

UNICEF

Situation of Children's Right in Morocco
Contribution to Universal Periodic Review Mechanism

The political outlook will remain generally stable, with no serious challenges the rule of the king, Mohammed VI. Following the parliamentary elections in September, four of the five parties from the previous coalition remain in government, although this is now led by the secular, nationalist Parti Istiqlal, whose leader, Abbas El Fassi, is now prime minister. The elections are unlikely to herald any major changes in policy, given that several key cabinet posts are royal appointments, and given that parliamentary seats are divided between a large number of parties. The greatest challenge to the government comes from outside parliament, with an ongoing risk of attacks by militant Islamist groups. The sole legally recognised Islamist party, Parti de la justice et developpement, won the second-largest number of seats in the elections but has not been included in the coalition government. The government will push ahead with economic reforms aimed at boosting employment and addressing infrastructure issues, notably in housing, but progress will be slow, reflecting the high level of bureaucracy, financial constraints and structural weaknesses. These were vividly illustrated in early 2007, when drought once again undermined the performance of the agricultural sector. As a result, the Economist Intelligence Unit estimates that growth will have slowed to 2.1% The government has been working hard over the past few years to develop a sustainable and healthy economy for all of its citizens, including major infrastructure improvements and housing schemes, while working closely with Europe and the US to both ensure regional stability and create open markets for trade and commerce. the government is strongly committed to improving the situation for the poorest and to promoting rights and equal opportunity. The National Human Development Initiative, INDH, the amendment of the Family Code in 2003 and the adoption in 1999 of an Education and Training Charter are cornerstones of the government's action. The National Education and Training Charter sets out the objectives to be met in terms of basic education (pre school, primary, middle and high school), fighting illiteracy, and incentives for the promotion of enrolment in rural areas as well as literacy classes.

To address economic and social rights, Morocco launched in May 2005 the National Initiative for Human Development (INDH), following an assessment of poverty across the country, which came out with a map of poverty identifying the poorest and most vulnerable population and geographical areas both in rural and urban settings.

INDH was designed to respond to the situation of over five millions Moroccans suffering from extreme poverty living in 403 rural communes and 264 urban and semi urban sites. The rationale behind INDH is that even if there is rapid economic growth in the next few years, it would not immediately and automatically address the root causes of poverty¹. Thus, millions of Moroccans, including many children, need urgent interventions mainly in terms of basic social services such as education, health, water sanitation and access to vocational training and employment, as well as income generation activities and capacity development etc.

1 Mohamed Kenbib, le Maroc indépendant 1955-2005: Essai de synthèse ; cinquantenaire de l'indépendance du Royaume du Maroc. More texts and information can be found on www.rdh50.ma including papers of outstanding academics and researchers from various political backgrounds analyzing Morocco political, economic, social and cultural development since independence. This work was also commissioned by the King Mohamed V and chaired by one of his advisers.

The INDH was accompanied by the creation of the Human Development Observatory, dedicated to monitor Human development, consolidate and disseminate experiences, and establish system of information and communication.² UNICEF CO is currently collaborating with the Human development observatory in the launch of the UNICEF Global Child Poverty and Disparities Study. The findings will feed, among others, in the ongoing elaboration by the observatory, of Human Development indicators in Morocco so that achievements could be measured in the future against child rights as well.

In terms of budget allocation, 55% of the total state budget is allocated to social sectors (education, health, social development, etc).³ However, this important part of the budget is not sufficiently disaggregated to reflect how the government budget responds to specific disparities and poverty in terms of gender and social status, etc. Therefore, budgeting child poverty reduction strategies is difficult to locate if it is not simply inexistent. Such work on budgeting anti poverty strategies for children and their families is crucial, given that 40% of the targeted populations by the anti-precariousness programme within INDH framework are children, and 16% are women.⁴ UNICEF CO will be launching in the coming weeks in collaboration with Ministry of social development, Ministry of Finances, and other partners a study on child budgeting to identify the gaps preventing child right centered budgeting and identify ways and methods so that budget allocation would be more efficient, evidence based and child/women's rights sensitive.

With respect to gender equality, it is worth noting that between 1990 and 2006, the situation of women has substantially improved and women have been empowered in all fields: education, access to employment and resources, access to the spheres of politics, religion and decision-making, and improvement of women's personal status. The Ministry of Finance, with the UNIFEM support, developed an economic and financial report alongside the 2006 national budget in order to address women's priorities and bridge the gender divide in terms of the budget preparation and use in relevant ministerial departments. However, many differences still persist. Reforms must be undertaken to ensure equality in terms of social, economic and civil rights. In addition, the principle of affirmative action and quotas in favor of women must be further developed in order to mainstream good practices at all levels.

