

المملكة المغربية
Kingdom of Morocco

NATIONAL ACTION PLAN
FOR DEMOCRACY
AND HUMAN RIGHTS



National Action Plan for Democracy and Human Rights

2018 - 2021

December 2017

In the name of Allah, the Entirely Merciful, the Especially Merciful

المملكة المغربية
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«Regardless of the immensity of our achievements, political and civil rights will have a concrete impact on the daily lives of citizens only if they complement and overlap with the promotion of economic, social, cultural and environmental rights, to which we give priority in the country's public policies.»

Extract from a message by His Majesty King Mohammed VI on the 60th anniversary of the Universal Declaration of Human Rights, read out at a special meeting of the Advisory Council on Human Rights on December 10, 2008.

Foreword by the Head of Government, Dr. Saâd Eddine El Othmani

The National Action Plan for Democracy and Human Rights is of vital importance, especially since both democracy and human rights have become the criteria that truly capture the progress and development of civilization in contemporary societies.

Besides, this Action Plan is a fundamental project that constitutes the framework for human rights policy in our country and serves as a reference document, deriving from strategic choices and a collective vision that confer on this policy depth of content and ease of implementation.

The Government is mindful that the preparation of a human rights action plan is more than a simple fulfilment of an international commitment; it is, rather, an opportunity to establish a national framework for strategic planning on human rights. Therefore, it has ensured that the Action Plan includes recommendations on the creation of a mechanism for monitoring and evaluation, and has entrusted the Ministry of State for Human Rights with the task of establishing an appropriate monitoring approach for implementation, developing indicators for assessment and facilitating the work of the monitoring and evaluation mechanism.

To this end, we reiterate the commitment we made during the official presentation of the Action Plan on December 13, 2017 and at its adoption by the Government Council on December 21, 2017 regarding the implementation of its provisions and establishment of all material and human resources and means to ensure its proper execution.

The collective development of the Action Plan and consensus over its contents require that all concerned Government departments provide the necessary conditions and means for responsible and rational implementation in a context of efficient coordination with the various stakeholders. The Government thus undertakes to implement the Action Plan in collaboration with all concerned partners.

Despite the value and importance of the accomplishments our country has made in terms of human rights and democracy, we are aware of the gaps that we have yet to fill with a daring and courageous spirit.

Finally, I commend the work of the Steering Committee and express my thanks and gratitude to all its members who have contributed to the development of this promising National Action Plan. I also extend my thanks to the Ministry of State for Human Rights, which coordinated the update of the Action Plan, in particular the Minister of State for Human Rights.

Preface

The official adoption of the National Action Plan for Democracy and Human Rights is an important step in the process of democratic development and the promotion and reinforcement of legal and institutional reforms in this field.

Since June 20, 2017, the Ministry of State for Human Rights has sought to resume the updating process in broad consultation with the Parliament, governmental departments, national institutions, political parties, trade unions, professional organizations, civil society organizations and the University. This approach allowed enriching and upgrading the Action Plan in light of the contributions, proposals and observations of all involved stakeholders.

The update and development process helped consolidate and strengthen the suggested measures and led to the introduction of four new sub-areas. The number of measures thus increased from 215 in the initial version to 435 in the current one.

Furthermore, the Ministry of State for Human Rights will work jointly with all institutions and civil society stakeholders to draw up an implementation plan that determines competent authorities and deadlines and sets monitoring and evaluation indicators for implementation of the measures provided for in the Action Plan.

The adoption of the Action Plan has placed the Kingdom of Morocco among the countries that have established strategic planning on human rights, as it ranks as the 39th country to have a national action plan in this field.

On this occasion, I would like to express my sincere thanks to the Head of Government for his continuous support for our work, as well as to the members of the Government and Parliament, and all other constitutional institutions, political parties, trade unions, professional bodies, the University, civil society organizations, the Steering Committee and its secretariat, experts and the media. Their praiseworthy efforts and outstanding contributions have enabled us today to have a strategic national plan that will strengthen the democratic building and protect and promote human rights in Morocco. I hope all parties will continue to provide efficient and productive support to translate the measures and recommendations laid down in the Action Plan into public policies at legislative and institutional levels.

It is of great value to have a National Action Plan for Democracy and Human Rights, but this asset will not reach its full scope unless it is effectively implemented and put into practice. This is the challenge we intend to take up, with Allah's help, with firm determination and fruitful cooperation.

El Mostapha Ramid,
Minister of State for Human Rights

Contents

| | |
|---|-----------|
| INTRODUCTION | 10 |
| Focus Area I: Democracy and governance | 23 |
| Sub-area I : Political participation | 24 |
| Sub-area II : Equality, parity and equal opportunity | 27 |
| Sub-area III: Territorial governance | 29 |
| Sub-area IV: Administrative governance, integrity, transparency and ending corruption | 31 |
| Sub-area V: Security governance | 33 |
| Sub-area VI: Freedom of gathering, assembly, peaceful demonstration and association | 35 |
| Sub-area VII: Fight against impunity | 37 |
| Focus Area II: Economic, social, cultural and environmental rights | 39 |
| Sub-area I: Quality of the national system of education, training and scientific research | 40 |
| Sub-area II: Cultural rights | 42 |
| Sub-area III: Access to health services | 45 |
| Sub-area IV: Employment and consecration of equality | 48 |
| Sub-area V: Housing policy | 50 |
| Sub-area VI: Integrated environmental policy | 53 |
| Sub-area VII: Business and human rights | 56 |

| | |
|--|-----------|
| Focus Area III: Protection and promotion of the rights of specific groups | 58 |
| Sub-area I : Institutional and legislative dimensions | 59 |
| Sub-area II : Rights of the child | 61 |
| Sub-area III : Youth rights | 65 |
| Sub-area IV : The rights of persons with disabilities | 67 |
| Sub-area V : The rights of older persons | 71 |
| Sub-area VI : The rights of migrants and refugees | 73 |
| Focus Area IV: The legal and institutional framework | 75 |
| Sub-area I : Legal and judicial protection of human rights | 76 |
| Sub-area II : Legal and institutional protection of women's rights | 79 |
| Sub-area III : Freedom of expression, information and press and the right to information | 82 |
| Sub-area IV : Protection of the cultural heritage | 84 |
| Sub-area V : Preservation and maintenance of archives | 85 |
| Sub-area VI : Rights, freedoms, and institutional mechanisms | 87 |
| Recommendations for follow-up on implementation of the Action Plan | 89 |

INTRODUCTION

General Background

On April 24, 2008, Morocco started preparing its National Action Plan for Democracy and Human Rights (NAPDHR) in response to the Vienna Declaration and Program of Action of the 1993 World Conference on Human Rights, in compliance with the recommendations of the Equity and Reconciliation Commission, and in conformity with its international human rights commitments.

In the early 1990s, Morocco established a momentum for reform thanks to the supreme will of the State and the responsiveness of the active forces in the country. This new dynamic created an open political climate that allowed for the establishment of political consensus and laid major initiatives with an impact on human rights. A wide number of political detainees were released in 1989, and victims of enforced disappearance held in the prisons of Tazmamart, Agdez and Kalaat M'gouna were also released in 1991. These initiatives culminated in the 1994 General Royal Pardon for the remaining detainees and exiled persons, and the creation, in 1990, of the Advisory Council on Human Rights as the first advisory national institution in the Muslim and Arab world.

This momentum was reinforced with the adoption of the 1992 Constitution, which for the first time referred to universally recognized human rights in its preamble. Other symbolic and institutional measures such as the establishment of the first Ministry of Human Rights and the creation of administrative tribunals consolidated the Kingdom's strategic choice in the field of human rights. Morocco enhanced its engagement in the United Nations human rights system in 1993 by acceding to four major conventions on the rights of women, children and migrants, and on torture.

Political reform continued with the 1996 constitutional amendment, which paved the way for parliamentary elections that, under the State's supreme political will, led to the creation of an «alternating government», thus marking a turning point in contemporary Moroccan political history.

At the same time, other important achievements were made in terms of civil liberties, regularity of elections, and observance of election timelines and durations as provided for in the Constitution.

Starting in 1999, under the reign of His Majesty King Mohammed VI, Morocco experienced major transformations with regard to human rights, mainly through the introduction of the new concept of authority and the creation of the Independent

Arbitration Commission for compensation for victims of grave human rights violations.

The promulgation of the Family Code reinforced this shift and marked a significant transition that led to the organization of a societal dialogue and restored the value of the Parliament as a forum for making decisions on the nation's strategic issues. This opened up perspectives for progress in women's rights, promotion of the family and child protection, as well as amendment of the Nationality Code.

Human rights reforms expanded to include institutional reforms, hence the creation of the High Authority for Audiovisual Communication (HACA), the Royal Institute of Amazigh Culture (IRCAM) and the Ombudsman (Diwan Al-Madhalim). The Advisory Council on Human Rights was reorganized in accordance with the Paris Principles on the Status of National Human Rights Institutions.

The creation of the Equity and Reconciliation Commission in 2004 came as the culmination of this process, in compliance with a recommendation of the Advisory Council on Human Rights and in response to the outcome of the Independent Arbitration Commission and the dynamics of human rights organizations and the victims' movement. The Commission initiated the Moroccan transitional justice experience and laid the groundwork for a new approach in the settlement of grave human rights violations of the past. It concluded its work with the issuance of a final report that included recommendations on the protection and promotion of human rights and setting foundations for the elimination of impunity and the adoption of a new criminal policy, under the Rule of Law and respect for institutions.

In parallel with developments in civil and political rights, since the turn of this century, State policy has been geared to the renewal of public governance as a prerequisite for an effective and sustainable development project.

The Fiftieth Anniversary Report, which made a comprehensive assessment of public policies on human development since the independence, was a significant contribution to the development of plans and means to reduce poverty, vulnerability, marginalization and social exclusion. The National Initiative for Human Development is part of this strategic perspective.

On the other hand, treaty practice in the field of human rights has made significant progress, as indicated by increased ratification, withdrawal and review of reservations and acceptance of the competence of some treaty bodies to receive individual communications. Morocco has therefore ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

supplementing the United Nations Convention against Transnational Organized Crime, and to the Additional Protocols 1 and 2 to the Geneva Conventions on International Humanitarian Law. In view of the new advanced legislation our country has adopted, reservations to the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Discrimination against Women have been withdrawn.

The Kingdom of Morocco has continued its adherence to the UN human rights system through the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture. It has also initiated the procedure of adherence to 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 third Optional Protocol to the Convention on the Rights of the Child on individual communications.

The interaction of Morocco with UN human rights mechanisms has witnessed a major shift as Morocco showed openness to visits by Special Procedures of the Human Rights Council and commitment to submit initial and periodic reports to treaty bodies and under the Universal Periodic Review. Active contribution to strengthening the international human rights normative framework and to improving the performance of some international human rights mechanisms mark this interaction. Morocco has also established a plan of action on following up implementation of the recommendations made by UN human rights mechanisms to ensure that its commitments in this regard are honoured.

This historic stage in the interaction with all national political and human rights dynamics and with regional transformations culminated in the adoption of the 2011 Constitution, which was developed with a participatory approach. The new Constitution entrenched relevant recommendations of the Equity and Reconciliation Commission, consolidated fundamental rights and freedoms, preserved all components and origins of the Moroccan identity, and strengthened democratic transition through a new conception of the separation of powers that enshrines balance and mutual cooperation. The choice of democracy and human rights as one of the immutable principles that unite the nation was at the origin of these developments.

In the light of the new Constitution, national political life has undergone considerable developments in the field of human rights and democracy regarding strengthening women's political participation, through increased representation in Parliament, territorial councils and collectivities and national institutions, and mainstreaming the gender approach in national policies, plans and programs.

At the same time, the monitoring and proactive roles of civil society have been enhanced, thereby confirming the constitutional choice of participatory democracy. Civil society organizations have thus continued to advocate major human rights issues, particularly those related to democracy and the rule of law. They have also worked to establish a fair approach in dealing with grave violations of human rights and the rights of women, children and the family, the Amazigh culture, protection against violence and ill-treatment, ending impunity and corruption, environment protection, addressing the situation of migrants and refugees, ensuring transparency of elections, etc.

