plan in the field, taking into account relevant international standards.
- Regarding civil and political rights, the CNDH notes with satisfaction the progress made at the legislative, institutional and policy levels, including the adoption of laws guaranteeing access to information, right to public participation as well as the ongoing discussions to

amend the penal laws. However, it also notes the continued de facto moratorium applied on the death penalty, the continued implementation of the recommendations of the Equity and Reconciliation commission, including the right to memory.

- The CNDH believes that the online space constitutes a platform reinforcing the rights to assembly and association. However, the Internet is also a space that would be a ground for incitement to violence, hate speech and violation of the right to privacy.
- To address the challenges related to civil and political rights, the CNDH recalls some of the key following recommendations included in its annual reports :
  - Abolish the death penalty in law and in practice;
  - Accelerate the adoption of the draft law amending and supplementing the Penal Code, in accordance with the recommendations of the CNDH, contained in the memorandum of 2019;
  - Accelerate the adoption of the draft law on the Code of Civil Procedure so as to reinforce the legal and judicial guarantees of fair trials;
  - Revise the legal provisions relating to associations, in particular with regard to the procedure for constitution and renewal, the provision of public rooms for the organization of activities;
  - Revise the legal provisions relating to public assemblies by subjecting the use of public force to the control of the prosecution and by providing for provisions guaranteeing the protection of all human rights defenders, including journalists and media professionals covering peaceful protests;
  - Amend all provisions related to the issue of freedom of expression and ensure that any restriction on this freedom is governed by a clear legal text;
  - Revise the Family Code, including the repeal of the exception in Article 20 allowing child marriage;
  - Accelerate the adoption of the Prisons Act and its adaptation to international standards.