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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Morocco**

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## **Introduction**

1. In accordance with General Assembly resolution 60/251, the Kingdom of Morocco hereby submits its report under the second cycle of the universal periodic review (UPR) mechanism, taking into account the reforms of the 2011 five-year review of operating modalities for UPR (A/HRC/17/L.29).

2. The Kingdom of Morocco presents its compliments to the Working Group on the Universal Periodic Review and confirms its readiness to pursue its close collaboration with the Human Rights Council and other United Nations human rights mechanisms.

## **I. Methodology**

3. This report was prepared through a participatory process, which was led by the Inter-ministerial Unit on Human Rights and included several activities: a one-day workshop on the responsibility of all stakeholders in the process (17 November 2011); a national seminar on the UPR mechanism, with the participation of international experts (2 and 3 December 2011); and three regional meetings in Marrakech, Oujda and Laâyoune (16 and 24 December 2011 and 11 February 2012). This process provided an opportunity for broad consultation and ownership of the mechanism. The report was discussed at consultation meetings with the various stakeholders on 24 January 2012 and 14 February 2012, prior to its approval at an expanded meeting on 22 February 2012.

4. The process was characterized by a regional approach and considerable input from all stakeholders: ministerial departments, national institutions, NGOs, universities, students, members of parliament, trade unions and the media. The expertise of the following organizations was invaluable during the national seminar: the Office of the United Nations High Commissioner for Human Rights, the International Organization of la Francophonie, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and the international NGOs UPR Watch and UPR Info.

## **II. Normative and institutional framework for the protection and promotion of human rights**

5. During the period 2008–2011, Morocco continued its efforts to consolidate its achievements in the promotion and protection of human rights by strengthening the normative and institutional framework. Structural reforms undertaken include: the achievement of the strategic goals of transitional justice through the implementation of Equity and Reconciliation Commission recommendations on truth, compensation and institutional and legislative reforms; the introduction of strategic planning in the field of human rights, culminating in the adoption of the National Action Plan for Democracy and Human Rights; the expansion of the scope of individual and collective freedoms, notably freedom of association and assembly. These reforms created favourable conditions for the adoption of the new Constitution, which was the subject of broad national consultations, involving all sectors of Moroccan society: political parties, trade unions, professional bodies, human rights NGOs and youth associations.

### **A. Constitutional human rights guarantees**

6. The preamble, an integral part of the Constitution, reaffirms the Kingdom's commitment to human rights as universally recognized and establishes the primacy of duly

ratified international conventions over domestic law. The constitutional provisions on human rights (Title II) constitute a genuine charter in that respect and permeate the Constitution as a whole.<sup>1</sup> Three aspects deserve special mention: the normative dimension, with innovations in the field of environmental rights and future generations; the institutional dimension, with the establishment of human rights protection bodies, the granting of constitutional status to the national human rights institution (National Human Rights Council) and the Office of the Ombudsman and the establishment of other specialized bodies; and the dimension relating to the criminalization of serious human rights violations and the fight against discrimination.

## **B. Legislation**

7. Morocco has embarked on a process to modernize the criminal justice system, aimed at strengthening rights and freedoms and the guarantee of a fair trial in accordance with international human rights standards.<sup>2</sup>

8. Laws have been adopted with a view to broadening the scope of political participation and improving electoral processes through, *inter alia*, the independent monitoring of elections, the reinforcement of the role of political parties and the strengthening of the participation of women and young people in political life.<sup>3</sup>

9. Particular attention has been paid to strengthening sectoral rights and to protection mechanisms for particular groups and specific areas, such as the right to organize, health and safety at work, consumer protection and the care of vulnerable persons.<sup>4</sup>

## **C. Human rights jurisprudence**

10. The growing tendency in recent years for domestic courts to incorporate international human rights standards in their practice has been consolidated by the relevant case law of administrative courts, in particular as regards abuse of authority and protection from injury caused by the public service, ensuring the legality of administrative decisions affecting civil servants and requiring that reasons be given for administrative decisions. This tendency has been further underlined by the Constitution, which establishes the principle of the primacy of international human rights conventions ratified by the Kingdom.

## **D. Moroccan treaty practice: accession to international conventions and interaction with United Nations human rights bodies**

11. Morocco has continued to accede to human rights instruments, ratifying: the Convention on the Rights of Persons with Disabilities and its Optional Protocol,<sup>5</sup> the two additional protocols to the Geneva Conventions of 1949 and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The process of accession to optional protocols (the First Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention against Torture) has been initiated and some reservations and declarations reviewed (withdrawal of the reservations to article 9, paragraph 2, and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women, which are now obsolete as a result of reforms to laws on the family and nationality). Morocco signed the Optional Protocol to the Convention on the Rights of the Child on a communications procedure on 28 February 2012, coinciding with its participation in the nineteenth session

of the Human Rights Council, and it has also announced the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance.

12. The productive dialogue with treaty bodies and special procedures has been further improved. Three periodic reports have been considered: the combined third and fourth periodic reports on the Convention on the Elimination of All Forms of Discrimination against Women (considered in 2008); the seventeenth and eighteenth periodic reports on the International Convention on the Elimination of All Forms of Racial Discrimination (considered in 2010) and the fourth periodic report on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (considered in 2011). The initial report on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was submitted in 2011. Further reports are currently being prepared for submission in 2012.<sup>6</sup>

13. The establishment in 2011 of the Inter-ministerial Unit on Human Rights has resulted in the implementation of a participatory approach based on dialogue with all stakeholders and the introduction of an emergency action plan to reduce the reporting backlog and give new impetus to the preparation of national reports, their submission and follow-up to recommendations.

14. Since 2008, Morocco has received visits from three special procedures mandate holders: the Working Group on Enforced or Involuntary Disappearances,<sup>7</sup> which visited Morocco from 22 to 25 June 2009 and held a session there from 26 to 28 June 2009; the independent expert in the field of cultural rights (5 to 16 September 2011); and the working group on the issue of discrimination against women in law and in practice (13 to 20 February 2012). In a letter sent to the United Nations High Commissioner for Human Rights in April 2011, Morocco expressly stated its openness to cooperation with the Human Rights Council special procedures. Mention should be made of Morocco's steadfast cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), as demonstrated by its support for the activities and programmes of the Office and its annual voluntary contribution, which is not linked to the regular budget of the Office.

15. Morocco has continued to be actively involved in efforts by the Human Rights Council to strengthen human rights standards and protection mechanisms. Together with Switzerland, it initiated the debate on human rights education and training and contributed to the elaboration of the United Nations declaration on the subject. It co-sponsored the resolution on the establishment of a special rapporteur on the promotion of truth, justice and reparation.

