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Human Rights in the EU-Morocco Action Plan under the European Neighbourhood Policy

NGO Assessment and Recommendations for the Implementation of the Action Plan

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Executive Summary

At a meeting held on 23 July 2007, the EU-Morocco Association Council set out to examine “the scope for substantially reinforcing the relationship with a view to an advanced status as requested by Morocco”¹. To that end, the EU requested that an assessment be made of the implementation of the Action Plan adopted by the EU and Morocco under the European Neighbourhood Policy (ENP)².

The ENP EU-Morocco Action Plan was adopted on 25 July 2005 for a period of five years³. The Action Plan sets out a number of mutually recognised priorities and actions to be pursued in the areas of democratisation, the rule of law and human rights. However, the Action Plan is not legally binding and does not provide deadlines or criteria to measure its implementation. The Plan complements and clarifies the goals of EU-Moroccan cooperation as defined in the Association Agreement, which came into force in 2000.

A brief progress report on the implementation of the Action Plan was prepared by the European Commission in December 2006⁴. In anticipation of the next assessment in 2008, the Association Council has established a working group “to discuss the following stage in the development of their bilateral relations, including the possibility of new contractual links”⁵.

The Euro-Mediterranean Human Rights Network⁶ (EMHRN) hopes that the updated Action Plan will define more specific and concrete goals, with precise criteria and a well-defined timeline, so that it may serve as an instrument for improving the human rights situation and thereby confirm the value added by the ENP in this area. In addition, it is clear that the involvement of NGOs in this process will be a determining factor in its success.

It is to be regretted that the first Action Plans adopted by the EU and its Mediterranean partners were developed and negotiated in secret and that no consultations were held with NGOs, in particular those active in the human rights area. This is contrary to all the commitments in favour of support for and involvement of Mediterranean civil society in the process aimed at promoting democratisation and improving the human rights situation. It is now essential that NGOs be systematically informed, consulted and involved in the assessment and implementation of the action plans so that they may become key instruments in the promotion of democracy, human rights and the rule of law.

¹ Sixth Meeting of the EU-Morocco Association Council: Statement by the European Union, 23 July 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/95454.pdf

² Ibid.

³ EU-Morocco Action Plan, http://ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_en.pdf

⁴ ENP Progress Report, Morocco, 4 December 2006, http://ec.europa.eu/world/enp/pdf/sec06_1511-2_en.pdf

⁵ EU-Morocco: Association Council decides to strengthen bilateral relations, 23 July 2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1155&format=HTML&aged=0&language=EN&language=en>

⁶ The EMHRN currently comprises 84 organisations and individual members in 30 countries of the Euro-Mediterranean region. Its aim is to develop and strengthen partnerships among NGOs of the region, to assist in developing mechanisms to protect and promote human rights and foster democratic reforms and the spread of human rights values, and to generate capacities in this area.

Over the past decade, Morocco has made substantial progress in the area of democratic reforms and respect for human rights, in particular thanks to the establishment of the “fairness and reconciliation commission” (Instance Équité et Réconciliation, or IER) and to the work it has performed, as well as to a number of legislative and other reforms undertaken in recent years. Reforms have also taken place in the justice system. With regard to the rights of women, the new Family Code (Code de la famille), adopted in 2004, signals a clear breakthrough towards *de jure* equality between men and women, although some of its provisions maintain a degree of inequality.

On the other hand, the legislative elections that took place in Morocco on 7 September 2007 were marred by a very high abstention rate. The subsequent statement made by the Prime Minister on behalf of the government made no reference to human rights. The IER’s recommendations were ignored, as were those of the human rights movement and of the families of the disappeared in Morocco. Neither was there any reference to the citizen’s platform for the promotion of a human rights culture, which was the outcome of a long process in which government ministries and Moroccan NGOs worked together.

Thus the implementation of democratic reforms and respect for human rights remains a central issue in Morocco and must be a priority in the development of the EU-Morocco partnership, based on “common values, including democracy, the rule of law, good governance and respect for human rights”⁷. The reformulation and actual implementation of the Action Plan must contribute to the consolidation of the progress and legislative reforms that have taken place in Morocco over the past decade.

The EMHRN believes that the ENP, if it is implemented in a coherent manner, can have a significant impact on the human rights situation and democratisation policies in the Euro-Mediterranean region. That is why the Network has put into place a programme intended to stimulate debate on the ENP and the Action Plans with its member organisations and with civil society in the countries of the region.

On 25 October 2007, the EMHRN, in partnership with its member organisations in Morocco – AMDH (Association Marocaine des Droits Humains), OMDH (Organisation Marocaine des Droits Humains), Espace Associatif and ADFM (Association Démocratique des Femmes du Maroc) – organised a training session on human rights mechanisms in EU-Morocco relations and the European Neighbourhood Policy (“*Les Mécanismes des droits de l’Homme dans les relations UE-Maroc et la Politique européenne de voisinage*”).

This training session was followed by a seminar on the **EU-Morocco Partnership: Assessing the EU-Morocco Action Plan under the European Neighbourhood Policy** (“*Le Partenariat Maroc-UE: Evaluation du Plan d’action Maroc-UE dans le cadre de la Politique européenne de voisinage*”), cosponsored by the EMHRN and the Moroccan Euromed NGO Network (Réseau marocain euromed des ONG), with the support of the EU Commission.

The seminar was attended by about 150 representatives of Moroccan civil society, as well as representatives of the Moroccan government, the EU Commission delegation in Morocco and the embassies of Portugal and France, the countries holding the current and next presidencies of the EU.

At the end of the seminar, the participating Moroccan NGOs:

⁷ Council of the European Union, External Relations, Conclusions, Brussels, 13-14 December 2004, p. 9.

1. hailed the invitation of the Moroccan government and the European Union to involve civil society in the implementation and monitoring of the EU-Morocco Action Plan under the European Neighbourhood Policy (ENP);
2. urged greater transparency and visibility which require that NGOs and public opinion be better informed and consulted when appropriate;
3. requested that the Action Plan be reformulated within a logical framework that will highlight better-defined goals as well as the actors, timelines, and financial and human resources needed for each action;
4. requested the setting-up of a joint mechanism by the authorities and civil society for regular and systematic consultations in the political dialogue between the partners and in the monitoring and assessment process of the EU-Morocco Action Plan;
5. requested that they be informed before and after the meetings of the different subcommittees and working groups established under the Association Agreement, in particular those dealing with human rights, with the justice system and security, and with migrations and social affairs;
6. requested that regular assessments of the progress achieved be carried out, based on specific criteria, indicators and timelines;
7. stated their willingness to draft periodic reports containing their own assessment of the implementation of the Action Plan. These reports will be submitted to Moroccan and European authorities and will contain recommendations for the effective implementation of the Action Plan;
8. requested assistance in establishing mechanisms and structures for monitoring of the Action Plan by NGOs in order to facilitate:
 - i) advocacy and representations aimed at convincing the Moroccan government to honour the commitments made under the Action Plan;
 - ii) the monitoring and assessment of the implementation of the EU-Morocco Action Plan.

This report presents a summary of the main recommendations for the implementation of the EU-Morocco Action Plan in the human rights area that were discussed during the seminar workshops. Chapter 1 deals with thematic recommendations made in the following areas:

- I. Human Rights and Fundamental Freedoms**
- II. Economic and Social Rights**
- III. Women's Rights**
- IV. Justice**
- V. Migrations and Asylum**

Chapter 2 contains general recommendations dealing with the follow-up and with the role of NGOs in monitoring the implementation of the Action Plan.

With regard to the monitoring provisions of the Action Plan, we recommend that some of the actions to be taken under the Action Plan be reformulated so as to take account of the human rights issue more effectively. We call upon the European Union and the Moroccan government to heed the recommendations of human rights NGOs in order to strengthen the reform process and ensure respect for human rights in Morocco.

Introduction

At a meeting held on 23 July 2007, the EU-Morocco Association Council set out to examine “the scope for substantially reinforcing the relationship with a view to an advanced status as requested by Morocco”⁸. To that end, the EU requested that an assessment be made of the implementation of the Action Plan adopted by the EU and Morocco under the European Neighbourhood Policy (ENP)⁹.

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The Euro-Mediterranean Human Rights Network¹³ (EMHRN) hopes that the updated Action Plan will define more specific and concrete goals, with criteria and a well-defined timeline, so that it may be an instrument for improving the human rights situation and thereby confirm the value added by the ENP in this area. In addition, it is clear that the involvement of NGOs in this process will be a determining factor in its success.

It is to be regretted that the first Action Plans adopted by the EU and its Mediterranean partners were developed and negotiated in secret and that no consultations were held with NGOs, in particular those devoted to human rights. This is contrary to all the commitments in favour of support for and involvement of Mediterranean civil society in the process aimed at promoting democratisation and improving of the human rights situation. It is now essential that NGOs be systematically informed, consulted and involved in the assessment and implementation of the action plans so that they may become key instruments in the promotion of democracy, human rights and the rule of law.

Over the past decade, Morocco has made substantial progress in the area of democratic reforms and respect for human rights, in particular thanks to the establishment of the “fairness

⁸ Sixth Meeting of the EU-Morocco Association Council: Statement by the European Union, 23 July 2007, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/er/95454.pdf

⁹ Ibid.

¹⁰ EU-Morocco Action Plan, http://ec.europa.eu/world/enp/pdf/action_plans/morocco_enp_ap_final_en.pdf

¹¹ ENP Progress Report, Morocco, 4 December 2006, http://ec.europa.eu/world/enp/pdf/sec06_1511-2_en.pdf

¹² EU-Morocco: Association Council decides to strengthen bilateral relations, 23 July 2007, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1155&format=HTML&aged=0&language=EN&language=en>

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On the other hand, the legislative elections that took place in Morocco on 7 September 2007 were marred by a very high abstention rate. The subsequent statement made by the Prime Minister on behalf of the government made no reference to human rights. The IER's recommendations were ignored, as were those of the human rights movement and of the families of the disappeared in Morocco. Neither was there any reference to the citizen's platform for the promotion of a human rights culture, which was the outcome of a long process in which government ministries and Moroccan NGOs worked together.

Thus the implementation of democratic reforms and respect for human rights remains a central issue in Morocco and must be a priority in the development of the EU-Morocco partnership, based on "common values, including democracy, the rule of law, good governance and respect for human rights"¹⁴. The renewal and actual implementation of the Action Plan must contribute to the consolidation of the progress and legislative reforms that have taken place in Morocco over the past decade.