In recognition of its constructive efforts, civil society was involved in the drafting process of the 2011 Constitution, which strengthened its position as a full partner of elected institutions and public authorities, and provided constitutional guarantees for the fulfilment of its assigned tasks.

Similarly, the competencies, powers and functions of institutions that are engaged in the protection and promotion of human rights witnessed steady developments. The position of the Economic, Social and Environmental Council was strengthened, together with the constitutionalization of the National Human Rights Council, the Ombudsman, the High Authority for Audiovisual Communication, the Higher Council of Education, Training and Scientific Research, the Council of the Moroccan Community Living Abroad, the Competition Council, the National Authority of Probity, Prevention and Fight against Corruption and the Higher Council of Ulemas. Other new institutions were established, namely the National Council of Moroccan Languages and Culture, the Authority for Parity and the Fight Against All Forms of Discrimination, the Advisory Council for the Family and Children and the Advisory Council for Youth and Associative Action.

The human rights institutional landscape further evolved with the creation of the National Commission for International Humanitarian Law, the Royal Advisory Council for Saharan Affairs and the National Control Commission for the Protection of Personal Data. Government coordination on human rights has developed with the creation of the Interministerial Delegation for Human Rights, which has been upgraded to the status of Ministry of State for Human Rights.

As part of its international commitments under the core human rights conventions, Morocco has initiated the creation of national human rights protection mechanisms, such as the national preventive mechanism against torture, the national mechanism for grievance on violations of children's rights and the national mechanism for the protection of the rights of persons with disabilities.

These institutional rights-based dynamics gained strength as strategic importance was given to the reform of the justice system. The unprecedented national dialogue organized for this purpose resulted in the establishment of a National Charter for Reform of the Justice System - a roadmap for comprehensive and substantial legislative and institutional reform. The first measures taken under this reform granted institutional independence to the judiciary through appointment of the Supreme Judiciary Council, establishment of the Presidency of the Public Prosecutor's Office, and review of the penal system, particularly the drafting of the Criminal Code and the Code of Criminal Procedure and modernization of the judicial administration. Besides, a drastic review of the military code of justice has authorized the Military Court to exclusively consider military offences, leaving out all other military and non-military cases.

Adoption of the law on the exception of unconstitutionality will take place once the competence of the Constitutional Council is reviewed in light of the new Constitution and once it is empowered to become a Constitutional Court.

These legislative and institutional achievements are of vital importance for the country's political and rights-based development. Yet, there are many drawbacks that need to be addressed and several gaps to be filled. Hence the development of the present project with a participatory approach involving government departments, national institutions and civil society.

Drawbacks and gaps were diagnosed before adequate measures were jointly suggested. It was decided that social debate should continue among stakeholders on controversial issues on which a common position is yet to be reached. These include the death penalty, adherence to the Statute of the International Criminal Court and certain Family Code matters.

Preparation and updating methodology

The current version of the NAPDHR is the result of a consultative and participatory work that officially started at the National Debate that took place in Rabat on April 25-26, 2008 and continued through several stages.

On December 3, 2008, the Prime Minister appointed the Steering Committee for the preparation of the NAPDHR, which planned for the various preparation stages taking into account internationally accepted methodological considerations. The Steering Committee carried out studies to analyse and evaluate human rights achievements and challenges, and collected information and reports, including development plans in connection with women's and children's rights, education planning, and economic, social and cultural rights.

Sustained and coordinated teamwork marked the preparation stage. A series of debates, national and regional symposia and workshops were organized in several cities and provinces, with the participation of stakeholders from various governmental departments, national institutions, political parties, trade unions and non-governmental organizations. Moroccans living abroad and representatives of victims of human rights violations were also among the participants.

This consultative and participatory approach led to the emergence of strategic choices and a collective vision regarding the priorities and areas of focus of the NAPDHR. It also provided a platform for dialogue among governmental institutions, civil society and academic actors in their capacity as partners in the process of preparation, planning and monitoring of the Plan's implementation.

It should be noted that the Steering Committee organized workshops and colloquia in different regions. Internal working groups were formed to address the four identified strategic priorities: governance and democracy, economic, social, cultural and environmental rights, protection and promotion of the human rights of specific groups, and the legal and institutional framework.

Each focus area is divided into sub-areas, with an indication on concerned stakeholders or “partners” and objectives sought over the period covered by the Action Plan (2018-2021). Measures are organized according to their nature (legislative, institutional, those related to awareness raising and communication, and those related to capacity building). Given the evolution of the national human rights situation, the updating process led to the conversion of all the recommendations proposed in the initial version into measures.

Frame of reference

The frame of reference of the NAPDHR stands out as diverse and having a multiplicity of underlying principles that are based on the tolerant values of Islam and noble human principles, the shared Moroccan cultural heritage and the values of democratic society.

The NAPDHR is based on the Constitution and international human rights commitments, as well as the conclusions and recommendations of the Equity and Reconciliation Commission and the recommendations of the Fiftieth Anniversary Report. Morocco's record in terms of preparation and adoption of plans, strategies and programs related to human rights also underlies the Action Plan, as does the Government Program.

Major international human rights commitments relate to the Universal Declaration of Human Rights and human rights treaties and the protocols thereto, as ratified by

Morocco in accordance with its Constitution and its treaty practice: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of the Child (CRC), the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CRMW), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), International Humanitarian Law, the International Labour Organization conventions, and many others.

The concluding observations and recommendations resulting from Morocco's interaction with treaty bodies, the Universal Periodic Review and Special Procedures of the Human Rights Council were also taken into account.

The Action Plan's frame of reference gains strength in the conviction of all partners of the need to upgrade the Moroccan experience in the protection and promotion of human rights, through consolidation and development of achievements that enhance conditions for the definitive break with past practices, strengthening of democracy at institutional, legislative and practical levels, and entrenchment of human rights as a foundation for the rule of law, as a deep-rooted culture and as a mechanism for exemplary management of public affairs. Therefore, the strategic perspective of the Action Plan revolves around consolidating the political reform process, institutionalizing and raising awareness of human rights and supporting initiatives that contribute to the emergence of participatory democracy.

The ultimate goal of the NAPDHR is to attain further progress in terms of respect for human rights, rule of law, equality, equity, non-discrimination, equal opportunity, implementation of the gender approach, promotion of the human rights culture and values, and consolidation of national achievements in economic, social, cultural, environmental and solidarity rights.

The NAPDHR seeks to realize the strategic objectives of continued ratification and/or adherence to international treaties, alignment of national legislation with international human rights law and international humanitarian law, and implementation of the State's commitments by virtue of its treaty practice. It also aims to provide guidance for law enforcement officials in accordance with international standards, link democracy to human rights, implement the rules of good governance, link responsibility to accountability and transparency, and involve citizens in the management of public affairs on the basis of equality, equity and equal opportunity.

The NAPDHR also aims to mainstream human rights principles and a gender approach in government policies and in the various economic, social and cultural development plans and programs, in coordination and convergence among all stakeholders. This can contribute to improve the living conditions of individuals and groups, achieve sustainable human development, fight poverty, social marginalization and exclusion, and continue to provide the human and material conditions and institutional guarantees to ensure human rights-based corporate citizenship.

In terms of strengthening coordination, convergence and complementarity, the NAPDHR features a diversity of partners and stakeholders involved in the implementation of the lines of action and measures it proposes, particularly major stakeholders such as the Parliament, governmental departments, governance, participatory democracy and human rights institutions, political parties, trade unions, civil society, the private sector and media.

In order to guarantee the primacy of law and the promotion and protection of human rights, the NAPDHR draws from the institutional and concrete guarantees provided by all components of the judiciary, especially the Supreme Judiciary Council, the Presidency of the Public Prosecutor's Office and justice assistants.

Update

Following its update in accordance with the new provisions of the 2011 Constitution, the Steering Committee presented the draft Action Plan to the Head of Government on September 19, 2011. Comments and proposals made by governmental departments in light of subsequent developments were introduced in five following updates. It was then submitted to the Government Council that met on May 22, 2014 and decided to further examine the draft with a view to its adoption in a future meeting.

Before a new submission to the Government Council for adoption, the draft Action Plan was subject to a sixth update on the basis of the 2016-2021 Government Program, which provides for the «adoption of an integrated government policy on human rights according to participatory strategic planning, update of the National Action Plan for Democracy and Human Rights starting from 2018, [and] promotion of the values of human rights, equality and equity, in accordance with the provisions of the Citizenship Platform for the Promotion of Human Rights Culture, in line with the Constitution and the international conventions Morocco has ratified or adhered to.» The implementation period of the NAPDHR therefore spans from 2018 to 2021, keeping in mind that periodic and final evaluation will allow the adoption of new versions in light of the present version's implementation outcome and recent developments, as is the case in relevant international experience.

Updates of the draft Action Plan took into account the developments and dynamics that have occurred in Morocco since the adoption of the 2011 Constitution. They were based on the principles, guarantees and provisions of the Constitution, the evolution of human rights treaty practice, memoranda, reports and recommendations by participatory-democracy and human-rights institutions, the stock of acquired knowledge and know-how contained in national strategies and plans, as well as the outcome of the National Dialogue on the Deep and Comprehensive Reform of the Justice System, and proposals of human rights civil society organizations.

The updating process integrated the recommendations initially formulated in the first version and transformed them into inherent measures. It reinforced the measures on security and territorial governance, the rights of specific groups, the conditions of vulnerable groups, cultural diversity, gender, persons with disabilities, environmental rights and the right to decent housing. The paragraphs and sub-areas on integrity, transparency, fighting corruption, the youth, business, elimination of impunity and judicial efficiency have been thoroughly detailed.

Therefore, this process has resulted in the consolidation of the proposed measures and the introduction of new ones, which raised their number to four hundred and thirty-five (435) measures in the current version, as compared to two hundred and fifteen (215) proposed in the initial version.

Considering the overlap between the Action Plan's four areas of focus and the interconnection among their contents, some measures are repeated in two or more sub-areas due to their importance, as well as their necessity in those sub-areas and their complementarity with the other measures set out therein.

In fulfilment of the participatory approach that marked the Action Plan's drafting process, and with the active participation of the secretariat of the Steering Committee for coordination of the updating process, the Ministry of State for Human Rights called upon the various governmental departments and national institutions to show direct interaction through attendance at meetings and presentation of proposals and observations.

The Ministry of State for Human Rights once again presented the draft Action Plan to governmental departments, national institutions, political parties, trade unions, employer representatives, civil society organizations and some universities to give their opinions. The draft was also brought to the attention of the Steering Committee for the preparation of the NAPDHR at a meeting on November 29, 2017 and was officially launched at a presentation ceremony on December 13, 2017.

In accordance with one of its recommendations, the Action Plan was submitted to the Head of Government for adoption by the Government Council, and was adopted on December 21, 2017.



Focus Areas of the National Action Plan for Democracy and Human Rights





FOCUS AREA I: DEMOCRACY AND GOVERNANCE



Measures in this focus area are based on constitutional values and principles and international standards on the rule of law, democratic choices and human rights, in particular with regard to equality, equal opportunity, good governance, transparency, accountability, participation and involvement in the management of public affairs.

These measures aim at reviewing national legislation and aligning it with international standards, enabling citizens to strengthen their capacity and participation in the management of public affairs and decision-making processes affecting their daily lives and their environment, and, especially, increasing the participation and political representation of young people and women.

The priorities set here are geared towards the promotion of territorial governance based on regional and territorial organization that ensures the participation of citizens in the management of public affairs and strengthens their contribution in integrated and sustainable human development, in accordance with the provisions of the Constitution.

In line with the recommendations of the Equity and Reconciliation Commission on security governance, this focus area proposes measures that will keep a balance between the maintenance of public order and respect for human rights.