16. Morocco is committed to the success of the UPR mechanism, as demonstrated by its contribution of US\$ 500,000 to the voluntary fund for financial and technical assistance in its implementation; the submission to OHCHR in 2010 of a draft agreement of understanding on tripartite cooperation on technical assistance for developing countries to implement UPR recommendations; and its active participation as a facilitator in the review process.

## **E. Development of the institutional framework for the promotion and protection of human rights**

17. The process to reform and strengthen the institutional framework for the promotion and protection of human rights has continued, providing the country with a number of general and specific mechanisms. Measures include the following:

### **1. Establishment of the Inter-ministerial Unit on Human Rights**

18. Established in April 2011, the Inter-ministerial Unit on Human Rights is a governmental mechanism responsible for preparing and implementing Government policy on human rights and international humanitarian law in coordination with relevant ministerial departments and bodies. It is also empowered to propose measures for implementing relevant international treaties and to undertake actions and initiatives promoting respect for human rights and the implementation of public policies in this area.<sup>8</sup>

### **2. Establishment of the National Human Rights Council**

19. The National Human Rights Council is a national human rights institution established in accordance with the Paris Principles. It has replaced the Consultative Council on Human Rights, which had already been accredited with A-status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) in 2001.

20. The innovations of the law establishing the Council concern the strengthening of its mandate to include all categories of rights: civil, political, economic, social, cultural and environmental. Its mandate has been broadened with respect to investigations, visits to places of detention and psychiatric centres and the processing of complaints of human rights violations. Its annual report is submitted to both chambers of Parliament. The Council has 13 regional commissions.

21. The Council's independence has been strengthened by its pluralist composition, comprising representatives of various components of civil society. All the ICC Sub-Committee on Accreditation recommendations on the selection and appointment of members, resignation procedures and immunity of members have been taken into account in the new law. Its A-status accreditation has been renewed for the period 2010–2015.

### **3. Establishment of the Office of the Ombudsman**

22. Established as a national independent institution in March 2011, the Office of the Ombudsman has been given a high level of autonomy and extensive powers as part of an approach based on proximity. The law setting up the Office provides for the establishment of special delegates responsible for facilitating access to administrative information, following up and simplifying administrative procedures, ensuring access to public services and monitoring the implementation of judicial decisions against the administrative authorities. Its new mandate also provides for regional delegates, of whom there are currently three (Laâyoune-Boujdour-Saquiât El Hamra; Meknès-Tafilalt; and Tanger-Tétouan).

23. The Ombudsman helps to make Government action more effective and to establish the principles of administrative governance by proposing recommendations and measures for improving and consolidating transparency, ensuring greater access for public service users and correcting dysfunctions in the service. The Ombudsman presents a summary of his annual report to Parliament.

### **4. Strengthening and granting of constitutional status to specialized national institutions**

24. Several national institutions working in rights-related fields are making major efforts in their specific areas of operation. In recognition of their influential role in the promotion of human rights, several have been granted constitutional status, namely, the Economic and Social Council,<sup>9</sup> the High Authority for Audio-Visual Communication,<sup>10</sup> the Higher Council for Education,<sup>11</sup> the Central Anti-Corruption Authority<sup>12</sup> and the Competition Council.<sup>13</sup>

25. Other institutions involved in human rights promotion include the Royal Institute of Amazigh Culture,<sup>14</sup> the Royal Advisory Council for Saharan Affairs,<sup>15</sup> the National Observatory for Human Development,<sup>16</sup> the National Commission for the Control and Protection of Personal Data<sup>17</sup> and the National Commission on International Humanitarian Law.<sup>18</sup>

26. The Constitution provides for a number of other institutions mandated to consolidate human rights, including: an authority responsible for parity and combating all forms of discrimination, a family and children's advisory council and an advisory council for youth and voluntary organizations.

### **III. Promotion and protection of human rights on the ground**

27. Morocco's experience with transitional justice has given fresh impetus to human rights issues. The initiatives launched by the Equity and Reconciliation Commission during its mandate and by the various stakeholders during the implementation of its recommendations have given a new momentum to structural programmes, in particular with respect to reform of the justice system, the strengthening of its independence, the updating of criminal policy, strategic planning and the promotion of a culture of human rights.

#### **A. Reform of the justice system**

28. Morocco has made reform of the justice system a priority because it is a necessary condition for human rights protection and consolidation of the rule of law. This has been a repeated demand of civil society organizations and is one of the main recommendations of the Equity and Reconciliation Commission, which called for the official separation of powers and a constitutional prohibition on interference by the executive in the administration of justice.

29. Various measures have been taken to modernize the way justice works: the simplification of procedures for access to justice through the use of new technologies, the strengthening of internal and external communication, etc. Other measures have involved reviewing criminal legislation with a view to improving compliance with international human rights standards.

30. Launched in 2009, the justice reform project identified a number of priority areas: greater integrity in public life, promoting community justice and improving accessibility through the establishment of a judge-mediator and reception facilities in courts, victim and witness protection, combating racial discrimination and better enforcement of the Family Code. Human rights training provided by the Higher Institute of the Judiciary has also been strengthened.

31. The new Constitution enshrines the principle of the independence of the justice system, establishing it as an independent branch of government, prohibiting interference and creating a higher council of the judiciary.<sup>19</sup>

#### **B. Prevention of torture**

32. Morocco has taken various measures to combat torture and ill-treatment. Act No. 43.03, amending the Criminal Code, criminalizes torture (art. 231 (1)–(8)) and provides for custodial sentences of up to 30 years and a fine of up to 60,000 dirhams and, where there are aggravating circumstances, life imprisonment. The ongoing revision of the Criminal

Code and the Code of Criminal Procedure will strengthen the fight against torture in accordance with international standards.

33. Various activities have been undertaken for the benefit of the public prosecution service, investigating judges, judicial police officers and the Royal Gendarmerie. Awareness-raising activities have been organized for prosecutors on the issue of complaints from victims of torture to ensure that medical examinations are ordered and proceedings are instituted against those accused of acts of torture and violence. Prison sentences of up to 10 years and disciplinary measures have been imposed on public officials convicted of acts of torture and ill-treatment.

34. Human rights training for law enforcement officials contributes to the dissemination and assimilation of provisions prohibiting torture. Thanks to a partnership between the Ministry of the Interior and the National Human Rights Council, the number of auxiliary forces officers receiving training between 2008 and 2011 was, respectively, 8,384; 12,207; 14,154; and 15,308.

35. In order to create favourable conditions for implementing the Optional Protocol to the Convention against Torture, several activities have been organized by the National Human Rights Council.<sup>20</sup>

36. Protection against torture is now constitutionally guaranteed. Article 22 provides that: "No person's physical or mental integrity shall be violated under any circumstances by any person, private or public. No person shall inflict on another, under any pretext whatsoever, cruel, inhuman or degrading treatment or any treatment constituting an affront to human dignity. The use of torture in all its forms by any person is an offence punishable by law."