The Project

The EMHRN believes that the ENP, if it is implemented in a coherent manner, can have a significant impact on the human rights situation and democratisation policies in the Euro-Mediterranean region. That is why the Network has put into place a programme intended to stimulate debate on the ENP and the Action Plans with its member organisations and with civil society in the countries of the region.

As part of the project, training sessions and seminars on the ENP were organised by the EMHRN in Cairo, Beirut, Ramallah and Tel Aviv in 2006 and 2007, attended by NGO representatives and several observers from EU member states and the EU Commission. These meetings were aimed at bringing NGOs together and providing them with the information needed to submit recommendations on human rights issues to the EU and to national governments during the current negotiations on ENP action plans, as well as for their future implementation. The proceedings of these seminars, with detailed recommendations, were subsequently submitted to EU institutions in Brussels by delegations from Egyptian, Lebanese, Palestinian and Israeli NGOs¹⁵.

On 25 October 2007, the EMHRN, in partnership with its member organisations in Morocco – AMDH (Association Marocaine des Droits Humains), OMDH (Organisation Marocaine des Droits

¹⁴ Council of the European Union, External Relations, Conclusions, Brussels, 13-14 December 2004, p. 9.

¹⁵ See the following reports by the EMHRN: *European Neighbourhood Policy: Human Rights in the EU-Egypt Action Plan*, 2006 <http://www.emhrn.net/usr/00000020/00000055/00000751.pdf>; *European Neighbourhood Policy: Human Rights in the Lebanon Action Plan*, 2006 <http://www.emhrn.net/usr/00000026/00000027/00000028/00000841.pdf>; *The EU-Israel Action Plan within the European Neighbourhood Policy: What is the Impact of the EU-Israel Action Plan on Human Rights in Israel and the Occupied Palestinian Territories?*, 2007 <http://www.emhrn.net/usr/00000026/00000027/00000028/00001345.pdf>.

Humains), Espace Associatif and ADFM (Association Démocratique des Femmes du Maroc) – organised a training session on human rights mechanisms in EU-Morocco relations and the European Neighbourhood Policy (“*Les Mécanismes des droits de l’Homme dans les relations UE-Maroc et la Politique européenne de voisinage*”).

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The seminar sought to:

- Inform Moroccan NGOs about the EU and the ENP, and encourage them to promote human rights within that framework;
- Assess the EU-Morocco Action Plan and its implementation;
- Present recommendations by the NGOs for the implementation of the Action Plan;
- Encourage dialogue between the NGOs, EU representatives and the Moroccan government on human rights and the needed reforms, with a view towards discussions on the future of EU-Morocco relations and the reformulation of the Action Plan in 2008;
- Encourage civil society to establish independent assessment mechanisms for the implementation of the Action Plan;
- Foster the sharing of best practices by giving the seminar a regional dimension;
- Promote public debate on the issue of human rights, in particular through the media.

The overall aim is to develop a more consistent and effective approach to human rights and democratisation by involving civil society in the ENP.

The seminar was attended by about 150 representatives of Moroccan civil society, as well as representatives of the Moroccan government, the EU Commission delegation in Morocco and the embassies of Portugal and France, the countries holding the current and next presidencies of the EU. In her opening remarks, the chair, **Mrs Amina Bouayach, president of OMDH**, highlighted the goals of the seminar and reiterated the need for human rights values to be taken into account and given priority in EU-Morocco relations and in the mechanisms in place.

Summary of the Seminar Sessions

Mr Abdelmaksoud Rachdi, Réseau Marocain Euromed des ONG, opened the proceedings by greeting the participants on behalf of the organisers. He emphasised that the seminar was aimed at producing an alternative report by NGOs to present their assessment of the implementation of the EU-Morocco Action Plan and their recommendations on the Action Plan.

Mrs Rabea Naciri, EMHRN, recalled the conclusions reached at the training session held by the EMHRN on the previous day and in particular stressed the need to develop three types of mechanisms:

- a mechanism to promote effective coordination and joint action by NGOs in monitoring the implementation of the Action Plan;
- a mechanism to promote dialogue between NGOs, the Moroccan government ministries concerned and the EU Commission;

- a mechanism to facilitate consultation among NGOs in the Euro-Mediterranean region and to enable them to share experiences in certain areas (justice system, women, migrations, etc).

Mr Bruno Dethomas, head of the EU Commission delegation in Rabat, outlined the framework of EU-Morocco relations. He mentioned the positive assessment by the Commission of the implementation of the Action Plan in December 2007, although misgivings were expressed regarding the modernisation of the justice system. The Commission wishes to involve civil society in the implementation of the Action Plan by emphasising training and consultation, and seeks to improve ways of working together.

Mr João Rosa Lã, Portuguese ambassador to Morocco, representing the EU Presidency, reiterated that Portugal has given a high priority to Euro-Mediterranean matters in the Presidency's agenda. He referred to common values in the areas of democracy, respect for human rights and good governance. In his view, Morocco is an essential and highly regarded partner, as shown by the establishment of a working group to explore ways to strengthen the relationship and a potential new contractual arrangement.

Mr Mohammed Lotfi, ambassador and director of European affairs, greeted the participants on behalf of the Foreign Minister of Morocco, Mr Taïb Fassi-Fihri. He noted the beneficial and useful character of the NGO initiative. In his view, the Action Plan has achieved positive results until now and optimal implementation is anticipated. In the context of the process of reforms, modernisation and opening, he made reference to the meeting of the first subcommittee on human rights, democratisation and governance. He saw cooperation with the EU as supporting reforms and welcomed the establishment of a new working group on the contents of a new contractual arrangement. He stated that Morocco hoped for optimal close relations with the EU and that in this context, civil society is an indispensable partner and the importance of its contribution is self-evident.

Mr Abdelkader Azriah chaired the introductory session on "EU-Morocco Relations: Assessment of the ENP and of the Implementation of the Action Plan" (*"Les relations UE-Maroc: l'évaluation de la PEV et de la mise en œuvre du Plan d'action"*). He expressed the hope that the seminar would be a founding event and pointed out that it was aimed at producing, in the future, an annual report by civil society on the monitoring of the Action Plan.

Mr Jérôme Cassiers, unit head at the EU Commission delegation, outlined the state of EU-Morocco relations. He stated that Morocco was a long-standing trusted partner of the European Union. His presentation was structured around three points related to EU support for the reforms undertaken by Morocco:

- the definition of a stable and predictable framework fostering a strengthening of Morocco's relations with the EU, in particular through gradual integration into the European market;
- the definition and implementation of a comprehensive Action Plan;
- the granting of assistance, now defined as part of the Action Plan.

He reiterated the Commission's wish to strengthen the ENP in the wake of the first assessment of its implementation, made in December 2006. He recalled that in July 2007, the EU-Morocco Association Council established a working group which, based on the progress achieved in implementing the Action Plan, will review the new goals of the partnership and the possibility of a new contractual arrangement. In closing, he highlighted two points:

- the importance of the Action Plan, which is an operational reflection of the ENP, the roadmap against which tangible reform and rapprochement efforts will be measured;
- the role of civil society in monitoring the implementation of the Action Plan in order to make it more effective, especially in anticipation of its renewal in 2008.

Mr Habib Belkouch made a presentation on the human rights dimension of the EU-Morocco Action Plan. He first noted that the Action Plan is very general. He recalled the different areas that are covered by the Action Plan, such as basic freedoms, the justice system, the removal of reservations to international treaties, women's rights, economic and social rights, etc. He stressed the need to translate these actions into concrete programs in the context of EU-Morocco relations. He also pointed out that in such sensitive areas as the fight against terrorism and against crime, as well as migrations, which are all part of the Action Plan, respect for human rights must be taken into account. Finally, he recommended that effective monitoring mechanisms be adopted.

Mr Driss Khrouz, general coordinator of the seminar report, drew attention to the challenges posed by the assessment exercise. The first difficulty has to do with the fact that the EU's concerns are not human rights in Morocco but security, migrations and terrorism. He also noted that the reform process in Morocco has slowed down and that its tangible impact has been weak until now. He stressed the need to raise the profile of civil society and noted that while each NGO has its own objectives, it is important to identify synergies in each component of the Action Plan.

Mrs Lina Al Qurah, Sisterhood Is Global Institute (SIGI) in Jordan discussed the implementation of the human rights component of the ENP Action Plan in Jordan. She outlined the framework of relations between the EU and Jordan, and then reviewed human rights priorities in the EU-Jordan Action Plan as well as the specific challenges associated with the implementation of these actions, using the promotion of women's rights as an illustration. She also provided a few concrete examples of the involvement of civil society in the implementation of the Action Plan, in particular by defining a strategy for consulting representatives of civil society on political and economic reforms.

The purpose of the seminar was to enable civil society to develop recommendations on the major problem areas faced by Morocco. **Seven workshops** were held to facilitate the formulation of the recommendations:

- **Democracy and Human Rights:** rule of law, basic freedoms, freedom of association, the rights of children, freedom of expression, death penalty, etc.
- **Justice System:** access to and independence of the judicial system, fight against corruption, fight against crime, rights of detainees, etc.
- **Basic Human Rights of Women**
- **Rights of Migrants, Asylum Seekers and Refugees**
- **Basic Economic and Social Rights:** labour standards, employment and social policy, health, right to housing, right to public services, etc.
- **Local Governance:** local development, sustainable development, environmental protection, etc.
- **Education:** learning, culture, youth, etc.

Sandrine Grenier of the EMHRN and Kamel Lahbib of the Réseau Marocain Euromed des ONG concluded the seminar by thanking the participants for the quality of the contributions and announcing how the seminar would be followed up.

*
* *

This report summarises the main recommendations related to human rights that were made in the workshops with regard to the implementation of the EU-Morocco Action Plan.

Chapter 1 deals with **thematic recommendations** made in the following areas:

- VI. Human Rights and Fundamental Freedoms**
- VII. Economic and Social Rights**
- VIII. Women's Rights**
- IX. Justice**
- X. Migrations and Asylum**

Chapter 2 contains **general recommendations** dealing with the follow-up and with the role of NGOs in monitoring the implementation of the Action Plan.

With regard to the monitoring provisions of the Action Plan¹⁶, we recommend to reformulate some of the actions to be taken under the Plan so as to take account more effectively of the human rights issue. We call upon the European Union and the Moroccan government to heed the recommendations of the human rights NGOs in order to strengthen the reform process and ensure respect for human rights in Morocco.