It should be noted that there are connections between the measures on security governance and those related to freedom of gathering, assembly, peaceful demonstration and association, which will be dealt with by the legislative or regulatory authority when the opportunity arises.

SUB-AREA I: POLITICAL PARTICIPATION

Partners and Cooperation Parties

Parliament, Government, the Judiciary, territorial collectivities, governance institutions, participatory democracy and human rights institutions, civil society organizations, political parties, trade unions, media and the University

Objectives

General objective

Promote citizens' participation in the management of public affairs at national, regional and local levels

Specific objectives

- Promote participation in political action
- Strengthen the performance of elected institutions
- Encourage the participation of women and young people in public life
- Respect human rights, disseminate the values of democracy and enforce accountability and transparency

Measures

Legislative and institutional aspects

1- Ensure optimal implementation of the laws governing national and local elections in order to strengthen integrity, good governance and transparency¹

2- Increase the rates of women's participation in representative councils²

3- Accelerate the establishment of an independent national observatory that contributes to the analysis of the evolution of political participation and democratic transition

¹. New laws on elections have been adopted, namely: 1) Organic Law No 59-11 on the election of council members of territorial collectivities, promulgated by Dahir No 1-11-173 of November 21, 2011; 2) Law No 57-11 on general electoral rolls, referendum operations and the use of public audiovisual media at election and referendum campaigns, promulgated by Dahir No 1-11-171 of October 28, 2011; 3) Organic Law No 27-11 on the House of Representatives, promulgated by Dahir No 1-11-165 of November 21, 2011; 4) Organic Law No 28-11 on the House of Councillors, promulgated by Dahir No 1-11-172 of November 21, 2011; 5) Organic Law No 29-11 on political parties, promulgated by Dahir No 1-11-166 of October 22, 2011; 6) Law No 30-11 laying down the conditions and modalities for independent and neutral observation of elections.

². A Fund to support the political representation of women has been created.

4- Accelerate the operational establishment of the Authority for Parity and the Fight Against All Forms of Discrimination

5- Enshrine the principle of public consultation in the preparation, implementation and evaluation of public policies, and promote the role of associations interested in issues of public concern and that of non-governmental organizations in the development and evaluation of the decisions and projects of elected institutions and public authorities

Awareness raising and communication

6- Enrich public dialogue on political participation through programs that facilitate and guarantee access to public information services for the various stakeholders (political parties, trade unions, associations, etc.) in order to strengthen their contribution to advising citizens and develop pluralism and political governance³

7- Strengthen the role of media in raising awareness, communication and public dialogue related to political participation⁴

8- Launch communication campaigns to strengthen participatory democracy

Capacity Building

9- Support and encourage programs and activities for social and political socialization aimed at disseminating the values of democracy, equality, pluralism, difference, tolerance, coexistence, non-discrimination and rejection of hatred, violence and extremism

10- Establish educational programs for children to instil citizenship values in educational settings, and support the Children's Parliament and all forms of education aimed at promoting children's participation rights

³. Law No 66-16 amending and supplementing Law No 77-03 on audiovisual communication provides for «respect for the plurality of expression of thought and opinion and equitable access to media by political and trade union groups according to their representativeness, particularly during electoral periods, in accordance with the regulations in force; as well as respect for the plurality of civil society associations concerned with public affairs, according to their importance, and respect for balance, territorial equity and non-monopoly.»

Morocco also has a legal arsenal governing the access of all stakeholders to public media services during and beyond election periods, mainly the following texts:

- Dahir No 1-11-171 of 30 Dhul-Kiâda 1432 (October 28, 2011) promulgating Law No 57-11 on general electoral rolls, referendum operations and the use of public audiovisual media at election and referendum campaigns;
- Decree No 2-11-610 of 7 Dhul-Hijja 1432 (November 4, 2011) on the use of public audiovisual media during electoral campaigns;
- Decision of the Superior Council of Audiovisual Communication No 46-06 of 4 Ramadan 1427 (September 27, 2006) on rules that guarantee plurality of expression for the currents of thought and opinion in audiovisual communication services beyond election periods.

⁴. Specifications for public media channels issued in 2012 include a set of provisions related to democracy, governance and political participation.

I1- Create spaces in educational settings and representative institutions for better participation of adolescents and young adults

I2- Develop efficient training programs to develop communication skills and improve legal and human rights literacy in the context of the Constitution and Morocco's human rights commitments

I3- Establish training programs on citizenship, human rights and the rule of law for elected officials, territorial collectivities' officials and civil society

SUB-AREA II : EQUALITY, PARITY AND EQUAL OPPORTUNITY

Partners and Cooperation Parties

Parliament, Government, public institutions, Supreme Judiciary Council, Presidency of the Public Prosecutor's Office, territorial collectivities, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations and media

Objectives

General objective

Promote equality and equal opportunity and work to achieve parity

Specific objectives

- Continue institutionalizing and enforcing parity
- Ensure equal opportunities to women and men in terms of access to employment, and combat all forms of discrimination
- Improve access to services and enjoyment of political, economic, social, cultural and linguistic rights
- Streamline solidarity mechanisms that would address territorial imbalances related to equal opportunity and access to benefits from natural resources

Measures

Legislative and institutional aspects

14- Implement the provisions of the Organic Law on the Finance Act on mainstreaming a gender approach across public policies

15 – Accelerate the establishment of the Authority for Parity and the Fight Against All Forms of Discrimination as a key mechanism to strengthen the values of equality and parity in public policies and national strategies, plans and programs

16- Implement a gender approach in all elected councils at national, regional and local levels

17- Improve the work of dialogue and consultation mechanisms that can further equality and equal opportunity in all decision-making centres in national and local public sectors, the private sector and non-governmental organizations

Awareness raising and communication

18- Establish efficient awareness-raising and educational programs on the values and principles of equality, parity and equal opportunity for officers and employees of public administrations and institutions and territorial collectivities

19- Strengthen the media's role in disseminating the values and principles of equality, parity, equal opportunity and non-discrimination

SUB-AREA III : TERRITORIAL GOVERNANCE

Partners and Cooperation Parties

Parliament, Government, public institutions, territorial collectivities and administrations, governance institutions, participatory democracy and human rights institutions, Court of Accounts, regional courts of accounts, political parties, civil society organizations, the University, research centres and media

Objectives

General objective

Optimize and promote territorial governance

Specific objectives

- Rationalize expenditure and implement governance in territorial management
- Promote citizen participation in public affairs management
- Strengthen equality and equitable access to territorial development

Measures

Legislative and institutional aspects

- 20- Accelerate the enactment of a law on national territory planning
- 21- Implement the recommendations of the High Council of National Territory Planning and its committees
- 22- Integrate the cultural dimension in regional organization at the level of media, educational programs and cultural and artistic events
- 23- Strengthen local services, impose the evaluation of public policies, and create a special institutional system to this end
- 24- Continue providing support to the regions in the development of proposed regional territory plans
- 25- Enforce the legislative and institutional provisions on advanced regionalization, particularly through:

- The development of mechanisms and instruments for cooperation between regions to help achieve synergy and balance among regions, provinces and collectivities, according to an integrated approach to the management of natural resources (land, forest, water and energy...)

- The establishment of regional conventions ensuring equitable and integrated management of natural wealth and resources, taking into account economic synergy and natural, historical, social and cultural features

26- Speed up the development of an “Administrative Decentralization Charter” in the context of the implementation of advanced regionalization and the consecration of territorial governance

SUB-AREA IV : ADMINISTRATIVE GOVERNANCE, INTEGRITY, TRANSPARENCY AND ENDING CORRUPTION

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations, professional organizations, the private sector and media

Objectives

General objective

Implement the national anti-corruption strategy

Specific objectives

- Strengthen safeguards and mechanisms for the consolidation of administrative governance, integrity and transparency
- Enforce the principle of accountability in connection with responsibility
- Involve the various stakeholders in national efforts to promote administrative governance, integrity and transparency
- Diagnose imbalances and challenges in the fight against corruption and disseminate the values of morality, transparency and integrity

Measures

Legislative and institutional aspects

27- Strengthen the legal and regulatory framework for the promotion of integrity and transparency through harmonization with international anti-corruption conventions ratified by the Kingdom of Morocco, to include provisions on coordination, investigation mechanisms, access to information, efficient implementation, monitoring and supervision

28- Speed up the adoption of legal provisions governing the criminalization of illicit enrichment

29- Speed up the establishment of a charter for public facilities including rules for good administrative governance

30- Speed up the implementation of regulatory provisions on measures to prevent corruption

31- Complement legislative procedures relating to Draft Law No. 31-13 on the right to access to information

32- Adopt a participatory approach when developing proposals on anti-corruption areas

33- Implement various forms of parliamentary, administrative and judicial control in the fight against corruption

34- Put into effect the roles of governance and participatory democracy institutions in proposing measures directly impacting the fight against corruption and support their action in all areas related to the dissemination of the values of integrity and transparency

35- Strengthen convergence between horizontal and sector-specific programs and initiatives

36- Promote projects and actions aimed at fighting corruption and strengthening administrative governance, integrity and transparency

37- Reinforce mechanisms for the promotion of integrity and transparency with the required expertise and the necessary technical support

38- Generalize public e-services to achieve full digital administration

39- Upgrade the means and forms of reporting cases of corruption, including setting up a toll-free hotline number and facilitating the submission of complaints

40- Establish benchmarks to monitor and measure corruption phenomena

41- Consolidate public dialogue on the achievements of inspection and governance institutions

Awareness raising and communication

42- Establish communication plans and an information policy to achieve the objectives of the national anti-corruption strategy, using an approach based on the rule of law and respect for human rights

43- Document and disseminate best practices in the fight against corruption

Capacity building

44- Develop training and continuing education programs for the various stakeholders in the fight against corruption, the promotion of integrity and transparency and the dissemination of relevant ethical principles

SUB-AREA V : SECURITY GOVERNANCE

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations and media

Objectives

General objective

Ensure balance between the requirements of the maintenance of public order and security and respect for human rights

Specific objectives

- Strengthen legal and institutional safeguards for the protection of individual citizens and groups and the safety of property
- Improve security services in terms of quality and quantity
- Enhance public confidence in security forces in full awareness of rights and responsibilities

Measures

Legislative and institutional aspects

45- Review legal provisions to allow the defence to accompany the detainee once in police custody, and continue to align the legislative framework governing preliminary investigation, custody, search and all police procedures with international standards

46- Review legal provisions to impose compulsory forensic reporting in the event of allegations of torture, and consider the drawn-up record as null in case the medical examination requested by the accused or his defence is refused

47- Speed up the adoption of a law on the identification of persons through DNA fingerprinting

48- Take the security dimension into consideration in elaborating urban planning schemes and designing new suburban residential areas and neighbourhoods to ensure the security of citizens

49- Require the construction and security system to install cameras that can help combat crime and protect people and property

50- Consider necessity and proportionality when using force in the dispersal of public gatherings and peaceful demonstrations and assemblies

51- Document by audio-visual means the interventions of the police force aimed at dispersing public gatherings

52- Equip places of deprivation of liberty with means for audio-visual documentation to record the statements of persons questioned by judicial police, and make the recordings available to the Judiciary

53- Ensure the nutrition of persons in police custody

54- Support security institutions in terms of human, financial and technical resources

55- Strengthen the performance of the Parliament in investigating human rights violations and place security services under parliamentary scrutiny

Awareness raising and communication

56- Establish plans for information and communication with citizens and media professionals concerning the security situation using reports, press releases, press conferences and publications

57- Simplify, facilitate and generalize the distribution of human rights memoranda and circulars in force at security institutions to all their law enforcement officials

58- Strengthen structures, means and channels of communication between security institutions and citizens (proper reception, orientation and advice)

59- Prepare and publish guidebooks and teaching aids to raise the awareness of officials and security agents about good governance rules concerning security and respect for human rights

Capacity building

60- Generalize the teaching of human rights and provisions of international humanitarian law as part of the basic and continuing education programs for law enforcement officials

61- Consolidate training programs for law enforcement officials concerning the use of force and the management of protest sites