### **C. Rights of detainees and treatment of persons deprived of their liberty**

37. This area is a major concern of the Moroccan authorities. The office of sentence enforcement judge established under the Code of Criminal Procedure constitutes a safeguard for prisoners' rights. The judge is mandated to visit prisons within his jurisdiction at least once a month, monitor the conditions of detention and make proposals regarding conditional release and pardons. The judge has carried out 936 visits since 2009.

38. In 2008 a unit was established within the prison and rehabilitation service to humanize prison conditions and improve training and detainees' opportunities for rehabilitation and reintegration. Several laws have been passed, including a new statute for prison staff distinguishing between the categories of surveillance and security and that of reintegration, improving the material conditions of staff and raising the ethical standards of the profession.

39. Efforts are being made to improve facilities for prisoners by building eight prisons, refurbishing former places of detention and building two prison farms. The daily budget for food has been increased by 180 per cent, from 5 to 14 dirhams. Efforts have been made in the area of health, including the building of a hospital at the local prison of Oukacha in Casablanca. Education and training activities are being carried out: some 29,655 detainees benefited during the period 2008–2011, an increase of 26 per cent over the previous three years.

40. The opening of prisons to NGOs and the national human rights institution has had further positive effects. More than 2,562 visits by NGOs, 253 visits by provincial prison monitoring commissions and 2,907 visits by the judicial authorities were recorded between 2008 and 2011. The proposed reform of criminal legislation provides for alternative

penalties to detention and for limiting the use of preventive detention in order to reduce prison overcrowding.

41. Prisoners' rights are enshrined in the Constitution, which states that all detained persons are entitled to fundamental rights, humane conditions of detention and training and reintegration programmes in accordance with article 23.

#### **D. Freedom of opinion and expression**

42. Progress has been made with respect to freedom of opinion and expression in a context characterized by the expansion of the scope of freedoms, and efforts are being made to implement the reforms introduced by the amendments to the Press Act (No. 77-00).<sup>21</sup> However, a wide-ranging public debate is under way on some issues of an ethical nature related to the precise extent and limits established by international human rights law, with a view to ensuring a balance between an individual's right to exercise this freedom and the protection of the rights of others. This debate, the subject of a national dialogue, was initiated by Parliament with the participation of stakeholders, in particular press associations and human rights NGOs, with a view to drawing up a new press code.<sup>22</sup> The objectives of this reform are to more clearly define freedoms, safeguard the rights of different actors, strike a balance between the rights and responsibilities of professionals, review the status of professional journalists and establish a national press council.

43. Articles 27 and 28 of the Constitution enshrine freedom of opinion and expression and the right to information. Under article 28, press freedom is guaranteed and cannot be restricted by any form of prior censorship. Everyone is entitled to express and freely disseminate information, ideas and opinions, subject only to the restrictions provided by law.<sup>23</sup>

#### **E. Promotion of a culture of human rights**

44. The promotion of a culture of human rights is pursued through the involvement and mobilization of all the actors who contributed to the development of the citizens' platform for the promotion of a culture of human rights.<sup>24</sup> In addition to efforts by ministerial departments, the National Human Rights Council, civil society and universities, the platform will help ensure that all stakeholders are involved. The establishment of the platform has been entrusted to a steering committee with a pluralist membership established on 28 October 2009. During work to prepare and update the National Action Plan for Democracy and Human Rights in 2010 and 2011, the measures planned for the citizens' platform were taken into consideration and have now been incorporated into the Plan. The programme of the Government formed following the elections of 25 November 2011 refers to the Action Plan.

#### **F. Promotion of economic, social, cultural and environmental rights**

##### **1. Promotion of economic and social rights**

###### *(a) Measures to support purchasing power and job creation*

45. In order to protect purchasing power, the Compensation Fund mobilized 124.42 billion dirhams during the period 2008–2011 to prevent price rises in basic commodities being passed on to citizens.<sup>25</sup>



46. Morocco has also taken action to provide access to electricity and drinking water for all in rural areas, with 18 billion dirhams mobilized in 2011 for each of the programmes covering the period 1998–2011.

47. The solidarity and social economy is also being encouraged with a view to job creation. In 2011, 1,248 cooperatives were created, an increase of 37 per cent over 2010, bringing their number to 9,046, which includes 1,213 women's cooperatives and 289 cooperatives created by graduates. A bill on cooperatives is currently being prepared with a view to facilitating start-up procedures and enhancing job creation. Measures taken to improve the business environment, promote investment and simplify the procedures for setting up a business are likely to stimulate job opportunities.

48. Proactive job creation measures are being taken under the Idmaj,<sup>26</sup> Taehil<sup>27</sup> and Moukawalati<sup>28</sup> programmes. The Idmaj programme promotes paid employment for young graduates, in particular the long-term unemployed, by helping them find a first job. More than 225,000 job-seekers benefited from it between 2007 and 2011. The Taehil programme aims to improve the match between training and employers' needs; 59,000 job-seekers benefited from it between 2007 and 2011, and 70 per cent of them were able to find work. The purpose of the Moukawalati programme is to support business initiatives by helping young entrepreneurs to set up microenterprises; 22,000 projects have been approved, 19,917 candidates have received training and 3,636 businesses have been set up, allowing 10,500 jobs to be created. A partnership agreement between the State and the General Confederation of Moroccan Enterprises will promote decent work through the integration of 275,000 job-seekers between 2012 and 2016.

49. The new Government recognizes that the unemployment rate remains high (14 per cent among young people aged between 15 and 35, and 16.7 per cent in the 15–24 age group<sup>29</sup>) and is committed to lowering it to 8 per cent through employment and self-employment incentives.

(b) *Right to health*

50. The Ministry of Health has adopted a new strategy and action plan for 2008–2012 entitled “reconciling citizens with their health system”. It has four goals: (1) the strategic repositioning of the various actors in the health sector; (2) the provision of easily accessible, sufficient, high-quality health care, with better coverage across the country; (3) the design and implementation of specific national plans; and (4) the strengthening of health security systems.

51. Health indicators show the progress made in maternal and child health. The maternal mortality ratio declined from 227 deaths per 100,000 live births (Population and Family Health Survey, 2003–2004) to 112 deaths per 100,000 live births (Office of the High Commissioner for Planning survey, 2010) with a great disparity between urban and rural areas (43 deaths and 148 deaths per 100,000 live births, respectively) and neonatal mortality rates declined from 40 deaths per 1,000 live births (National Population and Health Survey II, 92) to 27 deaths per 1,000 live births (Population and Family Health Survey, 2003–2004).

52. This decline is closely related to a drop in the fertility rate (2.36 at the end of 2008), the use of family planning methods (a contraceptive prevalence rate of 63 per cent in 2004), an increase in deliveries under medical or paramedical supervision (83 per cent in 2009), the introduction of free obstetric and neonatal care and emergency obstetric care in rural areas (in September 2010), the organization and standardization of health-care services (for mother and child), the strengthening of the skills of health professionals (the introduction of new midwifery training courses, mandatory refresher courses, etc.) and the prevention and

diagnosis of high-risk pregnancies, in particular through the introduction of mobile medical units.