¹⁶ EU-Morocco Action Plan: "The parties will amend and/or update the Action Plan on a regular basis to reflect progress in addressing the priorities."

Chapter 1 – Thematic Recommendations

A. Human Rights and Fundamental Freedoms

Among the 12 priority actions set out in the section of the Action Plan devoted to “Political dialogue and reforms”, only one deal with human rights and basic freedoms¹⁷. Among the 85 sub-areas included in the Action Plan, seven are concerned with democracy, the rule of law and human rights.

There is an imbalance in the Action Plan with regard to the human rights and basic freedoms in that the Plan contains only one specific goal related to socio-economic and cultural rights.

The priority actions included under the heading “Human rights and fundamental freedoms” are set out in such a way as to avoid imposing any obligations on the Moroccan government. Most of these actions are expressed as intentions to start discussions or to examine possibilities or to reflect (for example, “Examine the possibility of reviewing the opt-outs with regard to international human rights conventions”, p. 5). This situation creates a paradox in that the commitments made by the partners are less binding than the formal commitments made by the Moroccan government¹⁸. The risk associated with the weakness of these statements of intent is that the issue of ensuring the compliance of national laws with international human rights instruments will take a backseat.

Despite these shortcomings, the EU-Morocco Action Plan is among the most comprehensive of the ENP action plans and outlines a large number of targets and actions which, if they are implemented, could contribute significantly to improving and strengthening respect for human rights in Morocco.

Using the provisions of the EU-Morocco Action plan as a starting point (see boxes), the discussion which follows presents a general assessment of the implementation of the provisions dealing with human rights and basic freedoms , followed by the recommendations made by the NGOs with a view to updating the Action Plan.

1. Implementation of provisions on human rights and fundamental freedoms

EU-MOROCCO ACTION PLAN

2.1. Political dialogue and reforms

Democracy and the rule of law

(1) Consolidate the administrative bodies responsible for reinforcing respect for democracy and the rule of law.

Short term

– Exchange experience and know-how in relation to development of the regulatory framework governing political parties.

¹⁷ “Pursuing legislative reform and applying international human rights provisions.”

¹⁸ As in the case of the lifting of reservations on CEDAW and the ratification of its optional protocol, for example.

- Strengthen the Administration's capacity, in particular by supporting implementation of the Law on the formal motivation of administrative acts of public administrations, local authorities and public institutions.
 - Continue efforts towards decentralisation and enhancing the powers of local authorities through support for the new National Planning Charter (“Charte sur l'Aménagement du Territoire”).
- Medium term**
- Ensure implementation of local authority reform.

a. Consolidate the administrative bodies responsible for reinforcing respect for democracy and the rule of law

Corruption is still widely practised in various areas and severely impairs the enjoyment of the constitutional right to equal treatment before the law, not to mention the integrity and credibility of the electoral process. During the last elections, the legal system was seldom used to sanction the illegal use of money. The election monitoring organisation (Collectif Associatif pour l'Observation des Elections) condemned the negative neutrality of public authorities in this instance.

b. Respect for human rights and fundamental freedoms

Respect for human rights and fundamental freedoms

(4) Ensure the protection of human rights and fundamental freedoms according to international standards

Short term

- Start discussions within the sub-committee on human rights, democratisation and governance.
- Examine the possibility of reviewing the opt-outs with regard to international human rights conventions.
- Pursue legislative reforms with a view to implementation of international human rights legislation, including the basic UN conventions and their optional protocols.
- Examine the possibility of accession to the optional protocols to the international human rights conventions to which Morocco is party.
- Finalise the national human rights action plan and support its implementation.
- Strengthen dialogue on human rights at all levels, including in the Fairness and Reconciliation Commission.
- Promote cultural and linguistic rights of all peoples of the Moroccan nation.
- Continue the reform of criminal law with a view to introduction of a definition of torture in line with that of the UN Convention against Torture.

i. International treaties

Since 1979, when Morocco ratified the international covenants on civil and political rights and on economic, social and cultural rights, much progress has been achieved with respect to the ratification of international treaties.

However, there are three points that deserve mention in that regard:

- First, there are a number of important treaties which Morocco has not yet ratified. They include: the Rome Statute of the International Criminal Court; the Second Optional Protocol to the International Covenant on Civil and Political Rights, which deals with the death penalty; the

optional protocols to the Convention against Torture (CAT) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); as well as a number of ILO conventions, including Convention No. 87 on the right to form trade unions.

- Second, some of the treaty ratifications have been weakened by official reservations that restrict the effect of those ratifications. This is true of, among others, the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention Against Torture and the Convention on the Rights the Child.

- Third, simple ratification is insufficient. Indeed Morocco does not yet recognise in its Constitution the supremacy of the provisions of the treaties it has ratified over provisions in domestic laws that may not be in compliance with international standards. There creates a deficit whereby many domestic laws are not in compliance with human rights standards.

ii. National action plan for human rights

Delays in launching the national action plan for human rights are impeding the development of an overall, consistent strategy for promoting and protecting human rights.

iii. Recommendations made by the IER (Instance Equité et Réconciliation)

The “fairness and reconciliation commission” (Instance Equité et Réconciliation) adopted a number of recommendations whose implementation is considered essential to the pursuit of the democratisation process in Morocco by the country’s major human rights organisations.

These recommendations dealt with the following matters, among others:

- ratification by Morocco of the Rome Statute of the International Criminal Court;
- elimination of the death penalty;
- supremacy of international treaties over domestic laws and a commitment to ratify those treaties which have not yet been ratified and to lift reservations to those conventions that have been ratified;
- extensive reforms of the High Council of the Magistracy (“Conseil Supérieur de la Magistrature”) aimed at reinforcing the independence of the judiciary;
- continuing the search for a number of persons who have disappeared;
- fight against impunity;
- reform of the security services.

The IER recommendations were submitted to the highest Moroccan authorities and approved by them. To date, however, only an insignificant part of the recommendations have been implemented. In addition public statements made recently by two ministers of the Moroccan government run counter to the IER recommendations.

At the 60th session of the UN Human Rights Commission, the Minister of Justice stated that Morocco intended to abolish capital punishment. Despite this, death sentences are still being meted out in the courts. The most recent instance in June 2007 concerns a Dutch-born Moroccan citizen accused of murder.

As regards the International Criminal Court, the Foreign Minister has alluded to “institutional obstacles” to ratification of the Rome Statute.

iv. Cultural and language rights

Several factors contribute to violations of cultural rights, including the spread of illiteracy and the inadequacy of the means used by the state to promote arts and culture.

With regard to Amazigh language and cultural rights, while official pronouncements have moved in the right direction in this area and while partial measures have been adopted to promote those rights, delays and improvisation have occurred with respect to teaching in the Amazigh language and Amazigh culture continues to occupy an inferior position in the life of society.

v. Torture and the death penalty

Several Moroccan human rights organisations have reported instances of torture and ill treatment, in particular by police during arrests¹⁹. In addition, several Sahrawi militants arrested in the Laayoune area in recent months have reported receiving ill treatment at the hands of Moroccan security forces upon their arrest and while in detention.

The right to life continues to be threatened, especially through death sentences that continue to be given out (although all such sentences have been stayed since 1993), as well as through torture against individuals on the premises of the security forces, through the use of violence by police against citizens, sometimes resulting in death, through the repression of migrants from sub-Saharan countries, and through the failure to provide medical care to prisoners or to ordinary citizens who no longer have the means to gain access to the right to health.

Investigations of such cases are inadequate or even totally lacking, thus paving the way to impunity for the perpetrators of these violations of human rights.

c. Individual freedoms and civil liberties

(5) Freedoms of association and expression

- Ensure implementation of the law on freedom of association and of assembly in accordance with the relevant clauses of the UN International Covenant on Civil and Political Rights.
- Exchange experience and know-how in relation to development of the Press Code.
- Support the new law liberalising the audiovisual sector and cooperation in the sector.

The reforms introduced in 2002 largely eschewed the repressive tone and purposes of previous documents with respect to the enjoyment of **freedom of association** (in particular the *dahirs* [decrees] of 15 November 1958 and 11 April 1973). Since the 2002 reforms met the major demands of NGOs, the main challenge today is to ensure effective enforcement of the legislation in the daily practice of local, regional and national authorities.

The provisions of the new Code of Criminal Procedure (enacted in 2002) pertaining to the ability of associations to press charges are very restrictive. Only associations recognised as serving the public interest may be a party in such actions, and then only if they had been in existence for at least four years when the facts of the case took place. An association may bring charges only if the public prosecutor has already launched a lawsuit or if the victim has pressed charges. These restrictions allow only a small number of associations to bring charges. Moreover they

¹⁹ According to the June 2006 report of OMDH (Organisation Marocaine des Droits Humains) and press releases by OMDH and AMDH, five people died of torture after being questioned by police.

eliminate one of the main purposes associated with such actions – that is, the ability to launch a lawsuit – since an association may only join a case already before the courts.

Violations of individual freedoms and civil liberties are noted in regard to the following:

● **Freedom of opinion, of belief, of religion, of expression and of the press** continues to be subject to egregious violations due to the presence of various taboos, in particular those associated with spiritual matters as defined in the Constitution or with laws dealing with the person of the King, the monarchy, the Muslim faith or the country's territorial integrity. These taboos form what are called "red lines" or "red zones", and infractions can lead to severe repression, ranging from arrests and torture to unfair trials and long prison sentences.

A large number of activists and even simple citizens have suffered because they have actually or allegedly crossed those red lines.

For example, 17 activists of the Association Marocaine des Droits Humains (AMDH) were recently arrested and convicted; eight were arrested in Agadir, Ksar El Kebir and Beni Mellal, and after being convicted, received mandatory prison sentences of two to four years; nine others received mandatory one-year prison sentences from the Beni Mellal appeals court. Ordinary citizens have incurred the wrath of the justice system for alleged outrage to the sacred values of the kingdom and have received prison sentences without parole; the most recent case was that of Ahmed Nasser, who is over 90 years old.

Freedom of belief and religion is hindered by the Constitution, which proclaims that Islam is the state religion, and by various other legal provisions, as well as by fundamentalist elements who are opposed to religious freedom, by public schools, by the public media and by mosques where religious tolerance is virtually non-existent.

● **Freedom of association** is also subject to obstacles and violations. Where the application of the laws is concerned, the authorities often refuse to acknowledge the receipt of registration or renewal documents submitted by organisations in full compliance with the rules. Examples include those of the « Association Nationale des Diplômés Enchômagés du Maroc », the political organisation « Justice et Bienfaisance », the « Parti de la Nation » and the « Association de Défense de l'Indépendance de la Justice ». In a number of cases, the government failed to acknowledge, or acknowledged belatedly the re-election of the leadership of political organisations, trade unions and NGOs.