62- Strengthen the technical expertise of parliamentary fact-finding committees

SUB-AREA VI : FREEDOM OF GATHERING, ASSEMBLY, PEACEFUL DEMONSTRATION AND ASSOCIATION

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations, professional associations and media

Objectives

General objective

Protect the freedom of gathering, assembly and peaceful demonstration

Specific objectives

- Promote and protect the right of assembly, demonstration, gathering and the creation of associations
- Ensure a balance between guarantees for the right of demonstration and assembly and protection of the rights of others, in accordance with the values of citizenship and respect for the law
- Strengthen the roles of institutional mechanisms in supporting advocacy and social movements at national, regional and local levels

Measures

Legislative and institutional aspects

63- Keep harmonizing the legal framework on the freedom of gathering and association with international human rights standards, in accordance with the Constitution and its provisions

64- Review the laws governing civil liberties to ensure their conformity with the Constitution in terms of basic legal rules and procedures for dispersal of public assemblies, gathering and demonstration, in accordance with international standards and conventional democratic rules

65- Specify the legal rules and procedures relating to the different forms and types of demonstration (sit-in, assembly, street protests, demonstration trajectory...) in terms of traffic, circulation and timing

66- Simplify the rules for the declaration of public assemblies in order to promote and guarantee the exercise of civil liberties by the various components of society (associations and trade unions), and ensure proper application of the procedures in force

67- Ensure respect of the legal provisions on file-deposit receipts for the creation of associations

68- Strengthen partnership between state institutions and associations and raise partnership governance

69- Facilitate freedom of gathering, assembly and peaceful demonstration in terms of reserving places for this purpose and ensuring mediation and negotiation

70- Strengthen mechanisms for mediation, conciliation and proactive institutional and civil intervention to avoid tensions and prevent violations

SUB-AREA VII : FIGHT AGAINST IMPUNITY

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations and media

Objectives

General objective

Combat impunity

Specific objectives

- Support the rule of law and respect for human rights
- Consecrate the role of Justice in the protection of freedoms and rendering justice to victims
- Enforce fair and equitable accountability
- Guarantee the rights of victims

Measures

Legislative and institutional aspects

71- Continue to criminalize all acts that constitute a grave violation of human rights, in accordance with the provisions of the Constitution

72- Consecrate the principle of non-impunity in criminal policy and other public measures

73- Facilitate access to justice for victims by providing legal and judicial assistance

74- Strengthen legal provisions on reparation for victims of human rights violations

75- Protect witnesses and human rights defenders from ill-treatment and intimidation because of their complaints or testimony before public and legal authorities

76- Establish an independent legislative and regulatory framework for the institutionalization of forensic medicine

77- Bring the results of forensic investigation in cases of allegation of torture before the Public Prosecutor's Office for a decision unless it has ordered one

78- Transmit to Justice the results of investigations carried out by the national preventive mechanism against torture

79- Encourage administrative and judicial remedies to safeguard the principle of non-impunity and ensure that victims have access to appropriate remedies

Awareness raising and communication

80- Implement the right of access, reception and dissemination of information to ensure realization of the principle of non-impunity

Capacity building

81- Strengthen training and awareness-raising programs on human rights values and mechanisms for their protection and promotion for judges, law enforcement officials and prison staff



FOCUS AREA II: ECONOMIC, SOCIAL, CULTURAL AND ENVIRONMENTAL RIGHTS



This focus area includes measures aimed at harnessing available means to facilitate citizens' enjoyment of economic, social, cultural and environmental rights. They address the quality of the national system of education, training and scientific research, the promotion of cultural diversity, access to health services, the promotion of integration in the labour market, the social orientation of the housing policy, the establishment of an integrated environmental policy, and strengthening the role of business in promoting human rights.

The measures proposed under this heading are mindful of the gender approach and are based on the principles of equality, equal opportunity, solidarity and good governance, in order to step up efforts in the fight against poverty and social exclusion and ensure their transformation into sustainable assets.

SUB-AREA 1: QUALITY OF THE NATIONAL SYSTEM OF EDUCATION, TRAINING AND SCIENTIFIC RESEARCH

Partners and Cooperation Parties

Government, Parliament, territorial collectivities, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations, universities, colleges and the private sector

Objectives

General objective

Promote the quality of the national education, training and scientific research system with a view to support citizenship, equality and sustainable development

Specific objectives

- Provide education as a constitutional right and a quality public service, and enhance public confidence in public schools
- Ensure equal opportunity in access to compulsory education, and connect it to its social, economic, cultural and linguistic environment
- Speed up teaching the Amazigh language and culture
- Promote education on human rights, citizenship and the values of tolerance, coexistence, equality and equity
- Combat violence, ill-treatment and discrimination in educational settings as a safe environment

Measures

Legislative and institutional aspects

82- Implement the Strategic Vision of Reform 2015-2030 “For School Equity, Quality and Promotion,” and issue the related Framework Law

83- Implement the provisions of Law No. 04-00 on compulsory education

84- Review school curricula and syllabi and harmonize them with the principles and values of the Constitution and the provisions of relevant international conventions

85- Speed up teaching the Amazigh language and culture in terms of:

- Provision of appropriate means
- Reinforcement of training courses for teaching staff
- Preparation of textbooks, curricula and teaching aids

- Drawing on the expertise and skills of the Royal Institute of Amazigh Culture
- Integration of good practices in Amazigh language and culture teaching
- Building on the tangible and intangible heritage of the Amazigh language and culture

86- Adopt incentives to promote girls' schooling at all education levels

87- Integrate a human rights approach in all educational activities

88- Develop a language policy that ensures linguistic justice and takes into account students' needs and the linguistic and cultural specificities of provinces and regions

89- Find mechanisms to connect outputs of the education system to economic, social and cultural needs and to objectives of development plans

90- Institutionalize and generalize financial support for underprivileged schoolchildren and children with disabilities

91- Create administrative mechanisms that encourage efficient participation of teachers in school and educational projects and that broaden student participation

92- Make management boards operational and strengthen their roles as a tool to achieve participatory management of educational affairs

93- Adopt a social assistance mechanism in the school setting

94- Facilitate the conditions of access to higher education, strengthen and value scientific research and increase its budget

Capacity building

95- Promote the values of tolerance, coexistence, respect for human rights and the rejection of hatred, violence and extremism in educational curricula and in the school environment

SUB-AREA II : CULTURAL RIGHTS

Partners and Cooperation Parties

Parliament, Government, public institutions, territorial councils, governance institutions, participatory democracy and human rights institutions, regional development agencies, civil society organizations, the private sector and media

Objectives

General objective

Implement the constitutional entrenchment of the Moroccan culture in the diversity of its tributaries, its value-laden heritage and its civilizational tenets, and promote cultural rights

Specific objectives

- Preserve and develop cultural and linguistic diversity, with its Islamic, Arab, Amazigh and Sahrawi Hassani components and with its African, Andalusian, Hebrew and Mediterranean tributaries
- Combat all forms of discrimination against cultural diversity in order to guarantee coexistence and social development and to consolidate civil peace
- Build on the best values and traditions drawn from all components of the Moroccan culture to ensure societal development

Measures

Legislative and institutional aspects

96- Establish a national cultural strategy

97- Speed up the promulgation of the Organic Law on the implementation of the official status of the Amazigh language

98- Speed up the promulgation of the Organic Law on the National Council for Moroccan Languages and Culture

99- Develop forms, mechanisms and means to preserve and develop cultural diversity in national public policies, strategies, plans and programs that require the implementation of cultural rights, including the right to cultural participation

100- Promote the use of the Arabic language in public schools and other public life spheres

101- Strengthen the status of the Arabic language in university and academic scientific and technical research

102- Strengthen the status of the Amazigh language and culture in cultural, administrative, judicial and other aspects of public life

103- Transversally mainstream Amazigh linguistic and cultural rights in education and training programs and in the school and university environment

104- Strengthen the status of the Hassani culture and heritage in the development model specific to the Southern Provinces and in national social development

105- Build on and preserve the Moroccan Hebrew cultural heritage to enrich cultural diversity and social development

106- Strengthen the means of redress and reparation for discrimination in the field of cultural rights

107- Continue to strengthen the Tamazight television channel and support it with the human resources and skills necessary for continued broadcasting

108- Review the specifications of audio-visual telecommunication companies to improve the Amazigh-language broadcasting quota

109- Encourage the creation of radio stations that use spoken languages and respond to citizens' needs in terms of information, knowledge, awareness and entertainment

110- Encourage university research to pursue efforts in the field of Morocco's diverse history characterized by its religious pluralism and its human, cultural and local constituents

111- Continue to value Moroccan national symbols by lending their names to institutions, streets and public squares in order to preserve them in the memory of generations

112- Strengthen partnership between public cultural institutions, the private sector, youth organizations and civil society

113- Create spaces for permanent dialogue and consultation among civil society organizations and young people at territorial collectivities with regard to cultural production and activities in support of cultural life

I14- Encourage youth and civil society initiatives in the fields of cultural education and production and support innovative projects

I15- Strengthen the rules governing decent housing through the establishment of outlets that promote cultural life and creativity

I16- Expand the network of cultural centres and complexes to cover all urban and rural areas

I17- Generalize libraries and centres for cultural, theatrical and artistic activities in areas lacking cultural infrastructures

I18- Establish programs that facilitate the participation and enjoyment of cultural rights by older persons and persons with disabilities

I19- Create regional thematic museums highlighting the cultural and artistic heritage and specificities of each region

I20- Rehabilitate and preserve archaeological and rocky sites and guard them in order to conserve the national cultural heritage, strengthen mechanisms of its protection against destruction and preserve memory in its national and local dimension

I21- Encourage and promote research studies on the entrenchment of cultural diversity and the preservation of memory, popular culture and other similar forms of creativity

I22- Encourage the creation of regional media stations

I23- Enable young people to actively contribute to the management of cultural life and promote access to it

I24- Draw up a national charter on cultural diversity for all stakeholders

Awareness raising and communication

I25- Establish communication programs for the general public aimed at raising awareness of cultural and linguistic rights

Capacity building

I26- Establish specialized programs with the assistance of cultural professional specialists to strengthen the capacities of NGOs, territorial collectivities and other institutions working in the field of cultural rights

SUB-AREA III : ACCESS TO HEALTH SERVICES

Partners and Cooperation Parties

Parliament, Government, territorial collectivities, governance institutions, participatory democracy and human rights institutions, professional health bodies, civil society organizations, trade unions and the private sector

Objectives

General objective

Rehabilitate the health system and ensure access to health services

Specific objectives

- Guarantee the right to health and generalize medical coverage in a context of equality and equity
- Ensure equitable, fair and sustainable access to health services
- Ensure fair territorial distribution of health services, medical equipment and human resources

Measures

Legislative and institutional aspects

I27- Speed up the adoption of the Draft Law on combating mental disorders and protecting the rights of people with these disorders

I28- Guarantee territorial equity in the field of health, through an equitable health map covering all national territory components

I29- Support access to health services for the most vulnerable groups

I30- Continue to provide the necessary human resources in terms of the number of medical and paramedical professionals and their specialties, and ensure their equitable distribution throughout the territory, taking into account the needs and specificities of each region

I31- Support medical, paramedical and administrative human resources and continue to strengthen capacities through training and continuing education

I32- Rehabilitate emergency departments to improve services related to urgent and serious cases

I33- Promote maternal, neonatal and obstetric health in general

134- Promote the principles of equality and non-discrimination in the treatment of patients in hospitals⁵

135- Guarantee the rights of persons suffering from sexually transmitted diseases and protect them from any form of discrimination, exclusion or stigmatization

136- Further improve quality of services, broaden coverage to reach the other categories and ensure equitable distribution of resources over the national territory

137- Support the systemic and comprehensive collection and analysis of data and information according to gender in the field of health, particularly with regard to sexually transmitted diseases and violence

138- Create units that help healthcare professionals communicate with Tamazight and Hassani speaking patients

139- Promote psychological and mental health and continue its institutionalization and generalization of its services

140- Support the work of mobile medical teams to facilitate community health services

141- Support the plan for the provision of essential emergency and chronic disease drugs

142- Raise the ethical standards of health care institutions and rationalize managing methods for drugs and medical supplies in hospitals

143- Ensure effective coordination among the various health departments at the national level and between hospitals and health centres, and establish mechanisms for monitoring, control, and assessment of performance, quality and efficiency of services

144- Develop means of cooperation and coordination between the public and private sectors to ensure improvement of health services and fair and equitable access thereto

145- Encourage and motivate medical students to specialize in forensic, psychiatric and functional medicine and provide the necessary budgeted positions

146- Keep enhancing services for addressing user complaints, grievances and suggestions at regional level, and provide users with forms to assess their satisfaction level

⁵. To strengthen the normative framework aimed at ensuring equal access to health services, Framework Law No 34-09 on the health system and health care provision has been adopted.