53. However, despite the importance of these indicators, disparities remain in access to health care, in particular with respect to vulnerable groups and regions that are poorly served in that regard.

(c) *Combating poverty and exclusion*

54. Under the National Human Development Initiative programme to combat poverty and social exclusion, which targeted 403 rural communes and 264 urban districts selected on the basis of a poverty rate close to or above 30 per cent, nearly 23,000 projects were carried out between 2005 and 2010, representing a total investment of 14.6 billion dirhams.<sup>30</sup> According to the National Observatory for Human Development, even though improvements need to be made to the programme, which will enter its second phase during the period 2011–2015, it can be seen as an important innovation in social engineering and participatory governance in the field of combating insecurity.

55. The Green Morocco Plan, comprising 1,500 investment projects for 2010–2015 and mobilizing approximately 150 billion dirhams, contributes through a component entitled “solidarity agriculture and support for small farmers” to the fight against poverty and exclusion in remote areas.

56. Programmes to open up rural areas have resulted in a reduction in transport costs of 17 per cent for passengers and 52 per cent for goods, a drop in the price of raw materials and an increase of 83 per cent in the school enrolment rate for girls.

57. With respect to housing, incentives have led to an improvement in the supply of social housing and the construction of 817,000 units by the end of 2011 and 70,000 in the southern provinces. The introduction of a guarantee fund for housing loans resulted in 72,438 loans being made to households with low or fluctuating incomes in 2011, i.e. 11 billion dirhams, and 6,592 loans totalling more than 2 billion dirhams for wage-earners, civil servants, military personnel, those in the professions and those living abroad.

58. Slum clearance initiatives have led to 43 towns being declared free of slums, with Laâyoune becoming the first such town.

## **2. Promotion of cultural and environmental rights**

(a) *The right to education and rights education*

59. The Ministry of Education’s emergency programme for 2009–2012 focuses on the structural reform of higher education, the quantitative and qualitative development of preschool, primary and secondary education, the refurbishment of schools and improved performance. There has been a marked rise in the number of children attending school, from 6,030,375 in 2007/08 to 6,379,689 in 2010/11. Social support and coaching have resulted in a decline in dropout rates and an increase in the number of those receiving direct financial assistance under the Tayssir programme, from 88,000 pupils in 2008/09 to 609,000 pupils in 2010/11, an increase of 592 per cent; an increase in boarding school places from 76,924 to 92,061 between 2008/09 and 2010/11, i.e. an increase of 20 per cent; and a rise in the number of pupils receiving school meals at the primary and secondary levels from 946,669 in 2008/09 to 1,177,663 in 2010/11, i.e. an increase of 24.4 per cent.

60. The illiteracy rate among those aged 10 and above fell from 38.5 per cent in 2006 to 30 per cent in 2011.

61. Progress has been made in the field of rights education with the inclusion of human rights values and citizenship in school programmes and textbooks.

*(b) Cultural rights*

62. The Royal Institute of Amazigh Culture has launched a number of initiatives to promote the Amazigh dimension of Moroccan culture through education, information and communication, cultural activities and support for civil society organizations. At the primary level in 2009/10, Amazigh was taught in 17,630 classes, i.e. 15 per cent of pupils, a figure that is below the target. Specialized programmes are being developed at the arts faculties in Agadir, Tétouan, Oujda, Fès and Rabat.

63. Information and communication materials in Amazigh have been developed in the press, radio and television, in particular since the creation of the Tamazight TV channel in 2010. Several private Amazigh-language radio stations have been authorized. The contractual terms and conditions for national public companies in the audio-visual communication sector contain provisions on cultural diversity.

64. Despite the efforts made to promote Amazigh culture, some associations working in this area stress the inadequacy of these measures and call for the mainstreaming of Amazigh across all areas.

65. The new Constitution has further strengthened cultural rights guarantees.<sup>31</sup>

*(c) Right to a healthy environment*

66. In order to preserve the environment and combat the increasing degradation of the natural heritage, a national charter on the environment and sustainable development<sup>32</sup> has been adopted following broad national consultations. The charter is designed to introduce a new approach that views the preservation of the environment as a long-term concern for all Moroccans in the context of sustainable development and to define individual and collective responsibilities. The implementation of the charter will be accompanied by the setting up of regional observatories. As at the end of 2011, 11 observatories had been set up. The charter has resulted in a draft framework law on the environment and sustainable development.<sup>33</sup>

*(d) Economic, social, cultural and environmental rights in the Constitution*

67. Economic, social, cultural and environmental rights are now enshrined in the Constitution. Article 31 establishes the obligation of the State, public institutions and local authorities to mobilize all available resources to facilitate equal access for individuals to conditions that allow them to enjoy the rights to: health care; social protection and solidarity within a mutual or State-organized system; modern, accessible, high-quality education; vocational training and physical and arts education; decent housing; work and government support for those seeking work or self-employment opportunities; merit-based access to public service; and access to water, a healthy environment and sustainable development.

**3. Promotion of the rights of specific groups**

68. The protection and strengthening of the effective exercise of the rights of specific groups have been central concerns of the public authorities and civil society. Several measures have been taken at the normative, institutional and political levels.

*(a) Women's rights*

69. Several measures have been taken to promote gender equality, end gender violence and bring in gender-sensitive budgeting.

70. Various efforts have been made to implement gender mainstreaming programmes in several key ministerial departments. In 2008 the Ministry of Communication established a

unit for developing and strengthening a gender perspective; the Ministry for the Modernization of the Public Sector has introduced measures to reform civil service regulations following the adoption of Act No. 50.05 (May 2011), which aims to expand the use of competitive examinations for recruitment into the public service in order to ensure equality of opportunity, and also to increase maternity leave from 12 weeks to 14 weeks; a decree has been adopted on the procedures for appointments to senior positions in the administration, and provides for the mandatory participation of at least one woman in selection panels.<sup>34</sup> The strategy of making equality a formal requirement in the Ministry of Education was cited as an example of good practice by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2010.

71. In March 2011, the Government approved an equality agenda for 2011–2015 prepared by means of a participatory and collaborative approach involving 25 ministerial departments and designed to bring about the convergence of public policies in this area.<sup>35</sup>

72. With respect to the prevention of violence against women, a multisectoral programme entitled *Tamkine*<sup>36</sup> was introduced in 2008 to curb gender violence. Despite these efforts, a study carried out in 2010 by the Office of the High Commissioner for Planning shows that women are still vulnerable to violence: 48 per cent have been subjected to psychological violence, 17.3 per cent to violence related to the application of the law and 55 per cent to domestic violence.