Freedom of association is also hampered by actions taken in non-legal contexts. For example many employers are against unionised activities in their companies, and in some cases abolishing the trade union itself.

● **Freedom of assembly and demonstration** has been subjected to restrictions in recent months, as shown by the following examples:

- arbitrary prohibitions of and crackdowns on meetings and rallies organised by Al-Adl wal-Ihsan since May 2006;
- crackdowns on numerous sit-ins organised by unemployed university graduates, and a violent crackdown on a peaceful sit-in held in Rabat on 15 June 2007 by the group Instance Nationale de Solidarité avec les Détenus du 1^{er} Mai.
- a crackdown on a march against the cost of living held in Sefrou on 23 September 2007, leading to the arrests of 43 people, including 10 minors and three members of the Sefrou branch of AMDH, not to mention dozens of injured marchers.

● **Trade union freedoms**, including freedom to form unions, to negotiate, to hold meetings and rallies, and freedom to strike, are also the targets of many violations, especially on the part of private companies.

● **The right to defend human rights**, enshrined in the UN declaration on the protection of human rights defenders adopted on 9 December 1998, has been subjected to numerous violations in Morocco.

Journalists and the media have been subjected to pressure and have had to face a number of lawsuits²⁰. The press and journalists often fall prey to legal provisions aimed at cracking down on affronts to the sacred values of the kingdom²¹. Several weeklies – including *Le Journal*, *Tel Quel*, *Demain*, *Nichane*, *Al Ousbouia El Jadida* and *Al Ayam* – have seen their freedom of expression curtailed in the name of protecting religion or for other reasons.

d. Rights of the child

(6) *Further promote and protect the rights of women and children.*

Although Morocco has adopted the Convention on the Rights of the Child, these rights have been subjected to grave violations, the most important of which are the following:

- A large number of children are deprived of education.
- Many children are put to work although this is prohibited by law (in particular the law prohibiting child labour for those under 15 years of age).
- Many children are the victims of violence.
- Many children are the victims of sexual exploitation.
- Many children are deprived of the possibility of living in dignity, given the poor living conditions of their families.

e. Anti-terrorist legislation

– Ensure respect for human rights when combating terrorism.

Following the terrorist attacks that took place in Casablanca on 16 May 2003 and again in March and April 2007, the Moroccan human rights movement has been united in its condemnation of terrorist acts against innocent civilians and in its expression of sympathy and solidarity with the victims.

However, human rights organisations also condemned serious human rights violations that have taken place in the context of the security and judicial treatment associated with the fight against terrorism. These violations include the following examples:

- regressive measures in the anti-terrorist legislation with regard to human rights;
- abductions, acts of torture, the arbitrary imprisonment of thousands of people;
- unfair trials ending in severe and cruel sentences for hundreds of alleged terrorists;
- inhumane detention conditions in prisons.

²⁰ The editor of the weekly *Alwatane Al'ane* and one of its journalists were arrested on 17 July.

²¹ The examples of Messrs Mrabet, Benchemssi, Jamaï, Miftah and Koukass can be mentioned.

2. Recommendations on human rights and basic freedoms

General recommendations

The associations recommended that the following steps be taken in updating the Action Plan:

1. Honour the commitment to give supremacy to international treaties that have been ratified, over domestic law, in accordance with the preamble to the Constitution and the IER recommendations.
2. Reformulate human rights actions in clear and precise terms, in particular with regard to compliance with and the implementation of Morocco's international obligations.

Recommendations linked to specific measures in the Action Plan

a) Consolidate the administrative bodies responsible for reinforcing respect for democracy and the rule of law

1. Strengthen the values of citizenship and enhance the involvement of citizens in public life, in the light of the very low participation rate in the latest elections held in Morocco.
2. Adopt a strategy aimed at infusing a culture of ethics in the administration, the justice system and public life in order to combat corruption.

b) Human rights and basic freedoms

3. Sign and ratify all treaties and optional protocols pertaining to human rights.
4. Lift reservations.
5. Ensure that domestic laws are compatible with international human rights standards.
6. Incorporate the rights of the handicapped within the scope of actions on human rights.

i. Ratification of international treaties

7. Act in accordance with the provisions of the International Covenant on Civil and Political Rights and with the standards and principles contained in the other international human rights instruments ratified by Morocco, and take into account the jurisprudence of the UN Human Rights Committee in that area.
8. Ensure that Moroccan laws are compatible with the provisions of treaties on human rights and workers' rights that have been ratified by Morocco.

ii. National action plan for human rights

9. Develop and quickly implement the national action plan for human rights as a prelude to an overall strategy for the promotion and protection of human rights that would make it possible to consolidate the progress already achieved while ensuring their effective implementation, strengthen human rights culture at all levels of society and plan future steps needed to consolidate the transition in Morocco.
10. Coordinate the national action plan with various initiatives already undertaken to promote and protect human rights in Morocco, including the national action plan for the promotion of human rights culture²².

²² Developed jointly by the human rights advisory committee (Conseil Consultatif des Droits de l'Homme), the government and a number of Moroccan civil society organisations.

11. Incorporate into the national action plan all the recommendations made by IER and all the priorities described in the human rights chapter of the ENP EU-Morocco Action Plan in order to ensure consistency throughout the strategy that will be implemented.

iii. IER recommendations

12. Implement without delay all the recommendations made by IER, including those on constitutional reforms, strengthening the independence of the judiciary, ratification of the Rome Statute, the abolition of the death penalty and the lifting of Morocco's reservations to the international treaties it has ratified.

iv. Cultural and language rights

13. Recognise Amazigh as an official language under the Constitution.
14. Promote human rights culture in artistic activities and encourage tolerance.
15. Preserve the Moroccan cultural heritage and encourage cultural exchanges.
16. Eliminate all legal obstacles that hinder or restrict cultural activities and the right to organise of Amazigh and other associations.

v. Torture

17. Ensure that the practice of torture and ill treatment is immediately brought to an end.
18. Ratify the Optional Protocol to the Convention against Torture and recognise the competence of the UN's Committee against Torture to review complaints by states and individuals (CAT articles 21 and 22).
19. Conduct impartial investigations on all acts of torture and all deaths alleged to have occurred in government detention facilities or under official supervision, and prosecute those responsible.
20. Open an investigation into the serious violations committed at the Centre de Temara, headquarters of the Direction Générale de la Surveillance du Territoire (security services).
21. Allow the government to control and monitor the security and intelligence services of the national security agency, the gendarmerie and the army by clarifying their responsibilities and their prerogatives.

vi. Death penalty

22. Abolish capital punishment and ratify universal and regional treaties dealing with the death penalty, in particular the Second Optional Protocol to the International Covenant on Civil and Political Rights.

c) Freedom of association and expression

23. Amend the provisions on civil liberties so as to provide better guarantees of freedom of expression and association (e.g. criminal records, public interest).
24. Conduct investigations into human rights violations committed by Moroccan law enforcement following the demonstrations mentioned above, in order to identify those responsible and punish them under the terms of the relevant legislation.
25. Comply fully with the government's obligations with regard to respecting freedoms, in particular the freedom to hold peaceful assemblies, in accordance with the international instruments ratified by Morocco.

Legislation and practices applying to associations and civil society organisations

26. Ensure the strict application of the legislation in force, in particular those laws dealing with freedom of association.
27. Streamline the administrative procedures that associations must follow in applying for permits and registration.
28. Strictly enforce regulations governing the procedures for the submission of statements: the administrative authority must immediately provide a stamped and dated temporary receipt (article 5.1).
29. Ensure that the provisions of the 2002 Reform Law, whereby administrative dissolution is abolished and this responsibility is entrusted to the judicial system, are strictly enforced.
30. Provide associations with broader access to civil suits: the ability to launch a civil suit must not be limited to those associations that are recognised as serving the public interest; as such recognition is not based on clearly defined and implemented criteria, and does not require the authorities to account for their decision.
31. Ensure the effective enforcement of the law regarding the distinction between meetings of an association's members and public meetings.
32. Process applications for recognition as a public-interest organisation with a reasonable time period, and provide a written notification of the decision.
33. Ensure the effective implementation of the provisions of the 2002 Reform Law that extend to associations established by a simple statement the possibility of receiving donations.
34. Take into consideration the requests submitted by associations to reduce the sanctions incurred for failure to adhere to the legislative provisions on the exercise of the right of association.

Environment required for the viable development of civil society

35. Encourage associations to take part in public life and, in particular, in the development of public policy by adopting impartial procedures for contractualisation with associations in the realm of the policies of the state and of regional and local entities.
36. Avoid the confusion between regulations prohibiting some categories of civil servants from joining trade unions (decree of 5 February 1958, amended in 1966) and the provisions of the law on associations that do not stipulate any limits on certain categories with respect to the right to join an association.
37. Encourage the development of a national debate on legislative reform proposals made by representatives of civil society with respect to the legal and financial situation of associations in the Maghreb and on amendments to the legislation on associations and public meetings in Morocco.

Press Code

38. Democratise the Press Code, in particular by rescinding the provisions on affronts to sacred values, as well as repressive provisions calling for prison sentences for press infractions.
39. Democratise the public media to allow all individuals and legal entities to gain access to them.

d) Rights of the Child

40. Combat child labour and the sexual exploitation of children, including the use of young girls as maids (the “petites bonnes”).

e) Anti-terrorist legislation

41. Ensure the primacy of and respect for human rights in the fight against terrorism, in particular in security and judicial contexts, as well as respect fair-trial standards.

B. Economic and Social Rights

Fundamental social rights and core labour standards

(7) Implement fundamental social rights and core labour standards

– Initiate dialogue on fundamental social rights and core labour standards so as to provide a situation analysis and identify potential challenges and measures, in particular in the light of the 1998 ILO Declaration.

Actions pertaining to economic and social rights in the Action Plan are found under Item (7), *Implement fundamental social rights and core labour standards*.

1. Implementation of provisions on economic and social rights

Economic and social rights are among the most neglected human rights, in particular because there are serious shortcomings in their implementation, even though they have a direct impact on the daily lives of all citizens.

The **right to development** is one of the fundamental rights that must be implemented in order to achieve respect for the other human rights. The slow, at times glacial, pace of development in this area in Morocco is the result of such factors as payments made to service the foreign debt, the structural adjustment programme (privatisation, reduced economic role of the state, the state’s dereliction of its social obligations, etc.), corruption, the dilapidation of public property in conditions of total impunity, distortions due to smuggling, drug trafficking, etc.