Awareness raising and communication

I47- Organize awareness-raising campaigns in hospitals, health centres and clinics (posters, publications, audio-visual tapes, etc.) in order to make citizens aware of their rights and duties using commonly spoken languages

I48- Promote audio-visual programs on the right to health

SUB-AREA IV : EMPLOYMENT AND CONSECRATION OF EQUALITY

Partners and Cooperation Parties

Parliament, Government, governance institutions, participatory democracy and human rights institutions, trade unions, civil society and representative institutions of the various stakeholders in the private sector

Objectives

General objective

Facilitate the effective exercise of the right to work and equal opportunity

Specific objectives

- Mainstream a human rights approach in legislation, policies, plans and programs on employment
- Ensure equity and equal opportunity and eliminate discrimination in access to the right to work
- Support self-employment by public authorities
- Strengthen and institutionalize mechanisms of social dialogue among stakeholders in the field of employment and nurture the culture thereof

Measures

Legal and institutional aspects

I49- Speed up the ratification process of ILO Convention No. 102 on Social Security Minimum Standards

I50- Consider the ratification of ILO Convention No. 118 concerning Equality of Treatment of Nationals and Non-Nationals in Social Security

I51- Continue societal dialogue on adherence to ILO Convention No.87 concerning Freedom of Association and Protection of the Right to Organise

I52- Encourage and strengthen the roles of regional and national dialogue and reconciliation committees

I53- Promote equity and equal opportunity in programs for training, qualification and integration in the labour market

I54- Strengthen the role of proactive mechanisms to reduce labour disputes

I55- Implement the principle of transparency and equal opportunity in employment, and establish administrative mechanisms and procedures governing job openings in all sectors and public administration services in order to ensure transparency

I56- Develop programs to support and promote small and medium-sized businesses and cooperatives and provide a counter in territorial collectivities to promote businesses, especially women entrepreneurs

I57- Encourage income-generating projects

I58- Strengthen social services for workers and employees

I59- Consolidate the compensation mechanism for loss of employment

I60- Strengthen the Labour Inspectorate

I61- Establish programs and plans to upgrade professional training and promote its efficient contribution to reducing unemployment rates

Capacity building

I62- Establish awareness-raising and education programs on Labour Code provisions for workers

I63- Organize training sessions for staff and officials at the Ministry of Labour and trade unions and for employees' representatives with a view to promoting a human rights culture in the field of employment

I64- Establish programs for training magistrates specialized in labour law

SUB-AREA V : HOUSING POLICY

Partners and Cooperation Parties

Parliament, Government, territorial collectivities, governance institutions, participatory democracy and human rights institutions, the Supreme Council for National Territory Planning, the National Land Registry, Cadastre and Mapping Agency, real estate developers, the banking sector and relevant professional bodies

Objectives

General objective

Grant housing policy a social orientation

Specific objectives

- Adopt strategic planning to implement the right to housing
- Facilitate the right to decent housing by expanding access thereto
- Achieve sustainable human development objectives and criteria in the field of housing and urban planning

Measures

Legislative and institutional aspects

I65- Establish a comprehensive and integrated national housing strategy

I66- Strengthen the legal system on housing and urban planning by adjusting it to human rights requirements⁶

I67- Establish legal and regulatory provisions concerning the minimum standards of social housing in terms of architectural specifications, green spaces, security and accessibility

⁶ The following laws and regulations have been enacted:

- Law No 67-12 governing contractual relations between landlords and tenants of premises for residential or professional utility
- Provisions related to social housing stipulated under Article 7 of the Finance Act 48-09 of 2010
- Law No 106-12 amending and supplementing Law No 18-00 on the status of co-ownership of constructed buildings
- Law No 107-12 amending and supplementing Law No 44-00 on the sale of real estate in the future state of completion
- Law No 94-12 on premises in danger of collapsing and organization of urban renovation operations
- Law No 66-12 on control and punishment of planning and construction offences
- Decree No 2-13-424 of 13 May 2013 approving the general building regulation defining the form and conditions for the issuance of permits and documents required under the legislation related to urban planning and subdivisions, housing groups and fragmentation, as well as the texts adopted for their application.

168- Accelerate promulgation of draft legislation on urban planning from a sustainable human development perspective, taking into account territorial diversity, local specificities and the architectural identity of the various provinces⁷

169- Enforce the law to limit irregularities in urban planning and housing, punish violations and ensure the safety of construction in urban and rural areas

170- Speed up execution of programs for the elimination of inadequate housing

171- Speed up execution of slum eradication programs to address the situation of 50% of the households living in slums by 2021⁸

172- Accelerate adoption of the Decree on delimitation of the territorial jurisdiction of urban agencies in line with the new territorial division

173- Ensure urban rehabilitation of illegal neighbourhoods in order to improve the living conditions of their population

174- Implement social housing priorities, doubling the supply of housing products adapted to the needs and means of low-income groups, as part of the project to develop alternative housing products by 2021

175- Strictly and rigorously limit access to social housing programs to low-income groups

176- Increase the financial capacities of security funds for social categories with limited income, low income and unstable income to enable them to access housing loans under appropriate conditions

177- Implement the law on dilapidated buildings, organize urban renewal operations and set up integrated programs to redress the dilapidated housing situation in order to cover the entire national territory

178- Ensure that tax incentives for real estate developers involved in the implementation of social housing projects are adapted to the supply of decent housing for different categories of society

179- Include in specifications the minimum standards applicable to social housing as defined in a legal or regulatory manner

⁷ Several laws are currently being drafted, namely: a draft law on national territory planning, a draft law on urban planning documents, a draft law on major urban development projects, a draft law on urban inclusion, a draft law on the contribution to financing urban expansion, a draft law on licenses and authorizations, and a draft law amending Dahir No 1-93-51 on the establishment of urban agencies.

⁸ By October 2017, 58 cities were declared free of slums out of 85 contracted cities.

Awareness raising and communication

I80- Establish an information policy to facilitate targeted communication on the right to decent housing for social categories

Capacity building

I81- Establish training programs on the right to decent housing and social support for low-income and unstable-income groups

I82- Elaborate educational reference materials on the culture of human rights and its constitutional value for graduate architecture students

I83- Set up training programs for facilitators in the field of social support for housing projects

SUB-AREA VI : INTEGRATED ENVIRONMENTAL POLICY

Partners and Cooperation Parties

Parliament, Government, public institutions, territorial collectivities, governance institutions, participatory democracy and human rights institutions, regional development agencies, political parties, trade unions, civil society organizations and the private sector

Objectives

General objective

Adopt an integrated environmental policy with good governance

Specific objectives

- Implement the National Sustainable Development Strategy 2030
- Mainstream the environmental dimension in public policies and sector-specific programs
- Take account of sustainable development, the preservation of biodiversity and fighting desertification and climate change
- Establish a legal framework for environmental liability and control mechanisms

Measures

Legislative and institutional aspects

184- Harmonize the national legal framework with international conventions on environment protection and sustainable development

185- Review legislative and regulatory texts in light of the current environmental quality standards, in particular the legislation regarding water, renewable energies, biodiversity, action against air pollution and climate change, waste management and recovery and environmental assessment and rehabilitation, and implement measures to sanction and punish environmental offences

186- Accelerate adoption of the Law on access to genetic resources and fair and equitable sharing of benefits arising from their use, in accordance with the Convention on Biological Diversity and the Nagoya Protocol⁹

⁹ The 2010 Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of the Benefits Arising from their Utilization to the Convention on Biological Diversity

187- Accelerate promulgation of the Decree on the creation of a national greenhouse gas inventory system in accordance with the provisions of the United Nations Framework Convention on Climate Change

188- Review the mandate and organization of the National Environmental Council in order to establish the necessary structures, institutions, mechanisms and procedures for good environmental governance and to achieve sustainable development in accordance with the principles and objectives of the Framework Law on the National Charter for Environment and Sustainable Development

189- Cover environment areas not included in environment and sustainable development legislation in order to complete the legal framework on these areas

190- Examine the compilation of sector-specific laws relating to the environment within a clear and updated code to promote coherence and facilitate access to their contents by citizens and implementing organizations

191- Support the National Fund for Environment and Sustainable Development

192- Allocate financial and technical incentives to support projects in the field of environment and sustainable development

193- Step up efforts to improve strategic environmental assessment

194- Elaborate a national plan against climate change and a national policy against global warming and mobilize all stakeholders in the fight against climate change

195- Ensure the participation and contribution of stakeholders, in particular civil society organizations and political, trade union and media organizations, in the promotion of environmental culture and environmental programs

196- Implement a proximity policy in the field of environment management and speed up its implementation

197- Develop forest estate management in order to ensure full protection of preserved areas and of the population's rights and agricultural activities

198- Regularize water-consuming agriculture, particularly in fragile areas

199- Facilitate access to environmental information and ensure citizen participation in decision-making and in the development of projects and programs related to the environment

200- Support the national waste management and recovery program

201- Accelerate implementation of the National Liquid Sanitation Plan, particularly in rural areas

202- Strengthen inter-sector-based coordination mechanisms on environment and sustainable development

203- Facilitate citizens' access to justice when they are victims of environmental damage in order to achieve environmental justice

204- Encourage teaching and scientific research on environment and sustainable development at universities, training institutes and scientific research centres

Awareness raising and communication

205- Implement the provisions of the National Charter on Information, Environment and Sustainable Development

206- Organize awareness-raising campaigns on the optimization and rationalization of natural resource management and environment protection through print, audio-visual and electronic media

207- Integrate the environmental dimension into school programs, curricula and educational activities in school settings

Capacity building

208- Promote the culture of environmental protection through education, training, continuing education and awareness raising

209- Promote programs for building capacities in the field of environment and sustainable development

210- Educate magistrates and judicial and environmental police in the field of environmental rights

SUB-AREA VII : BUSINESS AND HUMAN RIGHTS

Partners and Cooperation Parties

Parliament, Government, governance institutions, participatory democracy and human rights institutions, employers' framework bodies, in particular the General Confederation of Moroccan Companies, the Moroccan Federation of Trade and Industry Chambers and the League of Moroccan Chambers of Agriculture, Maritime Fishing, Craft Industries and Foreign Trade, as well as economically and socially active trade unions, and civil society organizations

Objectives

General objective

Promote human rights dimensions in business

Specific objectives

- Adopt strategic planning concerning business and human rights in light of relevant United Nations guidelines
- Harmonize national labour laws and policies with relevant international instruments and standards
- Strengthen national presence at the international level

Measures

Institutional and legislative aspects

211- Elaborate and adopt a national action plan on business and human rights involving all stakeholders (Government departments, Parliament, the private sector, trade unions, governance institutions, participatory democracy and human rights institutions and civil society organizations, etc.)