73. A family solidarity fund for divorced women in need was set up in 2011 as part of a package of measures to ensure better implementation of the Family Code.

74. With respect to the political representation of women, affirmative action measures have been in place since 2002. They have had the effect of raising the representation of women in the Chamber of Representatives from 10.8 per cent to 15 per cent and their representation in communal elections from just 0.56 per cent previously to 12.8 per cent in 2009. Nevertheless, these results are far short of the parity provided for by the Constitution.<sup>37</sup>

(b) *Children's rights*

75. Progress has been made, but many challenges remain. With respect to the right to life and survival, the mortality rate has fallen but further efforts are required to achieve Morocco's Millennium Development Goal 4, which aims to lower infant and child death rates to 25 per 1,000 and infant rates to 19 per 1,000 by 2015. Positive results have been achieved in education and training and access to recreational activities, with virtually all children aged 6 to 11 now attending primary school. However, the dropout and repetition rates remain high.

76. The right to participation has been established by various laws and is reflected in the creation of forums for children's participation and self-expression, such as a children's parliament and communal councils for children. Sectoral initiatives have been taken under the National Plan for Children (2006–2015), including the establishment of citizenship and human rights clubs in schools (1,600 in 2009) and a children's council in child protection centres.<sup>38</sup>

77. With respect to protection, there are various programmes designed with specific objectives, including: the *Inqad* programme<sup>39</sup> for children at work and young girls working as domestic servants, the *Idmaj* programme providing emergency care for street children, and other sector-specific programmes.<sup>40</sup> Over the period 2008–2011, as part of efforts to combat child labour,<sup>41</sup> 5,614 children were withdrawn from work and offered viable alternatives and 7,661 children were withdrawn as a preventive measure. The protection of the health and morals of child viewers of the audio-visual media has been strengthened with the introduction of a ratings system indicating authorized ages.<sup>42</sup> Discussions are taking

place on a complaint and monitoring mechanism for child rights in accordance with general comment No. 2 of the Committee on the Rights of the Child and the Paris Principles.

78. The Constitution (art. 32) establishes equal legal protection and social and moral status for all children, irrespective of their family situation. It also provides for the establishment of a family and children's advisory council. With respect to the right to development, article 32 of the Constitution regards basic education as a child's right and a family's duty.

(c) *Migrants' rights*

79. Morocco attaches great importance to the protection of the rights of migrants and was actively involved at the international level in the establishment of a special procedures mandate for a special rapporteur on the human rights of migrants.

80. Morocco has taken action to protect the rights of migrant workers, in accordance with the relevant United Nations convention. The initial report of Morocco under this convention, which will be submitted shortly, describes its efforts in this regard.

81. The immigration of foreign workers is regulated by the Labour Code. In 2010, 4,602 foreigners were authorized to exercise a paid professional activity in Morocco.

82. Morocco has taken various measures to improve the protection of the rights of Moroccans living abroad, making the system of legal and judicial assistance more effective and available to all. In 2010, this took the form of a transfer of 10 million dirhams to 51 consular offices and 5 diplomatic missions to fund agreements with lawyers.

83. The provision of better social services by consular offices is one priority area in improving social support for Moroccan migrants. Dissemination and awareness-raising activities on legal provisions and regularizing situations related to the Family Code, civil status and nationality have been strengthened.<sup>43</sup>

84. Efforts have been made to provide language instruction; 98,058 persons received training between 2008 and 2011, and 2,000 scholarships were awarded between 2009 and 2011.

85. Since the tightening of immigration policies in Europe, Morocco has faced high levels of illegal migration, making it a country of transit and destination. Such migration is managed in line with a policy that aims to prevent it and that seeks solutions that safeguard the rights and dignity of migrants; the extensive participation of civil society in this process is to be commended.

86. In 2007, a national strategy to combat trafficking in persons was introduced, targeting three main areas: prevention, combating trafficking (biometric travel documents, training for border officials) and protection (support, medical and psychological care, rehabilitation and facilitation of voluntary returns<sup>44</sup>).

87. With respect to the rights of refugees, a new legislative and institutional framework is being developed in line with the 1951 Geneva Convention.

88. Article 30 of the Constitution recognizes that "foreigners shall enjoy the fundamental freedoms that are recognized for Moroccan citizens, in accordance with the law. Those foreigners who are resident in Morocco may participate in local elections in accordance with the law, international conventions and reciprocal arrangements."

(d) *Rights of persons with disabilities*

89. A national action plan for the social integration of persons with disabilities was adopted for the period 2008–2017. Initiatives have been taken on physical health promotion

and disability prevention (2009–2015) with a view to reducing the incidence of disability by 20 per cent; an inter-ministerial commission established in 2009 is responsible for their implementation. Measures have been taken to improve access to information, education, training and employment, to improve physical accessibility and access to transport, and to promote participation in sociocultural, sports and leisure activities.<sup>45</sup>

90. These measures still fall short of meeting the needs of persons with disabilities, in particular with respect to access to employment and accessibility in general.

#### **IV. Follow-up to the consideration of the report of Morocco submitted under the universal periodic review procedure**

91. Morocco has attached special importance to the implementation of the recommendations of the first review (A/HRC/8/22), bearing in mind that some recommendations are part of a long-term process.

**Recommendation 1:** Morocco ratified the Convention on the Rights of Persons with Disabilities and became a party to its Optional Protocol in 2009.

**Recommendation 2:** The Council of Ministers approved the ratification of the Optional Protocol to the Convention against Torture on 9 September 2011.

**Recommendation 3:** Morocco communicated the withdrawal of its reservations to article 9, paragraph 2, and article 16 of the Convention on the Elimination of All Forms of Discrimination against Women in 2011.

**Recommendations 4 and 5:** Progress has been made in the fields of human rights promotion in general and human rights education and training (see paragraphs 2 and 3).

**Recommendation 6:** Morocco is committed to the protection of migrants' rights and is increasing its efforts at the regional and international levels to promote new rules that ensure respect for human rights in this area. Illegal migration is tackled within the framework of the law, with a preference for voluntary returns conducted with respect for the dignity of migrants and in the presence of diplomatic representatives of their country and representatives of the International Organization for Migration.

**Recommendation 7:** Measures have been taken to promote the rights of prisoners and detainees (see paragraph 3). The establishment of the mechanism for the prevention of torture provided for by Optional Protocol to the Convention against Torture will contribute to improving conditions in prisons.

**Recommendation 8:** Nearly all the recommendations of the Equity and Reconciliation Commission have been implemented in areas related to the disclosure of the truth, the provision of redress for injury suffered by individuals or communities and the recommendations on institutional and legislative reforms. In addition to compensation, redress for personal injury has included medical cover (4,953 insured persons and more than 10,585 beneficiaries over the period 2008–2011), the regularization of administrative and financial situations, and social reintegration. The experience of Morocco in the area of transitional justice has led to the provision of community reparations for communities and regions that have suffered severe human rights violations. The Consultative Council on Human Rights published comprehensive reports on the status of the implementation of the Commission's recommendations in 2010. The Constitution adopted in July 2011 has incorporated all the recommendations on institutional reforms.