Children deprived of family environment

During 2006, more than 100 participants from NGOs and institutions gathered in April to develop a plan of action to prevent the abandonment of children born out of wedlock and promote alternatives to institutions, including "kafala". During 2006, UNICEF advocated also for the development of norms and standards for institutions and the development of alternative care for children deprived from family environment, through several meetings at policy level, and the support of a national partner to the international conference organized by the Brazilian government and the Committee **for the rights of the child**, to review the UN guidelines on Children without parental care. One of the main shortcomings in child protection is the absence of a legal status for social workers and the insufficient number of efficient and motivated social

² www.indh.ma

³ Etude comparative des objectifs du Millénaire pour le Développement, Ministère des Finances et de la Privatisation, direction des études et des prévisions financières, Décembre 2006, accessed on May the 6th 2007 at www.mfp.gov.ma

⁴ Plate forme INDH PPT présentation www.indh.ma

workers. This is why UNICEF supported a study to analyze the existing situation of social workers and to make concrete propositions for a national strategy on social work. The study's results were used as a reference document and concept paper by the Ministry of Social Development to launch a training programme for 10 000 social workers by 2010. However, the legal and administrative status of social work in general is still under consideration within the concerned ministries. UNICEF is pursuing its advocacy efforts to advance this issue on the government agenda.

- Children victims of exploitation

- Following strong advocacy activities led by UNICEF in collaboration with ILO IPEC and other agencies, a law on domestic labor which prohibits employment of children under 15 in domestic services was prepared in a participatory process involving all stakeholders and presented to the government. Adoption by the parliament is due shortly. This is a major step in implementing the CRC and other international instruments expected, such as the ILO conventions 132 and 138.
- The government prepared and adopted a National Plan of Action for children for the period 2006- 2015. Among the objectives of this plan is the elimination of child labor through the implementation of specific activities including a strong communication component to promote changes in attitudes and practices towards child labor. A communication strategy was developed and will be implemented in the next two months. An exit strategy from the child labor project in Fez that UNICEF supported during the ending programme of cooperation, is being implemented. A documentation of the whole process and on the lessons learnt was elaborated and will be shared with other institutional and NGOs partners for replication of the project and expansion at larger scale. A similar project is already being implemented in the city of Marrakech. In this latter city, a local plan of action to prevent and combat sexual exploitation of children was adopted in 2006 and implemented in 2007. Psychological and judiciary support was provided to 100 children who have been victims of sexual violence and exploitation. More than 500 women were informed and sensitized on children rights and exploitation. The issue of AIDS and STD was widely discussed with children in schools and youth spaces. 40 journalists were informed on children's rights and specially rights to privacy and the principle of the best interest of the child when reporting child abuse cases in the media. The ministry of tourism approached UNICEF in October 2006 seeking technical support to prevent and combat sexual tourism which is on the rise in the country, and particularly in Marrakech. The partnership between the two Organizations is still to be formalized. A rapid assessment on the prevalence of sexual violence and exploitation in the country in 2007 highlighted the need to develop prevention and sensitization activities for the young and to undertake deeper analysis of the issue.

- Children victims of abuse and violence

- As part of the UN violence study process, a nationwide survey on violence against children was completed and main results presented during a national seminar held the same day as the official launch of the UN study. The report showed that cases of violence against children are under notified and under reported. It was also used as a working document to train 100 juvenile judges on children's rights and best practices in the field of violence against children. 20 social workers were trained as trainers on prevention of violence against children in institutions and juvenile detention centers. 200 stakeholders at policy level in the field of child protection (family and childhood department, police, justice, health, NGOs, welfare department) gathered in a national seminar to share information and lessons learnt on dealing with children victims of violence and abuse and identify gaps in protecting abused or children at risk. The lack of coordination and insufficient and inefficient social protection services were identified as major obstacles that have to be urgently addressed. Based on a series of studies and situation analysis funded by UNICEF a system of Social Protection system is being put in place. Child Protection Units (UPE) UPE : Unité de Protection de l'Enfance were established in two major cities of the country. Their main

missions are to provide the appropriate response to children who were victims of violence, abuse and exploitation. The UPEs will also facilitate rehabilitation and reintegration of the children within their families. Focal points from police, justice, health, education and welfare department will be designated in each of the four cities to work closely with the UPE. Technical guidelines and training tools were developed and UPE staff and focal points for the two cities were trained on these tools in order to strengthen their institutional capacities to respond adequately to violence and abuse of children, addressing then the issue of coordination and consultation between key actors. During 2006, the child protection programme leveraged important funding from British and Spanish government and committee, the first for projects related to sexual exploitation of children, the other one for child protection units in the north part of the country, a traditional area of intervention for Spain. The programme also benefited also from the US State Department funds for a project to combat child trafficking, especially domestic labor. UNICEF in this context supported the application of “*Mudawana*” the Family Code, through signing a MOU with UNIFEM and UNDP to reinforce the justice system.