212- Encourage companies to set up a general internal code of conduct on human rights

213- Mainstream respect for human rights into business in law and practice, and promote companies' roles with regard to human rights and the values of citizenship

214- Promote the role of the company in assessing the impact of its activities on human rights

215- Promote national participation in international and regional events on business and human rights

Awareness raising and communication

216- Promote awareness about business and human rights through the organization of national and regional events with the participation of concerned stakeholders

217- Encourage exchange of experience and good practices between businesses regarding respect for human rights in companies

Capacity building

218- Set up training programs on human rights in companies for all actors and stakeholders (business managers, trade union officers, civil actors, judges, lawyers and labour inspectors)

219- Encourage teaching and scientific research in universities, training institutes and scientific research centres on business and human rights



FOCUS AREA III : PROTECTION AND PROMOTION OF THE RIGHTS OF SPECIFIC GROUPS



Measures in this section are based on the State's Supreme political will and on achievements with regard to public policies and national strategies, plans and programs, as well as on the outcome of the work of participatory democracy institutions and civil society organizations.

This focus area aims to step up action and guarantees for the prevention and protection of the rights of specific groups and to ensure their promotion. Institutional, legislative and regulatory measures are proposed to enhance the protection of children's rights and the promotion of the role of the youth in development, and to facilitate the rights of persons with disabilities, older persons, migrants and refugees.

The measures suggested under this focus area pay particular attention to social groups suffering from marginalisation and exclusion, such as abused women, children, people with disabilities, older people, migrants and refugees. They also take into account the need to streamline the roles and functions of the different stakeholders and to strengthen coordination, convergence and capacity building of the human resources of the departments in charge of these groups, along with the consolidation of their material resources.

SUB-AREA 1: INSTITUTIONAL AND LEGISLATIVE DIMENSIONS

Partners and Cooperation Parties

Parliament, Government, public institutions, judiciary, territorial collectivities, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations and the private sector

Objectives

General objective

Promote the protection of the rights of specific groups in the legislative and institutional framework

Specific objectives

- Continue to harmonize national legislation with international instruments on the rights of specific groups
- Encourage positive discrimination to promote the rights of specific groups
- Disseminate the culture of equality and rejection of discrimination, intolerance, hatred and violence
- Improve reception and care services

Measures

Legislative and institutional aspects

220- Promulgate the law on the conditions for opening, creating and managing social welfare institutions

221- Intensify programs targeting vulnerable groups, in particular the homeless, and provide assistance, counselling, care and economic, social and family integration services

222- Support mechanisms and measures for the development and facilitation of monitoring and evaluation of public policies and programs for the protection and promotion of the rights of specific groups

223- Continue to integrate a human rights culture on the rights of specific groups in the curricula of the Higher Institute for the Judiciary and in judicial functions

224- Integrate the culture of human rights into the curricula of basic and continuing education institutions for people working in the protection of the rights of specific groups

- 225- Integrate social volunteering in educational and university settings
- 226- Adopt quality standards in management and care services within social welfare institutions to guarantee the rights of specific groups
- 227- Collect and publish laws and legislation related to specific categories and disseminate their provisions
- 228- Set up information systems for monitoring the rights of specific groups
- 229- Ensure that territorial collectivities set up programs for the rights of specific groups
- 230- Increase funds allocated to the promotion of the rights of specific groups in the State budget
- 231- Adopt good governance in monitoring the implementation of programs and strategies relating to vulnerable groups
- 232- Review the legislative framework on public charity

Awareness raising and communication

- 233- Encourage and support awareness-raising initiatives aimed at protecting vulnerable social groups

Capacity building

- 234- Build the capacities of governmental and non-governmental actors concerning the rights of specific groups
- 235- Rehabilitate and build the capacities of the Moroccan Red Crescent and other national associations concerned with vulnerable social groups

SUB-AREA II : RIGHTS OF THE CHILD

Partners and Cooperation Parties

Parliament, Government, public institutions, the Judiciary, governance institutions, participatory democracy and human rights institutions, territorial collectivities, civil society associations and the private sector

Objectives

General objective

Maintain efforts to protect and promote the rights of the child

Specific objectives

- Promote and strengthen implementation of the principle on the best interests of the child
- Promote integrated public policy on child protection
- Strengthen programs to protect children from all forms of neglect, abuse, exploitation and violence

Measures

Legislative and institutional aspects

236- Implement the Family and Children's Advisory Council and promulgate related legislation and regulations

237- Speed up the creation and implementation of the national redress mechanism for children victims of rights violations

238- Continue to strengthen the legal framework for the protection of children and ensure its efficiency

239- Speed up the adoption of a draft law on child protection centres

240- Review the Foster-Care (*Kafala*) Law to ensure the best interests of the child

241- Speed up promulgation of the Act on the conditions for opening and management of social welfare institutions and the legal and regulatory texts in this field

242- Implement the legal provisions on children in the transitional period provided for in the Employment of Domestic Workers Act

243- Continue societal dialogue on the revision of Article 20 of the Family Code concerning the authorization of marriage of a minor

244- Develop and enforce legal provisions on the criminalization of sexual exploitation and trafficking in children and increase penalties for criminals

245- Establish monitoring and evaluation indicators for the protection of children against abuse and all forms of exploitation and violence

246- Simplify procedures for the registration of children in Civil Status registers

247- Transfer all the powers conferred on the Superior Civil Status Commission to the justice system in respect of patronymic names

248- Implement the Circular of the Head of Government on the national campaign for the registration of children in civil registers on a regular and continuous basis

249- Promote and strengthen social and legal assistance for children victims of aggression, violence and exploitation or in conflict with the law

250- Promote the right of children to participate in the development and monitoring of national policies, programs and projects

251- Continue and uphold efforts to reduce the marriage of minors

252- Give prime importance to social programs that contribute to the improvement of the conditions of girls, particularly in education, training and access to resources

253- Ensure equality between men and women in bearing Moroccan nationality, in accordance with the best interests of the child

254- Protect children's rights in media, including modern communication media, and promote education thereon

255- Promote the safe access of children to media and means of communication based on new technologies, through the establishment of special programs and protection against all forms of exploitation

256- Implement the Circular of the Ministry of the Interior on the choice of first names¹⁰

¹⁰ Circular D-3220 of the Ministry of Interior of April 9, 2010, on the choice of first names

- 257- Maintain efforts to reduce the phenomenon of child labour
- 258- Encourage and support families with children in difficult situations to avoid social welfare institutions
- 259- Adopt quality standards in care services within child welfare institutions
- 260- Establish classifications and specifications for types of social welfare institutions for children in need of protection
- 261- Organize and monitor the conditions of children's *Kafala* (foster care) outside of the Moroccan territory
- 262- Upgrade monitoring mechanisms for the situation of children in foster care
- 263- Implement the executive program of the Integrated Public Policy for Child Protection in Morocco at local and regional levels
- 264- Support the work of the inter-ministerial commission in charge of monitoring policies and programs for the promotion and protection of children's rights
- 265- Adopt measures related to the protection of unaccompanied migrant children and their access to basic services, particularly those related to health, education and teaching
- 266- Adopt protection measures for abandoned children, support dedicated childcare facilities and simplify the relevant foster-care procedure
- 267- Develop partnerships with host countries to protect Moroccan children from exploitation, according to their best interests
- 268- Establish integrated territorial child protection mechanisms to ensure coordination and vigilance in the notification, reporting and service monitoring for children victims of violence
- 269- Implement the Charter for Sustainable Tourism aimed at establishing prevention programs to protect children from persons who use tourism for sexual motives
- 270- Ensure that territorial collectivities integrate children's concerns into local development plans in terms of diagnosis, needs identification, planning and implementation

271- Implement educational, pedagogical and logistic control mechanisms in spaces dedicated to child education and teaching

272- Promote measures aimed at protecting school environments in order to protect children and adolescents from drugs and traffickers

Awareness raising and communication

273- Disseminate the culture of children's rights within social welfare institutions for children

274- Raise awareness of the danger of corporal punishment and violence in the educational setting as a safe environment

275- Continue to strengthen programs and activities related to children's participation rights

276- Strengthen prevention programs for children in difficult situations and their families

277- Innovate forms and formulas of educational tools on sexuality education, following a preventive approach that takes into account the age and maturity level of children and the risks they may face

Capacity building

278- Maintain activities of training and continuing education on the United Nations Convention on the Rights of the Child and its Protocols

SUB-AREA III : YOUTH RIGHTS

Partners and Cooperation Parties

Parliament, Government, governance institutions, participatory democracy and human rights institutions, political parties, trade unions and civil society organizations, in particular youth organizations

Objectives

General objective

Establish an integrated national youth policy

Specific objectives

- Promote the participation of young people in the development, implementation and evaluation of public policies, programs and projects at local, regional and national levels
- Consolidate the approach to human rights and citizenship education for young people

Measures

Legislative and institutional aspects

279- Make effective the Advisory Council on Youth and Associative Action and adopt the relevant laws and regulations

280- Establish legislative and regulatory measures to protect young people from the dangers of misuse of communication media based on new technologies

281- Review the organic law of the parties to enable young people to participate effectively in the management of partisan affairs

282- Review the organic laws of local authorities so as to enable young people to contribute effectively to the management of local affairs

283- Strengthen inter-sector-based coordination mechanisms specific to the youth

284- Promote youth focal points in relevant sectors and institutions at the central and local level

285- Establish emergency programs for the most vulnerable categories of young people (in situations of disability or exclusion...)

286- Elaborate and generalize periodic reports on youth

287- Support associations working for young people and advocating for their causes

Awareness raising and communication

288- Strengthen youth participation in information and communication services

289- Promote programs developed by and intended for young people in the specifications of public audio-visual communication companies

290- Promote the role of young people in national and regional dialogues on public administration and on the promotion of their status

291- Set up a database for young people

Capacity building

292- Establish programs to strengthen the capacity of stakeholders in the integrated national youth policy

293- Promote support and assistance for young people in terms of economic, professional and social integration

294- Provide school and university curricula with educational tools related to human rights and citizenship education

295- Promote literacy programs with a view to eradicating illiteracy and promote the qualification of young people

SUB-AREA IV : THE RIGHTS OF PERSONS WITH DISABILITIES

Partners and Cooperation Parties

Parliament, Government, governance institutions, participatory democracy and human rights institutions, relevant civil society organizations and media

Objectives

General objective

Protect and promote the rights of persons with disabilities and ensure their full social participation

Specific objectives

- Implement the National Plan for the Promotion of the Rights of Persons with Disabilities 2017-2021
- Consolidate a human rights approach in addressing issues related to persons with disabilities
- Combat discrimination based on disability to ensure equity for persons with disabilities
- Facilitate all economic, social and cultural rights for persons with disabilities in the context of universal access

Measures

Legislative and institutional aspects

296- Ratify the 2013 Marrakech Treaty aimed at facilitating access to published works for the blind, visually impaired and persons with other difficulties in reading printed texts¹¹

297- Harmonize national legislation with the provisions of the International Convention on the Rights of Persons with Disabilities, particularly with regard to legal capacity

298- Speed up the promulgation of the regulatory texts provided for in the Framework Law on the protection and promotion of the rights of persons with disabilities

299- Speed up the establishment of a national mechanism to protect the rights of persons with disabilities, in accordance with the provisions of the International

¹¹ Morocco signed this Treaty on June 28, 2013.

Convention on the Rights of Persons with Disabilities¹²

300- Support the work of the relevant government coordination mechanism¹³

301- Establish a national centre for disability monitoring, documentation and research

302- Implement the provisions of the fourth lever of the Strategic Vision of Reform 2015-2030 “For School Equity, Quality and Promotion” for people with disabilities or in special situations

303- Integrate education on difference into school curricula to contribute to changing attitudes and identifications among children and youth

304- Consolidate schooling in regular classes, make appropriate arrangements to facilitate access, expand the network of integrated classrooms to cover intermediate and secondary education and ensure that specialized centres are part of the national education system

305- Promote the right to employment for persons with disabilities through the application of the legal quota

306- Accelerate setting and application of the rate of persons with disabilities to be hired on a contractual basis between the State and private sector enterprises

307- Establish programs to support and encourage self-employment for persons with disabilities

308- Implement and strengthen mechanisms for the integration of persons with disabilities into vocational training and self-employment systems, using positive discrimination mechanisms and promoting sheltered work centres

309- Promote universal accessibility at the level of urban and architectural planning and in transport and communication means¹⁴

310- Adopt a cross-cutting, inclusive development approach in all disability-related programs and policies

¹² The National Human Rights Council was entrusted with the creation of the national mechanism for the protection of the rights of persons with disabilities under Draft Law No 76-15 on its reorganization.