**Recommendation 9:** Morocco is continuing its efforts to harmonize its legislation when drafting bills.<sup>46</sup> This practice is supported by the Constitution (see paragraph 2).

**Recommendations 10 and 11:** Morocco is stepping up its efforts in this area by establishing the mechanisms necessary for the implementation of the citizens' platform for the promotion of a culture of human rights (see paragraph 3).

**Recommendation noted in paragraph 72:** The new constitutional provisions prohibiting genocide and other crimes against humanity, war crimes and all systematic and serious human rights violations and providing for reform of the Criminal Code in accordance with international treaties, including the Rome Statute, demonstrate a commitment to codify the provisions of this treaty.

**Recommendation noted in paragraph 65:** In April 2011, Morocco stated its openness to cooperation with all Human Rights Council procedures. Interaction with special procedures has been stepped up (see paragraph 2).

## V. Identification of best practices, challenges and obstacles

### A. Best practices

92. **Development and consolidation of the participatory approach:** The structural projects carried out in recent years have all been the subject of wide-ranging national debates and broad consultations involving all stakeholders from the political sphere, the voluntary sector and trade unions. The projects include the National Action Plan for Democracy and Human Rights, the citizens' platform, the national dialogues on the charter for the environment and on the media and society, and expanded regionalization; they culminated in the consultations on the drafting of the Constitution.

93. **Gender mainstreaming in the area of budgeting:** The budget, which incorporates a gender perspective, has taken into account the differentiated contribution of women and men regardless of their social backgrounds and proposes solutions that take account of the differentiated needs of certain sectors of the target population. Morocco has launched the third phase of its gender-sensitive budget experiment, which aims to fully integrate gender equality in budgetary processes, strengthen national ownership of gender mainstreaming in public sector management systems, support the implementation of gender-sensitive budgeting and narrow the gender gap.

94. **Commitment to strategic planning in the field of human rights:** All stakeholders have been involved, and a national plan for democracy and human rights has been introduced.

95. **Good institutional governance in the area of human rights:** A governmental body has been set up to be responsible for ensuring coordination between human rights policies and sectoral plans and promoting dialogue and partnership between the various actors, and interaction with the United Nations system.

96. **The "Cities without Slums" programme:** This won the UN-Habitat 2010 Scroll of Honour award.

97. **Civil society initiatives:** Examples of good practice include the Moroccan association for the evaluation of public policies, which has been awarded the Bill Gates Prize; the establishment of associations to prepare shadow reports within the framework of the universal periodic review; and civil society efforts to combat violence against women and to protect children from abuse.

## **B. Challenges and obstacles**

98. The following challenges and obstacles can be identified:

(a) The need to reconcile the promotion and protection of human rights, which represent a strategic and irreversible choice for Morocco, and socio-economic constraints. Despite the efforts made by the Government to promote economic and social rights, many challenges remain, particularly with regard to employment, education, health and housing. The Government formed following the recent elections has made this one of its priorities;

(b) The promotion of a new form of governance in the management of public affairs, favourable to investment and wealth creation and requiring the empowerment of all socio-economic and civil society stakeholders;

(c) The further integration of a rights-based approach in public policy;

(d) The management of migratory flows and the strengthening of regional and subregional cooperation with the support of the Office of the United Nations High Commissioner for Refugees to combat human trafficking networks; and

(e) The establishment of good security governance, making it possible to reconcile the exercise of rights (of expression and demonstration) with the maintenance of law and order and the security of individuals and groups.

## **VI. National priorities, initiatives and commitments**

99. The establishment of the human rights governance, promotion and protection institutions provided for in the Constitution.

100. The introduction of the National Action Plan for Democracy and Human Rights, targeting four priority areas:

- Governance and democracy
- The promotion of economic, social, cultural and environmental rights
- The promotion of the rights of specific groups: children, persons with disabilities, older persons and refugees
- The strengthening of the legal and institutional framework for the promotion and protection of human rights

## **VII. Expectations in terms of capacity-building and technical assistance**

101. These expectations concern:

- Implementation of the National Action Plan for Democracy and Human Rights
- Citizenship education and human rights training for public actors and NGOs
- Preparation of periodic reports and shadow reports
- Strengthening of human rights complaints mechanisms
- NGO capacity-building in the protection and promotion of human rights