The **right to work and to stable employment** is trampled upon in Morocco. Suffice it to mention the negative attitude of the authorities towards the right to work in the context of the unemployment or underemployment of millions of citizens, including hundreds of thousands of people holding higher diplomas and there are few effective measures to create employment opportunities. Moreover peaceful demonstrations in favour of employment are broken up and lead to protracted, health-endangering hunger strikes by unemployed graduates, who in desperation sometimes go so far as to attempt collective suicides, as happened with blind unemployed graduates.

The **rights of workers** have often been violated, especially after the entry into force of the new Labour Code in June 2004. The code includes a number of positive features, but they are limited

in scope when compared to its negative features, small in number but with a significant impact, in the following areas:

- flexibility of employment and salaries;
- marginalisation of the role of trade unions in companies;
- discrimination against agricultural workers;
- weak sanctions against employers who violate provisions of the code.

The new Labour Code came into force before the implementation decrees were developed, which gave most employers an opportunity to flout the rights of workers, including the rights covered by the code. The Ministry of Employment has estimated that in 2006, only 15 % of firms with more than 50 employees honoured the labour laws.

Thus violations of the Labour Code are taking place before the very eyes of the authorities, who have not taken any serious steps to discourage the employers responsible for these infractions. In fact, the government has tried to trivialise these offences by developing and implementing its famous social compliance plan (*plan national de mise en conformité sociale*), a multi-year plan for partial and gradual implementation of the Labour Code, whose provisions are now seen as simple recommendations rather than as legal obligations that must be met immediately and without exception.

Trade union freedoms have been the target of systematic violations in the private sector, a trend that has resulted in workers becoming discouraged and moving away from trade union involvement.

The other economic and social rights, which are essential to the enjoyment of the right to a life in dignity, are also disregarded, as can be seen in the following situations:

- **Obstacles to the right to education** arise in the context of the crisis in public education, which faces serious problems, including: crowded classrooms; shortages of teachers (compounded by voluntary departures), resources and equipment; obstacles associated with methods and curricula; and low returns in terms of poor matches between training and employment.

- **Obstacles to the right to health** resulting from the crisis in public health as well as the shortcomings of the compulsory health insurance system (AMO) and obstacles to its implementation, even as the long-promised health insurance scheme for those in financial need ("*Régime d'Assurance Maladie pour les Personnes Economiquement Démunies*" or RAMED) has yet to be put into place.

- **Obstacles to the right to housing**, faced by large segments of society.

- The **spread of poverty** in large sections of the population.

- Growing obstacles to the **rights of handicapped persons** and to the **right to a healthy environment**.

- Obstacles to the **right to a life in dignity** resulting from the factors alluded to above as well as from the rise in prices of essential goods and services.

2. Recommendations on economic and social rights

1. Ratify the International Labour Organization conventions, in particular Conventions No. 87, 141, 151 and 168.
2. Ensure that Moroccan legislation is in accord with international law, which will require that domestic labour laws – above all the Labour Code and its application decrees – be amended with a view to democratising them and guaranteeing employment stability, fair wages and social measures needed to guarantee life in dignity.
3. Recognise in law trade union freedoms and the right to strike, which will require, on the one hand, rescinding article 288 of the Criminal Code – which condones obstructions to the right to work – as well as article 5 of the 5 February 1958 decree on the ability of public servants to form trade unions, and all other legislative and regulatory provisions that are contrary to trade union freedoms and the constitutional right to strike, and on the other hand, rejecting all government attempts to impose organic laws on striking aimed at prohibiting the free exercise of the right to strike.
4. Put an end to violations of labour laws by employers and strictly and immediately apply these laws, which will require that the national social compliance plan (*plan national de mise en conformité sociale*) devised by the Ministry of Employment be withdrawn.
5. Require the implementation of the principle that impunity for economic crimes must be brought to an end in such areas as public assets and property (looting, dilapidation, theft, corruption, undue privileges, illegal transfers abroad, tax fraud, etc), truth regarding crimes (their scope, conditions and responsibilities) and reparations for damages resulting from crimes, including the restitution of misused property and of the profits resulting from such misuse.

C. Women's Rights

Seminar participants noted that the issue of women's rights plays a growing role in the political and civil agenda of the Euro-Mediterranean partnership as an integral part of universal human rights, in particular in the context of the new European Neighbourhood Policy and following the Euro-Mediterranean conference on strengthening the social role of women (Istanbul, November 2006).

On the domestic level, the participants took note of the determination of the Moroccan authorities to promote gender equality.

The architecture of the Action Plan does not, however, reflect a cross-cutting approach to gender issues, which appear only as one sectoral sub-topic among others (Action No. 6, p 6). The associations noted that this methodological approach is consistent neither with the emphasis adopted in domestic policy²³ nor with the EU's commitment to promote gender equality in its development cooperation policies²⁴.

²³ The national strategy for mainstreaming a gender approach in public policy was announced in a press release by the prime minister on 8 March 2007.

²⁴ See, in particular, the regulation on 'promoting gender equality in development cooperation' adopted by the European Parliament in April 2004, and the *Communication from the Commission... on Gender Equality and Women Empowerment in Development Cooperation*, adopted in March 2007.

From a quantitative point of view, it is worth noting that among the 12 priority actions discussed in the section on “political dialogue and reforms”, none specifically address the issue of women’s rights; among the 85 actions described in the Action Plan, only one is devoted to women and children.

From a substantive point of view, women and children are combined in one sub-theme although the issues, challenges and constraints are neither similar nor of the same level.

1. Implementation of provisions on women’s rights²⁵

Implementation of provisions related to democracy and the rule of law

- There are no separate family courts in the Moroccan court system. There are family sections attached to trial courts. With few exceptions (in Casablanca, for example), these sections are housed in the facilities of first-instance tribunals.
- The family sections have not benefited from the effects of modernisation (offices, human and physical resources) and lack qualified human resources (judges, qualified administrative staff and specialised personnel – for reconciliation procedures, for example) as well as physical resources. This situation results in an accumulation of unresolved cases, delays in the execution of judgments, etc.

Implementation of provisions related to human rights and basic freedoms

- Morocco has not ratified the following treaties related to women’s rights:
 - o the Convention on the Nationality of Married Women (1954);
 - o the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962);
 - o the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949);
 - o the Optional Protocol to the Convention on the Elimination of Discrimination against Women, adopted on 6 October 1999.
- The government of Morocco has yet to submit the instruments for lifting its reservations to CEDAW, although it has promised to do so on several occasions.
- The lifting of reservations that has been announced does not concern substantive articles dealing with the goals and purposes of the convention (articles 2 and 16).
- Morocco has not yet begun the ratification process for the Optional Protocol to CEDAW.

Implementation of provisions related to Action No. 6

(6) Further promote and protect the rights of women and children
– Apply the recent reforms of the family code.
– Combat discrimination and violence against women pursuant to the United Nations Convention on the Elimination of All Forms of Discrimination against Women.
– Consolidate children's rights pursuant to the Convention on the rights of the child.

²⁵ A detailed analysis can be found in Appendix 1.

- Promote the role of women in social and economic progress (Art. 71 A A).
- Protection of pregnant women in the workplace.

Application of recent reforms in the Family Code

Participants drew attention to some restrictions in the application of the new provisions of the Family Code, in particular with respect to:

- the marriage of minors;
- polygamy;
- acknowledgment of paternity;
- the access of women to the new divorce procedures, in particular with respect to divorce for reasons of incompatibility (Chikak);
- the rights of mothers caring for children in the family home following a divorce;
- the role of public prosecutors who, according to article 53 of the Family Code, must intervene to bring the evicted spouse back to the family home;
- the “alimony fund”, which still does not exist in reality although it is part of the legislation adopted in 2004.

These shortcomings have been attributed to a series of obstacles and constraints associated with such elements as the training received by judges, the broad discretion allowed in interpreting the provisions of the Family Code, the heavy caseload of the family sections of the judicial system, the procedures for preparing cases for the courts (delays in notification, execution of judgments and protection of the rights of the parties), corruption and the lack of access to justice of the most vulnerable groups (due to illiteracy, lack of knowledge of laws and procedures, etc.).

Fight against discrimination

Participants noted that some progress has been achieved while violations and discrimination subsist in a number of legislative documents.

– Criminal Code

The partial revision of the Criminal Code (Law No. 24-03, adopted on 11 November 2003) has led to breakthroughs in protecting women and children. Despite this, a number of provisions of criminal law remain fundamentally discriminatory, establishing a hierarchy between married and unmarried women, and between virgins and non-virgins. These elements of discrimination and violations of women’s fundamental human rights are attributable to the persistence of a patriarchal and moralising concept of honour.

– Family Code

The reform of the Family Code (Law No. 70-03, adopted on 3 February 2004) has made significant breakthroughs. Despite this, the code still contains a number of discriminatory and unequal provisions in such areas as:

- legal tutorship of children (exclusive right of the father as head of the family);
- succession law;
- polygamy and repudiation, which are affronts to the dignity of women;
- prohibition against Muslim women marrying non-Muslim men, whereas Moroccan men are allowed to marry non-Muslim women.

– Nationality Code

Participants noted both that progress had been made in the transfer of nationality since the adoption of the Action Plan and that discrimination between men and women remained in the revised Nationality Code²⁶ in that the foreign-born wife of a Moroccan man can acquire Moroccan nationality through marriage, while that right is denied to the foreign-born husband of a Moroccan woman (article 10 of the revised Nationality Code). Foreign-born husbands must go through the naturalisation process, whose outcome is uncertain.

– Violence against women

Participants noted the significant efforts made by the public and civilian authorities to combat violence against women. However, they also pointed out that, in general, the awareness campaigns and other measures taken by the public authorities have had a limited impact, especially in the area of spousal violence.

In comments on the current development of a framework law on violence, participants noted that there was insufficient involvement of women's rights NGOs and support groups (despite the important work performed by the latter) as the process does not include a debate on whether a framework law on violence is preferable to incorporating relevant provisions in the Criminal Code.