¹³ In compliance with Article 33 of the Convention on the Rights of Persons with Disabilities, a ministerial committee has been established to monitor and implement strategies and programs for the promotion of the rights of persons with disabilities.

¹⁴ In 2012, the standardized accessibility committee was set up by a decision of the Minister of Industry and Trade, with a mission to develop relevant measurement specifications in order to strengthen the normative framework on accessibility. Two inter-departmental decisions of the Ministry of Interior and the Ministry of Urban Planning were also drawn up in relation to technical characteristics and measurement of urban and architectural accessibilities, in conformity with Decree No 2-11-246 of 20 October 2011 implementing Law No 10-03 on accessibility. In addition, a comprehensive explanatory technical guide has been prepared containing solutions and proposals to be adopted during the planning and development operations of urban areas and public facilities. A survey has been carried out on accessibility in public facilities in the cities of Rabat, Oujda, Tangier and Casablanca, as well as a study on the integration of accessibility in the systems of urban development plans.

311- Provide means to facilitate access to the justice system for persons with disabilities

312- Implement the National Scheme on Health and Disability¹⁵

313- Accelerate implementation of the system of social support, promotion and assistance for persons with disabilities, in accordance with Article 6 of the Framework Law No. 97-13 on the protection and promotion of the rights of persons with disabilities

314- Regulate and upgrade services in social welfare institutions

315- Create social institutions for sheltering abandoned persons with disabilities

316- Strengthen resources and services of the Social Cohesion Support Fund that are dedicated to persons with disabilities

317- Establish a new disability assessment system in line with the medical, psychological and social concept adopted under the International Convention on the Rights of Persons with Disabilities

318- Unify and standardize sign language

319- Consider ways of involving the private sector in the integration of persons with disabilities into the labour market

320- Support and encourage initiatives of civil society working in the field of disability

321- Generalize access to cultural services for persons with disabilities through the introduction of modern technological means in educational institutions, libraries, cultural complexes and sports facilities

322- Support the role of the private sector in contribution to the process of social integration of people with disabilities

323- Facilitate access to rehabilitation for people with disabilities through the creation and equipment of physiotherapy centres in the various regions and the promotion of certified medical and paramedical training systems meeting all needs

¹⁵ The provisions of this strategy have been incorporated within the Integrated Public Policy for the Promotion of the Rights of Persons with Disabilities and the draft national action plan, which includes specific procedures in this regard. The Ministry of Health is implementing the National Action Plan on Health and Disability 2015-2021 under the same strategy.

Awareness raising and communication

324- Strengthen the role of media in developing disability prevention campaigns and programs to combat discrimination and stigmatization against persons with disabilities

325- Enable persons with disabilities to access information and communication services by integrating sign language into media programs¹⁶

Capacity building

326- Develop basic and continuous training on disability, particularly in the fields of education, vocational training and health, especially in relation to certain types of disability such as autism

327- Strengthen the role of civil society in promoting the rights of persons with disabilities

¹⁶ Laws and organic texts with provisions related to this measure have been adopted, namely Law No 66-16 amending and supplementing Law No 77-03 on audiovisual communication, published in the Official Gazette No 6501 on September 19, 2016; and Law No 88-13 on the press and publishing and specifications of national audiovisual companies promulgated by Decrees No 2-12-596 and No 2-12-597 of October 12, 2012, published in the Official Gazette No 6093 on October 22, 2012.

SUB-AREA V : THE RIGHTS OF OLDER PERSONS

Partners and Cooperation Parties

Parliament, Government, territorial collectivities, governance institutions, participatory democracy and human rights institutions, solidarity and social welfare institutions, civil society organizations, universities and media

Objectives

General objective

Promote and protect the rights of older persons to cope with demographic transitions and related challenges

Specific objectives

- Promote and strengthen a culture of intergenerational solidarity to protect the elderly
- Combat all forms of discrimination and abuse against older persons
- Establish public programs to promote healthy ageing
- Adopt a proactive demographic policy on the age groups of older people

Measures

Legislative and institutional aspects

328- Establish a strategic framework to promote and protect the rights of older persons

329- Establish a statute for elderly-care social assistance professions

330- Preserve the rights and dignity of older persons by improving care standards and services in terms of facilities and human resources

331- Encourage scientific research and university studies on the situation of older persons and the effects of ageing at different demographic, economic and social levels

332- Encourage territorial collectivities to integrate the needs of older persons in the implementation programs of development plans

333- Support and encourage civil society and private sector initiatives to create clubs and entertainment spaces for older persons

334- Encourage all public and associative initiatives supporting and promoting the well-being and participation of older persons

335- Consider ways to valorise the experiences and skills of older persons as part of the intangible cultural and moral heritage

336- Establish indicators and information systems to monitor the situation of older persons, especially those in difficult situations, at local, regional and national levels

337- Support families with elderly members in difficult situations

338- Provide compulsory medical coverage for non-benefiting older persons¹⁷

339- Encourage the promotion of geriatrics and the creation of training courses for specialized medicine in this field

Awareness raising and communication

340- Promote media programs for older persons

Capacity building

341- Strengthen the capacities of public and institutional actors to integrate the needs of older persons in public policies

342- Strengthen the institutional work of associations working to improve the situation of older persons

¹⁷ On July 21, 2016, the Government Council adopted Draft Law No 63-16 amending and supplementing Law No 65-00 on the Code of Basic Medical Coverage, in order to enable one or both parents of the insured person to benefit from the compulsory basic health insurance for employees and retirees in the public sector, as part of completing the generalization of medical coverage for all segments of society.

SUB-AREA VI : THE RIGHTS OF MIGRANTS AND REFUGEES

Partners and Cooperation Parties

Parliament, Government, public institutions, territorial collectivities, governance institutions, participatory democracy and human rights institutions, associations working in the field of migration, universities, scientific research centres and media

Objectives

General objective

Protect and promote the rights of migrants and refugees

Specific objectives

- Integrate migration issues in public policies following a rights-based approach that takes account of Morocco's international commitments
- Promote the fundamental rights of expatriate Moroccans in host countries and foreigners residing in Morocco
- Strengthen the multiple and diverse cultural, religious and linguistic ties between Moroccan communities and their country of origin

Measures

Legislative and institutional aspects

343- Further reflect on the implementation of constitutional provisions related to the rights of expatriate Moroccans

344- Continue updating the legislative and institutional framework on migration and asylum

345- Establish regulatory provisions for the Anti-Trafficking in Persons Act¹⁸

346- Further develop the social protection conventions concluded between Morocco and host countries, in accordance with a human rights-based approach

347- Establish bilateral agreements with the countries of origin of migrants residing in Morocco so that they may enjoy social, economic and cultural rights

348- Ensure protection of Moroccan immigrant women and strengthen government efforts in this area

¹⁸ Law No 27-14 on combating trafficking in persons has been adopted.

349- Protect the rights of unaccompanied Moroccan immigrant children in host countries

350- Establish a national mechanism to monitor and follow up the development of migration to and from Morocco and measure its social, economic and cultural impact

351- Pursue efforts in order to promote programs for the benefit of expatriate Moroccans, respond to their cultural, linguistic, religious and educational aspirations in host countries, and enhance their communication with their home country

352- Implement mechanisms to monitor the situation of Moroccan prisoners serving their sentences abroad in order to guarantee their rights and take care of their situation

Awareness raising and communication

353- Maintain coordination and convergence between all stakeholders in the field of migration and strengthen the role of the Inter-ministerial Committee for Expatriate Moroccans and Migration Affairs

354- Strengthen communication units in embassies and consulates and facilitate services for Moroccans residing abroad

355- Promote the innovations and inventions of Moroccan researchers living abroad

356- Generalize and disseminate national reports on migration and the situation of migrants

357- Promote media programs for migrants

Capacity building

358- Further support and build the capacities of civil society actors addressing the situation of migrants on the ground, both in Morocco and in host countries

359- Develop training and continuing education programs that take into account the human rights dimension and target associations working with Moroccans abroad and with migrants in Morocco



FOCUS AREA IV: THE LEGAL AND INSTITUTIONAL FRAMEWORK



The legal and institutional framework has always been at the heart of political and human rights concerns in recent decades. Thanks to the progress made and to constitutional consecration, Morocco has been able to develop a legal and institutional system that serves as an incubator of rights and freedoms and that requires regular and continuous consolidation.

With this in mind, this section proposes legal and institutional measures to preserve achievements and to consolidate them using other actions that guarantee better enjoyment of rights and freedoms.

Those measures particularly relate to fields and themes that focus on strengthening the legal and institutional protection of human rights, especially women's rights, freedom of expression, the right to media and information, and preservation, maintenance and access to archives.

SUB-AREA 1: LEGAL AND JUDICIAL PROTECTION OF HUMAN RIGHTS

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, territorial administration, trade unions, the Bar Association, forensic experts, academia and civil society organizations

Objectives

General objective

Promote the legal and judicial protection of human rights

Specific objectives

- Promote adherence to the international and regional human rights system
- Adopt a modern penal policy based on human rights principles
- Support the role of the judiciary in protecting the rights, freedoms and legal security of individuals and groups, and in the application of the law within reasonable timeframes

Measures

Legislative and institutional aspects

360- Continue accession to and interaction with international and regional human rights systems

361- Continue adherence to the Council of Europe conventions open to non-member countries¹⁹

362- Speed up adoption of the draft legislation on the Penal Code and the Code of Criminal Procedure

363- Accelerate adoption of a new law regulating prisons to ensure humanization of penitentiaries and improvement of the living conditions and nutrition of prisoners and the protection of the rest of their rights

¹⁹ European Convention on the Exercise of Children's Rights (January 25, 1996), Council of Europe Convention on Contact concerning Children (May 15, 2003) and Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (October 25, 2007)

364- Speed up adoption of legal provisions regulating alternative sanctions in order to reduce problems related to police custody and prison overcrowding

365- Maintain societal dialogue on accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty

366- Maintain societal dialogue on ratification of the Statute of the International Criminal Court

367- Maintain societal dialogue on amendment of Article 53 of the Family Code to ensure effective protection by the Public Prosecutor's Office for the spouse reinstated at the matrimonial home

368- Create a national crime observatory

369- Create a national DNA fingerprint bank

370- Establish partnerships and cooperative relations with national and international human rights institutions to contribute to coaching and training judges and lawyers in order to help them internalize the human rights culture in thinking, action and practice

371- Establish a judicial efficiency charter for the proper management of hearings and ruling time limits, liquidation of pending cases, communication with citizens, reception of their complaints and other similar procedures

372- Promote the role of administrative justice in establishing the rule of law and implementing the principle of supremacy of the law and respect for human rights

373- Accelerate the establishment of an integrated system to address complaints concerning users' rights

Awareness raising and communication

374- Establish a program to collect, classify, submit and publish criminal and administrative jurisprudence to promote the implementation of international human rights standards

375- Document and publish research studies that consolidate the stock of the human rights culture accumulated throughout the opinions and consultative works of participatory democracy institutions

376- Build on communication between justice professionals and auxiliaries and improve its institutionalization

Capacity building

377- Establish basic and in-service training programs on the rule of law and respect for human rights based on the Constitution, the wealth of Moroccan jurisprudence and relevant good practices, for the benefit of the justice constituents and auxiliaries

378- Promote basic and continuing training programs in institutes and training centres for law enforcement personnel

SUB-AREA II : LEGAL AND INSTITUTIONAL PROTECTION OF WOMEN' S RIGHTS

Partners and Cooperation Parties

Parliament, Government, the Judiciary, governance institutions, participatory democracy and human rights institutions, relevant civil society organizations, in particular women's organizations, listening centres, universities, research centres and media