## Notes

- <sup>1</sup> Ainsi, la Constitution consacre l'égalité et l'interdiction de toutes discriminations, à l'encontre de quiconque, du sexe, de couleur, de croyances, de culture, de l'origine sociale ou régionale, de la langue ou du handicap, etc.; les droits et libertés à savoir le droit à la vie, à la sécurité des personnes et des biens, le droit d'être à l'abri de la torture, la présomption d'innocence et le droit à un procès équitable; l'égalité d'accès à la justice et l'égalité de tous devant la justice; libertés de pensée, d'opinion et d'expression, la liberté de la presse et le droit d'accès à l'information; les libertés de réunion, de rassemblement, de manifestation pacifique, d'association et d'appartenance syndicale et politique; les droits économiques, sociaux, culturels, environnementaux et de développement. La création d'une Cour constitutionnelle, telle que prévue par la Constitution, consolidera davantage la protection des droits de l'Homme.
- <sup>2</sup> Le projet de réforme du code et de procédure pénale dans le respect des standards internationaux en matière des droits de l'homme, inhérents aux principes de la légalité des délits et des peines; la personnalité de la responsabilité et l'individualisation de la sanction, de l'égalité devant la loi et la non rétroactivité des lois. De nouvelles dispositions prévoient des peines alternatives à la privation de liberté, le renforcement de la présomption d'innocence, le droit de garder le silence, de meilleures garanties pour les personnes gardées à vue ou en détention préventive dont notamment: la limitation de la garde à vue à 48h, l'obligation d'informer la famille, la possibilité d'examen médical, la présence d'un avocat lors des interrogatoires et le renforcement de l'indépendance du juge d'instruction.
- <sup>3</sup> Il s'agit notamment de: la loi organique n°27-71 relative à la Chambre des représentants qui prévoit une liste nationale de 90 sièges (60 pour les femmes et 30 pour les jeunes), aligne l'âge d'éligibilité sur celui de la majorité civile fixé à 18 ans au lieu de 23 ans, consacre le droit des Marocains résidant à l'étranger de voter par procuration à partir des pays d'accueil, rationalise les mandats électoraux et prévoit des mesures de sécurisation des opérations électorales; la loi 30-11 fixe quant à elle les conditions et les modalités de l'observation indépendante et neutre des élections et la loi organique 29-11 relative aux partis politiques comporte des dispositions incitatives pour la participation politique des jeunes, des règles garantissant la stabilité des partis politiques, plus de ressources et de régulation du financement public des partis politiques.
- <sup>4</sup> Il s'agit de: la loi 14.05 relative aux conditions d'ouverture et de gestion des établissements de protection sociale pour améliorer la qualité de prise en charge des institutions sociales; la loi 09-98 relative à la protection des personnes physiques à l'égard du traitement des données à caractère personnel; la loi 41.10 relative aux conditions et procédures pour bénéficier du fonds de solidarité familiale, adoptée le 13 décembre 2010; la loi 31-08 relative à la protection du consommateur garantissant les droits des consommateurs, dont: le droit à l'information, à la rétractation, à la liberté de choix et de représentation, ainsi que le droit à la protection contre les clauses abusives; l'amendement de la charte communale qui a prévu la création d'une commission consultative d'égalité de chances et l'introduction de l'approche genre dans les plans de développement communal; le projet de loi spéciale fixant les conditions d'emploi et de travail des travailleurs domestiques, adopté par le conseil de gouvernement le 12 octobre 2011 et soumis au parlement le 27 octobre 2011.
- D'autres projets de loi sont en cours: projet de loi organique relatif à l'exercice du droit de grève; projet de loi spéciale fixant les conditions d'emploi et de travail dans les activités à caractère purement traditionnel; projet de loi relatif aux syndicats professionnels et le projet de loi-cadre relatif à la santé et la sécurité au travail.
- <sup>5</sup> Voir le dahir n° 1-08-143 au BO n° 5978 du 15-09-2011.
- <sup>6</sup> Il s'agit du 3ème rapport sur la Convention relative aux droits de l'enfant et des éléments d'information sur l'application du protocole facultatif à la Convention des Droits de l'enfant concernant la vente, la prostitution et la pornographie mettant en scène les enfants; du 6ème rapport sur le Pacte international relatif aux droits civils et politiques; du rapport initial sur la Convention relative aux droits des travailleurs migrants; du 4ème rapport sur les droits économiques sociaux et culturels; du rapport initial relatif aux droits des personnes handicapées.
- <sup>7</sup> Le groupe de travail sur les disparitions forcées ou involontaires.
- <sup>8</sup> Dans le cadre de ses attributions en matière de dialogue et partenariat avec la société civile, la DIDH est chargée de: coopérer avec les organismes et institutions nationaux et les mécanismes régionaux;

- renforcer et promouvoir le dialogue et le partenariat avec les ONG; contribuer au renforcement des capacités des ONG; œuvrer pour le renforcement de la participation et de l'action des ONG au sein des instances internationales; mettre en place des mécanismes de concertation et de dialogue avec les organismes et ONG par rapport aux actions à mener au niveau international.
- <sup>9</sup> Institué en février 2011, il joue un rôle consultatif en matière de développement économique et social. La nouvelle constitution lui confère également des attributions dans le domaine environnemental. Aux termes de l'art 2 de la loi organique n° 60-90, le CES assure des missions consultatives auprès du gouvernement, de la Chambre des représentants et de la Chambre des conseillers. Il doit donner son avis sur les orientations générales de l'économie et de développement durable, analyser la conjoncture et assurer le suivi des politiques économiques et sociales nationales, régionales et internationales. Le CES doit réaliser des études et des recherches dans les domaines relevant de ses attributions et contribuer à l'élaboration d'une charte sociale.
- <sup>10</sup> Créée en 2002, cette institution consacre l'élargissement des espaces de liberté, le pluralisme et la consolidation de l'Etat de droit. La HACA donne son avis à Sa Majesté le Roi, au gouvernement et au parlement sur les questions relatives au secteur de la communication. Elle élabore les cahiers de charges des radios et télévisions publiques et privées, fixe les règles garantissant le pluralisme, la liberté de pensée et l'équité.
- <sup>11</sup> Réorganisé en 2006, le CES est consulté sur les projets de réforme concernant l'éducation et la formation. Il procède à des évaluations globales du système national de l'éducation et de la formation et veille à son adéquation avec l'environnement économique, social et culturel. En vertu de l'art 168 de la Constitution, le CSE est désormais dénommé **Conseil Supérieur de l'Education, de la Formation et de la Recherche Scientifique**.
- <sup>12</sup> Créée en mars 2007; conformément aux dispositions de l'art. 6 de la Convention des NU de lutte contre la corruption, l'ICPC est chargée d'assurer la coordination et le suivi de mise en œuvre et d'évaluation des politiques de prévention de la corruption, de recueillir, de diffuser les informations en la matière et d'aviser l'autorité judiciaire compétente de tous actes de corruption punis par la loi. La nouvelle constitution a renforcé les modes de fonctionnement et les prérogatives de l'ICPC, en tant qu'instance nationale de probité, de prévention et de lutte contre la corruption.
- <sup>13</sup> Réorganisé fin 2008, il lui incombe d'assurer la transparence et l'équité dans les relations économiques, par le biais de l'analyse et la régulation de la concurrence sur les marchés, le contrôle des pratiques anticoncurrentielles, des pratiques commerciales déloyales et des opérations de concentration économique et de monopole. Le Conseil a rendu 20 avis jusqu'à fin 2011 et la réforme de la loi sur la liberté des prix et de la concurrence est inscrite parmi ses priorités.
- <sup>14</sup> Créé en 2001, l'IRCAM donne des avis concernant les mesures susceptibles de sauvegarder et de promouvoir la langue et la culture amazighs sous toutes leurs formes et expressions. En collaboration avec les autorités gouvernementales et institutions concernées, l'IRCAM œuvre à la mise en œuvre des politiques permettant l'introduction de l'Amazigh dans le système éducatif et son rayonnement dans l'espace social, culturel et médiatique aux niveaux national, régional et local.
- <sup>15</sup> Ce Conseil assiste Sa Majesté le Roi sur toutes les questions relatives à la défense de l'intégrité territoriale, à l'unité nationale, à la promotion du développement économique et social des provinces du sud et à la préservation de leur identité culturelle. Le CORCAS est habilité à proposer toute action de nature à promouvoir les principes et règles relatifs aux droits de l'Homme ainsi que des actions spécifiques en mesure d'améliorer la situation des jeunes et des femmes en assurant leur intégration dans tous les domaines.
- <sup>16</sup> Créé en 2006, cet organisme public indépendant est chargé de l'évaluation des politiques publiques en matière de développement humain, ce qui constitue un pas important dans le processus de mise en place des réformes visant la reddition des comptes et une meilleure gouvernance de l'économie nationale.
- <sup>17</sup> Mise en place en juillet 2010 par la loi 09-08 relative à la protection des personnes physiques à l'égard du traitement des données à caractère personnel, la CNDP est un nouveau mécanisme renforçant la protection des droits et des libertés.
- <sup>18</sup> Organe consultatif mis en place en 2008 auprès du Chef du Gouvernement, la CNDIH est chargée de formuler toute proposition visant à promouvoir le Droit international humanitaire DIH et de veiller à la coordination des efforts des instances concernées. La Commission assure le suivi de mise en œuvre des instruments du DIH ratifiés par le Maroc et initie ou contribue aux actions de sensibilisation, de communication, d'éducation et de formation au profit des différents départements concernés. La