2. Recommendations on women's rights

General recommendations

The revised Action Plan should take into account the need to:

1. Lift all reservations expressed towards CEDAW (especially articles 2 and 16) and ratify its optional protocol.
2. Incorporate into national legislation the definition of discrimination against women as stated in article 1 of CEDAW.
3. Fulfil Morocco's commitment to implement special temporary measures aimed at ensuring equity and equality between men and women, in accordance with article 4 of CEDAW, to which Morocco has not made any reservations.
4. Implement the national strategy for gender mainstreaming in public policy, in accordance with the Prime Minister's March 2007 announcement.
5. In the reformulated Action Plan, refer explicitly to women's rights and the gender gap in all priority areas and in all sections dealing with democracy and the rule of law, human rights and basic freedoms, basic social rights and labour standards, cooperation in employment and social policy matters, and regional and local development.
6. Ensure that there are linkages and synergies between the European Neighbourhood Policy's Action Plan and the platform for promoting the role of women in society (Istanbul, November 2006).

Recommendations related to specific actions on women's rights in the Action Plan

²⁶ Adopted by Parliament in February 2007 and enacted in April of the same year.

7. Include a special section aimed at promoting the participation of women in political and public life.
8. Emphasise the need to reform criminal legislation.
9. Provide details on the action related to *promoting the role of women in economic and social development*, and identify the priorities that need to be emphasised in order to reduce the gender gap in the following areas:
 - preschool and college education for rural girls;
 - literacy programs for rural women;
 - reproductive health (maternal mortality);
 - employment, in particular through the enforcement of labour laws (prohibiting discrimination in hiring and in wages, child labour, etc.) and the regulation of domestic work;
 - strengthened measures to ensure women's access to ownership, land and credit.

D. Justice

(2) Step up efforts to facilitate access to justice and the law

- Simplify judicial procedures, including shortening the length of procedures, trials and the enforcement of judgements and improving legal assistance.
- Support for family courts within the courts of first instance in order to support the provisions of the new family code.
- Support for youth justice as part of the reform of the new criminal code.
- Pursue the national plan for modernising the prison administration, in particular the elements dealing with training, reintegration and protection of prisoners' rights.
- Training of judges and other court staff.
- Continue the MEDA programme on "Modernising law courts in Morocco".

(3) Cooperation in tackling corruption

Short term

- Follow-up the conclusions of the "justice and security" sub-committee.
- Exchange information on respective laws and international instruments.
- Assistance in the application of the measures provided for in the UN Convention; international cooperation.

Medium term

- Strengthen and support the implementation of a national anti-corruption strategy, including training expert anti-corruption services, applying a code of conduct and public awareness-raising campaigns.

Actions pertaining to the justice system in the Action Plan appear under the heading *(2) Step up efforts to facilitate access to justice and the law* in the section devoted to democracy and human rights.

1. Implementation of provisions on justice

In Morocco, justice is seen as part of the sovereign's prerogatives and closely linked to the monarch's authority, which means that the Minister of Justice can undertake reforms

independently of the Prime Minister but not of the King. The stated purposes of the proposed reforms fall under three headings: modernisation, ethics, and independence of the judiciary²⁷.

Important steps in the area of modernisation

Given Morocco's obligations under free-trade agreements with the European Union and the United States, in particular, and in order to deal with new phenomena such as organised crime and terrorism, it became necessary to upgrade the country's legal and judicial systems.

Steps were taken in a variety of areas:

- training;
- updating laws;
- improving the internal management of jurisdictions;
- developing the judicial map, computerising the courts;
- improving the financial situation of judges;
- distributing legal and judicial information;
- ensuring the execution of judgments.

Thus a number of genuine modernisation efforts have been carried out, with tangible results, especially with regard to commercial jurisdictions²⁸.

However, these efforts suffer from two major shortcomings:

- There has been little consultation of judges.
- The reform is not part of an overall vision and there has been no coordination, not only with other stakeholders in the judicial process but also with other governmental departments. The overall consistency of the project and of the measures that it comprises remains to be shown.

Ethics in the justice sector: efforts and results that are difficult to assess

According to a recent report by the Ministry of Justice²⁹, the efforts undertaken in this area concern the inspection of the jurisdictions and private inspections following a complaint against a judge or any other participant in the judicial process.

Also noteworthy is the recent amendment to the 1974 legislation on the status of the judiciary. The amendment concerns article 16 of the law and deals with the issue of the declaration of judges' assets. The amendment reinforces the ministry's control over judges. However, the declarations of judges should be controlled by an independent body.

One must also note that Morocco ratified the UN Convention on Corruption on 9 May 2007.

A weak link in the reforms: the independence of the judiciary

²⁷ See the reform projects undertaken by two Ministers of Justice, Omar Azziman (1997-October 2002) and Mohamed Bouzobaâ (November 2002-October 2007).

²⁸ As confirmed by the degree of satisfaction of users, according to two surveys conducted as part of a project carried out with the World Bank. For more information see: <http://www.worldbank.org/projects>.

²⁹ Report of the Ministry of Justice for the year 2006 and projects for 2007 (in Arabic), published in 2007.

The issue of the independence of the judiciary surfaces occasionally, but no concrete steps have been taken to change the laws, institutional practices, and the diffuse or explicit culture that are the solid foundations of the judiciary's current subservience to the political authorities.

The pressures exerted by democrats and by Moroccan and international human rights NGOs have had no effect.

A number of recommendations made by the IER on the justice sector concern the independence of the judiciary. They stress the need for a constitutional affirmation of judges' independence, the adoption of an organic law on the status of the judiciary, separation between the position of Minister of Justice and the CSM (High Council of the Magistracy) and the transfer of responsibility for that body to the Supreme Court, a revision of the responsibilities of the Ministry of Justice aimed at preventing any interference in judicial matters, the criminalisation of interference in judicial matters by the administrative authorities and of any interference with judicial independence and inviolability³⁰. However, these recommendations have not been implemented so far.

2. Recommendations on justice

General recommendations

Participants noted the incidental and imprecise nature of the measures outlined in the EU-Morocco Action Plan with respect to the justice, pointing out that in regard to judicial reforms, Morocco needs structural changes on a priority basis rather than modifications of a technical nature.

Participants made the following recommendations:

Strengthen respect for basic standards

1. Give priority to the common reference to universal human rights standards by emphasising in particular the need for Morocco to ratify various international treaties, including:
 - the Rome Statute of the International Criminal Court;
 - the two optional protocols to the International Covenant on Civil and Political Rights;
 - the International Convention for the Protection of All Persons from Enforced Disappearances;
 - ILO Convention No. 87 on the right to organise.
2. Improve the constitutional status of the judiciary and the guarantees of independence of the judicial system as an institution and of judges as individuals.

Put in place the conditions for a comprehensive, integrated reform

3. Encourage the public authorities and decision makers to implement a national strategy for reforming the justice system that is the result of a genuine national debate.
4. To that end, encourage them in particular to:
 - reform the institutional framework to allow for non-discriminatory access to the justice system and equality for all before the law;

³⁰ Instance Équité et Réconciliation : Livre IV du Rapport Final (en Arabe), 30 Novembre 2005, p. 89 & 93

- reform the High Council of the Magistracy (Conseil supérieur de la magistrature) by revising and broadening its composition and its responsibilities, and guaranteeing its independence from any interference by other authorities;
- recognise the right of judges to form and join trade unions and associations freely, in accordance with international standards, including the Basic Principles on the independence of the judiciary, adopted by the United Nations in 1985;
- recognise the right of judges' associations and unions to cooperate with and join other federations freely, at both the national and the international level;
- similarly recognise the right of judges to freedom of expression that is explicitly recognised in international standards, including the Basic Principles on the independence of the judiciary;
- promote ethics in the justice sector and fight corruption effectively and without discrimination;
- reform professional occupations linked to justice.

Recommendations related to specific actions of the Action Plan on justice matters

Access to justice

5. Provide better information on judicial procedures, in particular by making information guides available to those who deal with justice in the different jurisdictions, in order to facilitate access for all, increase transparency in relations between the system and those who come into contact with it, and explain and streamline procedures.
6. Reduce the level of judicial fees and taxes to preserve the principle of free access to justice, in particular among the poorest groups in society.
7. Expand computerised processing and follow-up in the handling of cases, and speed up the drafting of judgments and the notification of the accused and their lawyers in order to follow the legislation in place and respect the rights of the accused.
8. Improve the procedures for carrying out judgments, in particular those which run against the public authorities, as the poor execution of such judgments is damaging to the employees or public servants concerned (in cases involving firings) or to private individuals (in cases involving expropriation or accidents, for example).
9. Right the wrongs committed by the judicial system when they are the cause of severe harm for the accused.
10. Revise the "map" of tribunals and increase the number of judges in order to improve their geographic distribution across the country and meet the needs equitably and responsively.
11. Increase the resources and equipment made available to the jurisdictions.
12. In addition to increasing them, distribute these resources and equipments more equitably among the jurisdictions, in particular by improving the situation of the most destitute jurisdictions, such as the family sections of the courts.
13. Establish and provide financial support to a legal aid fund that will provide financial assistance to individuals without resources.
14. Improve access to justice for those who are in prison.

The prison situation

15. Stop the abuse of preventive detention, which currently accounts for nearly half of the prison population.
16. Adopt a system of regular prison visits by NGO representatives in order to protect prisoners against abuses.

17. Improve the medical services available to prisoners, in particular by ensuring that they receive proper medical coverage.
18. Allow volunteer physicians to visit prisoners.
19. Protect prisoners against drugs, fight drug trafficking inside prisons and provide medical treatment to addicted prisoners.
20. Develop and implement an ambitious, coordinated and responsive policy of social reintegration.

Training of judges

21. Provide specialised training to complement basic general training.
22. Adopt a policy of providing continuing education for judges and involve judges, lawyers, academics and experts.
23. Review the criteria for accessing the judging profession, and consider in particular the possibility of extending the duration of the training required.
24. Train other actors in the judicial process in accordance with the requirements associated with their roles and functions.

Ethics and the fight against corruption

25. Ensure that the commitments made by Morocco when it ratified the UN Convention against Corruption are enforced in the justice sector.
26. Enforce national laws on the fight against corruption objectively and without any exceptions.
27. Create a body charged with monitoring corruption (Observatoire de la Corruption), with a mandate that includes decisions made by the justice system.

E. Migrations and Asylum

The EU-Morocco Action Plan contains a series of points and sections dealing with migration and asylum policy. They include mainly points 46 to 53 under the heading “Cooperation on justice and home affairs”. Other elements are also associated with migration policy although they do not fall under the section on “Migration and asylum”. They include point 29, under the heading “Movement of persons, particularly workers, and coordination of social security”, as well as point 16, under the heading “Cooperation on employment and social policy”.