Objectives

General objective

Continue national efforts to promote and protect women's rights

Specific objectives

- Implement the constitutional provisions related to equality and the implementation of equity
- Ensure harmonization of legal provisions related to women with international standards in light of the provisions of the Constitution and the Kingdom's treaty practice
- Promote the culture of equality in society, and prohibit and combat all forms of discrimination and violence against women
- Achieve economic and social empowerment of women

Measures

Legislative and institutional aspects

379- Make operational the Authority for Parity and the Fight against All Forms of Discrimination

380- Consider initiatives by the Government and participatory democracy institutions to organize public dialogues on the outcome of the implementation of the Family Code in terms of jurisprudence and societal development

381- Enhance the Government Plan for Equality and Equity «ICRAM 2»

382- Strengthen the protection of women against violence in national legislation and penal policy

383- Accelerate enactment of the law on combating violence against women

384- Continue building on the stock of acquired knowledge regarding the concept of the wife's right to material reward for her efforts within the family (الكد والسعاية)²⁰ in judicial practice

385- Implement regulatory texts concerning application of the Law on the conditions of hiring and employment of domestic workers

386- Promote legal safeguards for the criminalization of sexual harassment

387- Continue societal dialogue on certain provisions of the Family Code, including:

- Rewording Article 49 to capture the concept of the wife's right to material reward for her efforts within the family (الكد والسعاية)
- Reviewing Article 175 on recognition of non-forfeiture of a mother's custody despite her marriage
- Amendment of Articles 236 and 238 to ensure equality between father and mother in the exercise of guardianship over children

388- Preserve the human dignity of women in media and implement repressive measures in case of violation

389- Strengthen monitoring and follow-up mechanisms to protect women victims of violence at national, regional and local levels

390- Pursue implementation of the provisions of the Family Solidarity Fund and simplify its procedures

391- Integrate a gender approach in economic programs that support business creation

392- Vigorously implement the provisions of the Anti-Trafficking in Persons Act in terms of protection of child and women victims

393- Promote the role of territorial collectivities in creating a safe environment that protects children and women from all forms of violence

394- Integrate a gender dimension in policies and budgets and set up follow-up and evaluation mechanisms

395- Establish mechanisms to ensure women's access to entrepreneurship

396- Promote programs to eradicate poverty, marginalization and social exclusion of women

²⁰ This is a jurisprudence based on the acquired customary «Soussi work» on the management of common property between spouses.

Awareness raising and communication

397- Document and publish jurisprudence on the protection of women's rights as a source of legislation

398- Disseminate good practices on the application of the Family Code at the level of the clerk's office and reception centres

399- Expand, promote and strengthen the network of multidisciplinary and multifunctional spaces for women

400- Combat stereotypical and discriminatory images of women in media and in school curricula and textbooks

Capacity building

401- Maintain training and capacity-building programs in the field of training and continuing education on women's rights for judges and justice auxiliaries

SUB-AREA III : FREEDOM OF EXPRESSION, INFORMATION AND PRESS AND THE RIGHT TO INFORMATION

Partners and Cooperation Parties

Parliament, Government, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society organizations, universities, higher education institutions and media

Objectives

General objective

Continue preserving and building on achievements in the practice of the freedom of expression, information and press, and further consecrate the right to information

Specific objectives

- Consecrate the legal protection of the right to expression and opinion and guarantee the right to information
- Promote the culture of freedom of expression and information
- Protect the freedom of expression and the press and set limits in the light of the provisions of the Constitution

Measures

Legislative and institutional aspects

402- Speed up the promulgation of the Right to Information Act in accordance with the Constitution and international conventions

403- Adopt the regulation setting the methods of operation and organization of the election of the National Press Council members

404- Speed up implementation of an ethics charter for the media and information profession, including electronic media

405- Enhance professional ethics in media practice

406- Promote media training institutes

407- Provide for the principle of equity in the specifications of audio-visual communication companies

408- Strengthen legal provisions related to infringement on intellectual property in line with the Constitution

409- Promote the role of the Moroccan Copyright Office and review its governing law to make it a public institution²¹

Awareness raising and communication

410- Promote awareness-raising programs on the achievements and challenges related to the exercise of freedom of expression, information and press and the right to information

Capacity building

411- Integrate human rights values into training programs for media and communication professionals

²¹ The Program Contract between the Ministry of Communication and the Office was renewed on October 22, 2012 for the years 2014-2016, with the aim to complete its legal and institutional upgrade, and to improve its performance, enhance its services and strengthen its management capacities in accordance with the rules of good governance, following an approach involving rights holders among artists and innovators in management. The objective is to make the Office operational, simplify its work and reinforce its intervention in the protection of innovation and the maintenance of creators' rights. Legal upgrade has been realized with the enactment of Dahir No 1-14-97 on Rajab 20, 1435 (May 20, 2014), implementing Law No 79-12 supplementing Law No 2-00 on copyright and neighboring rights of June 9, 2014, published in Official Gazette No 6263. Decree No 2-14-839 establishing the composition and competencies of the "Private Copying Committee" created at the Moroccan Copyright Office was also promulgated on Jumada II 27, 1436 (April 17, 2015).

SUB-AREA IV : PROTECTION OF THE CULTURAL HERITAGE

Partners and Cooperation Parties

Parliament, Government, territorial collectivities, governance institutions, participatory democracy and human rights institutions, universities, higher education institutions, civil society organizations, the private sector and media

Objectives

General objective

Protect and enhance the cultural heritage

Specific objectives

- Rehabilitate, disseminate and maintain cultural heritage
- Invest cultural heritage in development

Measures

Legislative and institutional aspects

412- Encourage accession to international conventions on the protection and preservation of cultural heritage²²

413- Establish legislation for the implementation of the law governing the protection of cultural heritage

414- Review texts related to cultural heritage

415- Conduct an inventory, documentation and classification of cultural heritage

416- Upgrade the mechanisms for the protection and preservation of the Moroccan cultural heritage including all its components and its material and symbolic dimensions

417- Promote the restoration and maintenance of palaces and Kasbahs

²² Mention is made of the UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects.

SUB-AREA V : PRESERVATION AND MAINTENANCE OF ARCHIVES

Partners and Cooperation Parties

Parliament, Government, territorial collectivities, governance institutions, participatory democracy and human rights institutions, universities, higher education institutions, civil society organizations, the private sector and media

Objectives

General objective

Support the National Archival Strategy

Specific objectives

- Implement legal and regulatory texts related to archives
- Enhance the culture of archives in the public and private sectors
- Promote the organization, maintenance and enhancement of archives
- Promote the culture of archives in society in order to preserve national memory

Measures

Legislative and institutional aspects

418- Review the law on archives in accordance with applicable good practice, and resume publication of implementation decrees²³

419- Establish a vision for archive management in the context of advanced regionalization

420- Monitor the sources of Morocco's archives located abroad, continue their retrieval, treatment and preservation, and facilitate access to these archives by interested specialists

Awareness raising and communication

421- Mobilize and raise the awareness of individuals who have heritage archives to deposit them at the institution of Morocco's Archives

²³ Decree No 2-14-267 was promulgated on November 4, 2015, setting out the conditions and procedures for management, sorting and destruction of regular and intermediate archives, as well as the conditions and procedures for delivery of definitive archives. Decree No 2-17-384 establishing the National Archives Council was also promulgated on July 27, 2017.

422- Raise awareness among public administration services on the importance of regularly depositing their archives at Morocco's Archives services in accordance with the texts in force

Capacity building

423- Reinforce the material and human capacities of the the institution of Morocco's Archives to help it fulfil its missions

424- Promote human resources involved in the processing, preservation and organization of archives through regular training and continuing education programs for professionals

SUB-AREA VI : RIGHTS, FREEDOMS AND INSTITUTIONAL MECHANISMS

Partners and Cooperation Parties

Parliament, Government, the Judiciary, territorial administration, governance institutions, participatory democracy and human rights institutions, political parties, trade unions, civil society, bodies and associations of the legal professions, universities and scientific research centres

Objectives

General objective

Support democratic institutional strengthening

Specific objectives

- Foster a culture of recourse to institutions
- Disseminate the culture of remedy and protect the rights of individuals and groups
- Reinforce the link between national institutions, legislation and practices, and international human rights standards

Measures

Institutional and legislative aspects

425- Upgrade judicial and administrative structures to ensure judicial efficiency guaranteeing reasonable time limits²⁴

426- Facilitate access to courts for litigants and simplify language communication in court work²⁵

427- Improve the quality of judgments

428- Continue to improve judicial services

429- Continue efforts to raise the ethical standards of Justice

²⁴ This measure is associated with the one above-mentioned on drawing up a charter of judicial efficiency.

²⁵ Law No 42-10, which regulates and sets out the competencies of local justice, was adopted on August 17, 2011 so as to enhance local policy in the judicial field and simplify procedures for access to and benefit from justice services.

430- Establish an effective policy to ensure implementation of judgments against all public and private institutions

431- Implement the constitutional provisions related to strengthening the role of the Parliament as a supervisor of the work of the government and state institutions, through commissions of inquiry and other available mechanisms

Awareness raising and communication

432- Promote and develop a culture of human rights in the justice environment

Capacity building

433- Rehabilitate the human resources of the justice administration and associations of the legal professions through the implementation of training and continuing education and performance improvement programs

434- Promote the integration of a culture of human rights and civic education in the training programs of the Higher Institute for the Judiciary

435- Establish programs for continuous training and exchange of experiences and good practices concerning the integration of human rights in jurisprudence, in accordance with Morocco's human rights commitments and the provisions of the Constitution

RECOMMENDATIONS FOR FOLLOW-UP ON IMPLEMENTATION OF THE ACTION PLAN

Given the fact that the National Action Plan for Democracy and Human Rights is the result of a collective, participatory and consultative effort, the Steering Committee in charge of its elaboration recommends to the Government the following :

- 1- Officially present the Action Plan at a public event in the presence of all stakeholders
- 2- Adopt the Action Plan at the Government Council
- 3- Publish the Action Plan in the Official Gazette
- 4- Notify United Nations human rights bodies of the adoption of the «National Action Plan for Democracy and Human Rights» in compliance with the recommendation of the Vienna Declaration and Program of Action
- 5- Make the Action Plan widely known using various means and facilitate its consultation
- 6- Establish a mechanism to follow up and evaluate the implementation of the National Action Plan for Democracy and Human Rights involving representatives of competent governmental departments, national institutions and bodies, civil society organizations concerned with human rights, universities and the private sector. This follow-up mechanism is to be responsible for preparing an executive plan including the definition of responsibilities, implementation schedules and indicators for follow-up and evaluation of implementation of the measures listed in the Action Plan.
- 7- Entrust the Ministry of State for Human Rights, as the competent governmental department, with the facilitation of the mission of the follow-up and evaluation mechanism
- 8- Have the Ministry of State for Human Rights submit an annual progress report to the Government on the implementation of the Action Plan, on the basis of sector-based reports to be submitted to the Ministry of State by all concerned actors
- 9- Prepare a mid-term report on implementation progress and a final report on the outcome of implementation

10- Maintain societal dialogue on controversial issues, such as the death penalty, ratification of the Statute of the International Criminal Court and ILO Convention No.87, and certain issues related to the Family Code (repeal of Article 20, amendment of Article 175 to expressly stipulate non-forfeiture of a mother's custody despite her marriage, amendment of Articles 236 and 238 on equality between father and mother regarding guardianship of children, amendment of Article 53 to ensure effective protection by the Public Prosecutor's Office for the spouse reinstated at the matrimonial home, and reformulation of Article 49 to capture the concept of the wife's right to material reward for her efforts within the family)

“I congratulate you for the exemplary work you have done to enhance the protection of human rights in Morocco through the National Action Plan for Democracy and Human Rights (NAPDHR).

I also want to congratulate you for choosing the four focus areas of the NAPDHR that concern major human rights issues in respect of their indivisibility.”

UN High Commissioner for Human Rights, Mr. Raad Zeid El Hussein, in a letter addressed to the Minister of State for Human Rights, Mr. El Mostapha Ramid

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