- Commission étudie et donne son avis sur l'adhésion aux conventions du DIH et assure la coopération et l'échange d'expertise avec le CICR et toutes les instances concernées par la promotion du DIH.
- <sup>19</sup> Comptant comme membres de droit le président du CNDH et du Médiateur, le CSPJ est composé pour moitié de membres élus par les magistrats, et pour vice-président le président de la Cour de cassation. La contestation de décisions prises par le CSPJ peut faire l'objet de recours pour excès de pouvoir. Les procureurs ne peuvent recevoir que des instructions écrites émanant de leur hiérarchie, conformément à la loi.
- <sup>20</sup> Le CNDH a organisé deux colloques internationaux en collaboration avec l'APT (2009 et 2011), ainsi qu'une conférence de haut niveau sur le rôle des INDH en matière de prévention de la torture en Afrique avec le soutien de l'APT, la DIDH et le Foreign Commonwealth Office les 7 et 8 septembre 2011.
- <sup>21</sup> Ces amendement concernent essentiellement la réduction des peines privatives de liberté en faveur des peines d'amende ainsi que les compétences du pouvoir exécutif en matière de suspension et d'interdiction des journaux, en consacrant les compétences du pouvoir judiciaire. Elle a consacré certains principes fondamentaux, tels que: la liberté de publication des journaux, de l'imprimerie, de l'édition et de la librairie; le droit des citoyens à l'information; le droit des médias d'avoir accès aux sources d'information et de se procurer les informations de différentes sources, sauf si les informations sont considérées confidentielles en vertu de la loi; le respect de la loi et de l'éthique professionnelle; l'obligation des médias quant à l'honnêteté et la fidélité dans la transmission de l'information.
- <sup>22</sup> Le dialogue national médias et société, démarré en janvier 2010, a connu l'organisation de 21 séances entre mars et juin 2010, 15 séminaires, tables-rondes et ateliers thématiques. Ces rencontres se sont tenues à Rabat, Casablanca, Marrakech, Tanger et El Jadida. Les recommandations du dialogue portent notamment sur la constitutionnalisation de certains droits, libertés et engagements fondamentaux, la législation et les mesures d'accompagnement en vue de promouvoir le secteur médiatique dans tous les domaines (presse écrite et électronique, internet, radio, télévision, publicité, subvention de l'Etat et formation).
- <sup>23</sup> L'article 28 de la Constitution souligne que les pouvoirs publics favorisent l'organisation du secteur de la presse de manière indépendante et sur des bases démocratiques, ainsi que l'élaboration de règles juridiques et déontologiques. La loi fixe les règles d'organisation et de contrôle des moyens publics de communication. Elle y garantit l'accès, et ce dans le respect du pluralisme linguistique, culturel et politique de la société marocaine, sous le contrôle de la haute autorité de la communication audiovisuelle.
- <sup>24</sup> Laquelle plateforme a été préparée selon un processus participatif impliquant toutes les parties prenantes.
- <sup>25</sup> La charge de compensation a triplé entre 2008 et 2011 pour passer de 31,95 Mds DH à 52 Mds DH en 2011. La répartition de ces subventions par produits : Sucre 8,3 %, Farine 6,2 %, Essence 4%, Gasoil 42 %, Butane 20,7 % et Fioul 18,6%.
- <sup>26</sup> Insertion.
- <sup>27</sup> Mise à niveau.
- <sup>28</sup> Mon entreprise.
- <sup>29</sup> D'après le rapport de diagnostic du CES de 2011.
- <sup>30</sup> Bilan établi par de l'Observatoire National de Développement Humain.
- <sup>31</sup> L'article 5 de la Constitution hisse l'Amazighe au rang de langue officielle de l'Etat et en tant que patrimoine commun de tous les marocains sans exception et consacre la préservation du Hassani comme partie intégrante de l'identité culturelle marocaine, ainsi que la protection des parlers et des expressions culturelles pratiqués au Maroc. La Constitution prévoit la création d'un Conseil National de langues et de la culture marocaine.
- <sup>32</sup> Conformément aux orientations royales à l'occasion de la fête du trône en juillet 2009.
- <sup>33</sup> En cours de préparation.
- <sup>34</sup> Trois autres actions réalisées par ce ministère sont à signaler: le réseau de concertation interministériel (RCI) chargé d'intégrer l'approche genre dans la gestion des ressources humaines dans la fonction publique, en 2010; l'observatoire national de l'égalité, en 2011 et le projet d'augmentation du taux des femmes responsables dans la fonction publique de 15,8 à 22 % au titre de l'année 2014.

- <sup>35</sup> Cet agenda prévoit 9 domaines prioritaires, 30 objectifs stratégiques et 100 actions-clés pour l'égalité.
- <sup>36</sup> Empowerment /capacitation.
- <sup>37</sup> L'égalité entre les sexes a été confortée par les dispositions de l'article 19 de la constitution qui consacre l'égalité de l'homme et de la femme au regard des droits civils, politiques, économiques, sociaux, culturels et environnementaux. Il est également prévu la création d'une autorité pour la parité et la lutte contre la discrimination.
- <sup>38</sup> Créé par circulaire n°147 en date du 27 mars 2009, pour participer à la gestion et au fonctionnement des centres de sauvegarde relevant du ministère de la Jeunesse et des Sports.
- <sup>39</sup> Secours.
- <sup>40</sup> Ministères de la Justice, de l'Intérieur, la police, la gendarmerie, etc.
- <sup>41</sup> Le Ministère de l'Emploi et de la Formation professionnelle avec l'appui du BIT/IPEC, du projet «adros» et des ONG.
- <sup>42</sup> -10ans, -12ans, -16ans.
- <sup>43</sup> Cela a permis de régler 255 affaires en Algérie, 114 au Sénégal, et de diffuser les dispositions du code de la famille.
- <sup>44</sup> Ces retours depuis 2005 sont au nombre de 10730.
- <sup>45</sup> Un projet de loi relatif aux droits des personnes handicapées a été élaboré impliquant toutes les parties prenantes.
- <sup>46</sup> Cette harmonisation concerne des projets fondamentaux dans le domaine de la protection des droits de l'Homme et des libertés fondamentales, dont notamment les projets du code pénal, de procédure pénale; de la presse et l'élaboration de projets de loi accompagnant la réforme de la justice, etc.
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