It must be pointed out that in general, no real priority is attached to protecting the rights of migrants and asylum seekers. No reference is made to the UN Convention on the Rights of All Migrant Workers and Members of Their Families, nor is there any mention of the rights of illegal migrants.

The Action Plan does not mention the significant role played by civil society in protecting the rights of migrants and refugees.

Overall, the document contains few concrete actions and commitments aimed at strengthening the protection of those rights.

It is also important to note that, once again, the issue of migration is discussed in the same section as the fight against terrorism and organised crime, thus raising the unwarranted risk that policies directed at these issues will be combined.

1. Implementation of provisions on migrations and asylum

Morocco has ratified the Geneva Convention on the Status of Refugees, as well as the UN Convention on the Rights of All Migrant Workers and Members of Their Families, and a large number of human rights treaties that contain provisions dealing with migrants, including migrant women and children.

(46) Develop legislation on asylum and refugees

Morocco has ratified the Geneva Convention on the Status of Refugees and has had a resident office of the UN High Commissioner for Refugees (UNHCR) for many years.

The signing of a headquarters agreement between the Moroccan government and UNHCR in July 2007 is to be welcomed. The agreement concluded negotiations that had lasted several years and should finally allow UNHCR to carry out its mandate with greater freedom.

The fact that refugees recognised by UNHCR are not recognised by the Moroccan government remains a problem. These refugees are not entitled to any residence permit and are thus deprived of many rights, including the legal right to work.

On many occasions, the Moroccan government has attempted to expel holders of UNHCR documents. This happened, for example, with the mass arrests and expulsions that took place in December 2006. On the other hand, during the most recent waves of mass arrests and expulsions on the nights of 25-26 October 2007 and 9-10 November, the Moroccan authorities appear to have been careful not to expel holders of UNHCR certificates. It remains to be seen whether this practice will continue in the future. In the meantime, these people are still prevented from enjoying most of their rights, as their status is still unrecognised by the Moroccan government.

One must note, in this regard, that Morocco has no legislation pertaining to the status of refugee. The decree of 2 Safar 1377 (29 August 1957), which establishes the terms and conditions for implementing the Convention on the Status of Refugees, has yet to be enforced. The agency responsible for refugees and stateless persons (Bureau des Réfugiés et Apatrides) seems to be inactive.

(47) Ensuring the effective management of migration flows

The Action Plan does not mention the need to ratify (in the case of EU member states) or to implement (in the case of Morocco) the UN Convention on the Rights of All Migrant Workers and Members of Their Families.

The only mention of the rights of migrants is in a reference to “EU support for effective management of migration flows paying attention to the human dimension, socioeconomic aspects and accompanying measures”. This is clearly inadequate. While the Action Plan does focus on the rights of Moroccan migrants in Europe, it ignores the rights of migrants in Morocco, in particular those from sub-Saharan Africa.

It is also important to implement programmes aimed at promoting the rights of all migrants and to combat discriminatory measures targeted at them. For example, the revised Nationality Code perpetuates gender discrimination in that the foreign-born wife of a Moroccan man can acquire Moroccan nationality through marriage, while that right is denied to the foreign-born husband of a Moroccan woman (article 10 of the revised Nationality Code). Foreign-born husbands must go through the naturalisation process, whose outcome is uncertain – a clear case of de facto discrimination.

The Action Plan mentions the need to launch awareness campaigns in Morocco on the opportunities for migrating legally to the EU and on the risks of irregular migration. At the same time, nothing is said about the need to launch information and promotion campaigns on the rights of migrants in Europe, or the need for Morocco to establish programmes promoting the rights of migrants who find themselves in that country.

For example, numerous violations of human rights, particularly those of irregular migrants, were witnessed during the mass arrests and expulsions that followed the events in Ceuta and Melilla. Many migrants reported acts of ill treatment perpetrated by the Moroccan authorities. Some migrants were taken to the border and released in the desert, their lives thus being endangered. At the same time, the deaths of six migrants who were shot while attempting to cross into Melilla on the night of 5-6 October 2006 remain unpunished.

(48) Prevent and combat illegal migration to and via Morocco

The Action Plan makes no reference to the fact that any action undertaken in the context of the fight against illegal migrations must unequivocally take place in strict compliance with international humanitarian law and human rights standards.

Prevention of torture and ill treatment

The Plan makes no reference, for example, to the fact that, under article 3 of the UN Convention against Torture (CAT), no one, regardless of his/her status may be returned to a country where there exists the risk of being subjected to ill treatment.

Article 29 of *Dahir* No. 1-03-196 of 16 Ramadan 1424 (11 November 2003), which enacts Law No. 02-03 on the admission and residence of foreigners in Morocco, stipulates that no one may be removed to another country if he/she can establish that his/her life or freedom would be threatened or he/she would be exposed to inhuman, cruel or degrading treatment³¹.

While article 29 reiterates the provisions of article 3 of CAT, it has not been enforced in reality. Illegal migrants arrested and expelled from Morocco generally have no effective possibility of appealing those decisions. Thus there is no guarantee that they will not be sent to a country where their security would not be threatened.

Right of appeal

Article 23 of the same law establishes appeal procedures for migrants in cases of administrative removals but no right of appeal seems to exist in cases of expulsion decisions. Thus there is

³¹ « *Aucun étranger ne peut être éloigné à destination d'un pays s'il établit que sa vie ou sa liberté y sont menacées ou qu'il y est exposé à des traitements inhumains, cruels ou dégradants* ».

uncertainty about the procedure to be followed for persons targeted by an expulsion decision who, under article 29, cannot be sent back to their country of origin.

At the same time, the recent mass arrests and removals tend to show that the provisions of article 29 are not being enforced. The migrants targeted by these measures generally have no effective access to their right of appeal against such decisions. They are arrested and removed without having had an opportunity to appeal the decision in front of a judge.

Detention of migrants as a prelude to their removal

Articles 34 to 36 of the same law, dealing with detention conditions, are generally not enforced. For example, there is no enforcement of article 35, which provides that a decision to detain foreigners must be referred to the presiding judge of a first-instance tribunal within 24 hours so that he may make a decision on monitoring and control measures in anticipation of their removal.

Mass arrests and expulsions

Morocco is entitled to control its borders and the access of migrants to its territory. However, these controls must be exercised in strict observance of legal norms, in particular international humanitarian law and human rights standards. At the same time, any action taken in the context of border control operations must be fair, transparent and appropriate. In other words, it must be proportionate. In any event, asylum seekers must not be the victims of such operations nor be penalised as a result, even if they entered the country illegally.

During the mass arrests and expulsions of migrants, many irregularities were committed and the rights of the migrants, in particular those guaranteed by Moroccan legislation, were not respected. Even though the Moroccan authorities took care, during the two most recent operations, to avoid expelling migrants holding UNHCR certificates, the fact remains that many other violations took place.

It should be noted, for example, that these operations usually take place at night or in the early morning hours. Law enforcement officers enter the homes of the migrants, remove them by force, arrest them, and expel them. These operations appear to be in violation of Morocco's Criminal Code, which states that no searches should be conducted in homes before 6 AM or after 9 PM. To this must be added the many other irregularities and rights violations mentioned above.

Prison sentences for illegal border crossing and illegal residence

Articles 42 to 46 of Law No. 02-03 provide for prison sentences of up to six months, and sometimes up to one year, for illegal immigrants or illegal residents in Morocco. Article 50 of the same law provides for sentences of up to six months for anyone leaving Morocco illegally.

It is important to distinguish between detention measures taken against migrants in anticipation of their removal and prison sentences given as punishment in the context of the fight against illegal immigration. Sentencing someone to prison because of the illegality of his/her residence in, entry into or exit from the national territory is disproportionate and can be considered a form of ill treatment.

(49) Readmission of Moroccan nationals, stateless persons and nationals of third countries

Before any readmission, it is extremely important, in order to respect international law, to make sure that the individual was able to exercise his/her rights, and in particular had access to an asylum procedure in the country wishing to return that individual, and that he/she will not be sent to a country where he/she would risk being subjected to ill treatment.

Based on this logic, and taking into account the relevant provisions of Moroccan laws, sending back to Morocco a person who had previously resided there illegally or entered the country illegally, would mean putting that person in a situation where his/her most basic rights might be violated – in particular, the right not to be detained arbitrarily and the right not to be subjected to ill treatment.

Any readmission agreement should cover only the nationals of the parties to the agreement and exclude persons from third countries. Illegal immigrants in Morocco are, in effect, in a situation where their rights are denied. They are subject to penalties because of the illegality of their residence in or entry into the country. Sending illegal immigrants to Morocco would therefore mean they would be in a situation where their most basic rights are violated.

Thus, sending back to Morocco all the illegal migrants who transited its territory in the past would result in placing the responsibility for these persons entirely on a country that currently has neither the resources nor the ability needed to assume such responsibility. Above all, it would shift away from European states their responsibility to ensure that the rights of these individuals are respected.

(50) Initiate dialogue on visa issues

Morocco does not require European nationals entering its territory to have a visa obtained in advance. They may obtain a free, three-month visa upon arriving at the border. The converse is far from being true for Moroccan nationals crossing the border of an EU member state.

In addition, the representatives of civil society often face many obstacles when seeking a visa from an EU member state – to attend a meeting taking place in Europe, for example. This type of problem poses an obstacle to the free movement of individuals across the Mediterranean and to exchanges among representatives of civil society, particularly human rights defenders and members of youth organisations.

Reforms should therefore take place, at least to facilitate the movements of representatives of civil society organisations.

(53) Develop methods to combat trafficking in human beings and to reintegrate victims of trafficking

Articles 51 and 52 of Law No. 02-03 provide for prison sentences of up to three years for anyone convicted of organising or facilitating the illegal entry or exit of Moroccan nationals or foreigners into/from the territory of Morocco.

While acknowledging the need to combat human trafficking, it is important to note that these two articles of the law do not seem to distinguish between human trafficking and actions stemming from humanitarian motivations. Thus the sanctions provided for in Law No. 02-03 might apply,

for example, to sailors coming to the rescue of shipwreck victims and landing them on Moroccan soil or to civil society organisations providing humanitarian assistance to migrants.

At the same time, by criminalising illegal entry, residence or exit and providing for prison sentences, laws such as Law No. 02-03 are unlikely to contribute to the social reintegration of the victims of trafficking. If potential victims were to call upon the Moroccan government to help them, they would run the risk, because of the illegal nature of their residence in Morocco, of receiving prison sentences as a result of Law No. 02-03. Thus there is a clear contradiction between the goals announced in the Action Plan and Law No. 02-03.