Constraints

Inadequate financial and human resource capacities of partner institutions continue to be a major challenge. Scarcity of child protection facilities, including social workers, as well as lack of alternative care to detention for juveniles and standards for institutions hamper the full realization of child protection. UN interagency collaboration is limited, but should be boosted in the next country programme, through joint programming.

Monitoring, studies and evaluation activities

The study on children in institutions undertaken in 2005 was disseminated during 2006. This study was recommended by the CRC Committee in its concluding observations to Morocco in 2004. The study stressed the need for a full review of these institutions and the establishment of clear guidelines for children living in institutions and the recourse to alternative care. A study on violence against children was also carried out and highlighted the urgent need to increase awareness and build skills of judiciary and police on this issue.

Key partnerships and interagency collaboration

The collaboration with ILO/IPEC in the field of child labor continues to be very strong and effective. A joint programme with UNIFEM and UNDP to strengthen the technical capacities of family courts was finalized with the ministry of justice and will start next year. Another promising field of cooperation with UNFPA is violence against women and children. Both agencies are supporting the ministry of health to establish women and child units in hospitals at regional level which will provide the adequate health and psychological support to women and children who were victims of violence. Training modules were developed. During 2006, with the assistance of the M & E regional advisor a group of child protection partners (2 women and 3 men) were trained as trainers on monitoring and evaluation and Result based management. A training of trainers was also provided on HRBAP. Trainers will in turn form other child protection partners at national and regional levels.

UNICEF's Future Workplan

Under the new country programme (2007-2011), the child protection programme will focus on the following two priority areas: 1) support to harmonization of legislation with the international standards, particularly the penal legislation and its effective implementation, 2) development of a model of Child Protection System, including the establishment of Child Protection Units in the four areas of programme intervention. Within this broad framework, the following key activities will be pursued in 2007:

- studies will be undertaken to assess the national legislation in order to identify gaps in penal laws that need harmonization with international instruments including CRC and its optional protocols.
- support key partners in the ministry of justice to undertake field visits to countries with harmonized legislation and well advanced child protection systems.
- provide technical support to national partners to carry out an assessment of the resources needed in terms of human and financial resources as well institutional mechanisms to fully implement the legislation.
- support a full review and amendment of existing training curricula of the judges, and police in order to improve their knowledge and practices on child rights and juvenile justice.
- the Secretariat of State for Family, Childhood and Disabled persons will receive the necessary support to make the child protection system and units fully operational in the four cities. This will include elaboration of modules and guides, training of staff, monitoring and evaluation. Issues related to child labor, sexual exploitation, child migrants, and violence will be treated inside of the system
- support the elaboration of a national strategy against sexual exploitation of children, with the involvement of key stakeholders.
- Strengthen the human resources capacity in the protection area including social workers and staff of Child Protection Units. A national strategy establishing norms and standards for social work will be developed.

The child protection programme will strengthen the cooperation with the other UN agencies, such as ILO-IPEC, UNFPA and UNIFEM. The joint programme with UNIFEM on family courts will be implemented. The project on protection of children and women victims of violence within health centers, initiated in 2006 with Ministry of Health and UNFPA will be pursued. The strong partnership developed during the country programme 2002-2006 with ILO-IPEC will be maintained at the policy level through advocacy, studies and capacity building for improving social policies in favor of children. Among the main strategies of the upcoming child protection programme will be the participation of families and children in the design, implementation and monitoring of activities in the areas of intervention, namely Tangier, Marrakech, Fez and Casablanca. This specific aspect was not given enough attention in the 2002-2006 child protection programme. The programme will also aim at strengthening capacities of stakeholders as holders of obligations to ensure full respect and realization of children rights to protection. The purpose of the child protection programme for the current five year cycle is to contribute to protect and respect the rights to protection from violence, abuse and exploitation of the most vulnerable children in the programme sites. This objective is to be reached through capacity building of national partners to assess the situation of children and implement child protection laws, as well as through social mobilization and advocacy for policy makers to take pilot projects developed in the focus areas of intervention to a larger scale. The programme comprises three projects: i) children deprived of family environment, ii) children victims of exploitation and iii) children victims of violence. The Secretariat of state for family, childhood and handicapped persons coordinates the child protection programme. Main implementing partners include the Ministry of Justice, the Ministry of Labour, the ministry of Handicraft and Tourism, the ministry of Health and the social welfare department, the National Observatory of child rights, the Moroccan League for child Protection, the Moroccan Association for Family Planning, and the Entraide Nationale of the Social Development Ministry.