2. Recommendations on migrations and asylum

The participants made the following recommendations:

General recommendations

1. Undertake reforms to ensure respect for the rights of migrants and refugees.
2. Grant residence permits to refugees recognised by the UNHCR to allow them, among other things, to have access to the labour market. To that end, the agency for refugees and stateless persons (“Bureau des Réfugiés et Apatrides”) should be reactivated. Morocco needs to adopt laws and procedures that are in compliance with international law on asylum.
3. Implement, in particular, the Convention on the Rights of All Migrant Workers and Members of Their Families.
4. Put an end to arbitrary mass arrests and expulsions of migrants from sub-Saharan countries, as these actions contravene not only international law but Morocco’s domestic legislation as well.
5. Amend Law No. 02-03 by revising the articles, including those that have been cited above, that can lead to violations of migrants’ rights.
6. Implement the provisions designed to provide migrants with effective means of appeal.
7. Implement the regulations governing the detention and expulsion of illegal migrants.
8. Adopt laws guaranteeing the full range of migrants’ rights in a manner that is both effective and consistent with international humanitarian law and human rights standards.
9. Establish an effective national system recognising the status of refugee. Cooperation between the government, the UNHCR and civil society will be required to facilitate this process.
10. Guarantee respect for the rights of migrants, even those who are illegal residents, and in particular the right not to be subjected to ill treatment or forced labour, as well as the rights to family life, to access to education, to health care and to work.

Recommendations related to specific actions within the Action Plan

11. Put greater emphasis on the issue of protection of migrants, refugees and asylum seekers in the Action Plan and make explicit reference to the international instruments guaranteeing their rights; develop programmes designed to implement those rights.
12. Use the funds mentioned under point 51 of the Action Plan as well as the Neighbourhood and Partnership Instrument to increase the Moroccan government’s ability to respect the rights of migrants, refugees and asylum seekers, and undertake the reforms required, particularly in light of the recommendations made in point 11 above.
13. Use these funds, as well as funds available under the Thematic Programme for migration, to increase the ability of civil society to promote the rights of migrants,

- refugees and asylum seekers, and promote the implementation of the reforms in question.
14. Suspend the negotiations to reach a readmission agreement until the reforms needed to guarantee respect for the rights of all migrants have been put into place.
 15. Abandon the quest to readmit migrants other than Moroccan nationals or other individuals usually residing in the territory of Morocco.
 16. Combat discriminatory hiring measures that can affect foreigners in order to ensure respect for their economic and social rights.

Role of civil society

17. Support civil society groups active in this area in Morocco.
18. Highlight the importance role played by civil society in providing assistance to migrants, refugees and asylum-seekers.
19. Set up training programmes for civil society organisations to better enable them to take part in the debate on migration policy and border management.
20. Support networking between Moroccan and European civil society organisations to enable them to assess the impact of European policies on the situation of migrants and refugees in Morocco, and also to enable them to have a more proactive role in discussions on the implementation of those policies. Networking among civil society organisations on the south shore of the Mediterranean is also important.

Chapter 2 – General Recommendations on Monitoring and on the Role of NGOs in the Follow-up to the Implementation of the Action Plan

General observations on the assessment of the ENP Action Plan

During the workshop sessions, the participating organisations welcomed statements affirming the determination of the EU and Morocco to consult and involve them actively in the future. They also pointed out the difficulty of assessing the Action Plan because they had not been involved in any way in the different stages of its development and implementation. They regretted the lack of information and data on the progress and implementation of the Action Plan.

Moreover, the present Action Plan does not allow for a full assessment, given its vague and general wording. Broadly speaking, the Action Plan comprises two registers:

- some measures are more in line with strategic political goals;
- other measures are more in line with a true plan of action.

As an illustration, under point 6 can be found an action designed to “promote the role of women in economic and social progress”, which is very general, and one aimed at the “protection of pregnant women in the workplace”, which is very specific. As a result, some parts of the Action Plan, in particular those dealing with human rights and fundamental freedoms are generally difficult to assess and measure.

Recommendations for implementing and monitoring the Action Plan

At the end of the seminar, the participating Moroccan NGOs:

1. hailed the invitation of the Moroccan government and the European Union to involve civil society in the implementation and monitoring of the EU-Morocco Action Plan under the European Neighbourhood Policy (ENP);
2. urged greater transparency and visibility, attributes which require that NGOs and public opinion be better informed and consulted when it is appropriate;
3. requested that the Action Plan be reformulated within a logical framework that will highlight better-defined goals as well as the actors, timelines, and financial and human resources needed for each action;
4. requested the setting-up of a joint mechanism by the authorities and civil society for regular and systematic consultations in the political dialogue between the partners and in the monitoring and assessment process of the EU-Morocco Action Plan;
5. requested that they be informed before and after the meetings of the different subcommittees and working groups established under the Association Agreement, in particular those dealing with human rights, with justice and security, and with migrations and social affairs;
6. requested that regular assessments of the progress achieved be carried out, based on specific criteria, indicators and timelines;

7. stated their willingness to draft periodic reports containing their own assessment of the implementation of the Action Plan. These reports will be submitted to Moroccan and European authorities and will contain recommendations for the effective implementation of the Action Plan;
8. requested assistance in establishing mechanisms and structures for monitoring of the Action Plan by NGOs in order to facilitate:
 - i) advocacy and representations aimed at convincing the Moroccan government to honour the commitments made under the Action Plan;
 - ii) the monitoring and assessment of the implementation of the EU-Morocco Action Plan.

ANNEXES

- I. Analyse détaillée de la mise en œuvre des dispositions sur les droits des femmes du Plan d'action PEV**
- II. Programme de la Formation**
- III. Rapport de la Formation**
- IV. Programme du séminaire**
- V. Liste des participants à la formation**
- VI. Liste des participants au séminaire**

ANALYSE DETAILLEE DE LA MISE EN ŒUVRE DES DISPOSITIONS SUR LES FEMMES CONTENUES DANS LE PLAN D'ACTION MAROC-UE

Mise en œuvre des dispositions contenues dans le chapitre 2.1 « Dialogue politique et réformes »

■ Le gouvernement du Maroc n'a pas encore déposé les instruments de levée de réserves émises à propos de la CEDAW, et ce malgré l'engagement pris dans ce sens à plusieurs reprises:

- **en février 2005**, un communiqué du gouvernement annonçait son intention de procéder à la levée des réserves exprimées à propos de l'ensemble des traités internationaux relatifs aux droits de l'homme (à l'exception de la CEDAW) et son intention d'adopter tous les mécanismes de surveillance de ces traités. Dans sa communication, le gouvernement a annoncé que la levée de certaines réserves sur la CEDAW, ainsi que la ratification de son Protocole Optionnel, sont également à l'examen par la commission interministérielle chargée de ce dossier;
- **en mars 2006**, un communiqué du Ministère de la Justice a annoncé la levée partielle de certaines réserves sur la CEDAW et le remplacement d'autres par des déclarations explicatives.
- **en avril 2006** : cette intention a été réaffirmée, en tant qu'engagement officiel dans la note accompagnant la candidature du Maroc au Conseil des droits de l'Homme, dont il est membre après son élection le 9 avril 2006.³²

■ La levée des réserves annoncées ne porte pas sur des articles substantiels quant aux objectifs et buts de la Convention (articles 2 et 16). S'il est vrai que l'annonce de la levée de certaines réserves par le Maroc et la recommandation pour la ratification du Protocole Optionnel de la Convention peuvent être considérées comme un pas positif, plusieurs éléments objectifs contribuent, toutefois, à amoindrir la force et l'impact de cette initiative sur le statut et les conditions des femmes marocaines.

L'examen attentif des communiqués du gouvernement marocain en la matière (marqués par une grande confusion) permet de conclure plus à l'effet d'annonce qu'à un réel changement dans le traitement réservé par le Maroc à cette question, dans la mesure où :

- **seules quatre réserves seront levées** et concernent l'article 9 (nationalité), l'alinéa "h" du para "1" de l'article "16" ; para "2" de l'article "16" et, enfin, l'article "29",
- une seule déclaration a été retirée (para "4" de l'article "15");
- **les réserves qui sont incompatibles avec l'objet et le but de la Convention, à savoir celles exprimées à propos de l'article "2" et "16", ont été globalement maintenues;**
- le remplacement d'autres réserves par des déclarations (ou ces dernières par d'autres déclarations) équivaut, en réalité, au niveau de leurs effets juridiques, à leur maintien;
- le gouvernement n'a pas jugé utile d'informer l'opinion publique sur la nouvelle formulation des déclarations explicatives.³³ En fait tout se passe comme si le fait de remplacer certaines déclarations par d'autres constituait, en soi, un grand progrès, abstraction faite de la nouvelle formulation de ces déclarations.

³² Les engagements du Maroc en vertu de la résolution A/RES/60/251- Candidature pour le Conseil des Droits de l'Homme

³³ Notamment : 1) révision de la formulation de la deuxième partie de la déclaration présentée sur l'article "2" de la convention, stipulant l'adoption de dispositions légales pour la consécration du principe d'égalité entre l'homme et la femme ; 2) remplacement de la réserve formulée à propos des autres clauses du para "1" de l'article "16" par une déclaration explicative.

Levée de réserves annoncée par le gouvernement

1	<p>Levée des réserves exprimées à propos :</p> <ul style="list-style-type: none"> ❖ du paragraphe “2” de l'article “9”, stipulant que la femme dispose du même droit que celui que détient l'homme en matière de nationalité de ses enfants, ❖ de l'alinéa “h” du paragraphe “1” de l'article “16”, stipulant que la femme dispose du droit de décider, à égalité avec l'homme, du droit d'établir le planning familial et d'accéder aux données y afférentes³⁴, ❖ du paragraphe “2” de l'article “16”, relatif à l'absence de tout effet juridique quant aux fiançailles et au mariage des enfants et stipulant la nécessité de fixer un âge minimum pour le mariage et sa consignation dans un registre officiel, ❖ de l'article “29” relatif à l'arbitrage des conflits pouvant surgir lors de l'interprétation et de l'application de la convention.
2	<p>Révision de la formulation de la deuxième partie de la déclaration présentée sur l'article “2” de la convention, stipulant l'adoption de dispositions légales pour la consécration du principe d'égalité entre l'homme et la femme,</p>
3	<p>Retrait de la déclaration présentée sur le paragraphe “4” de l'article “15”, stipulant que l'homme et la femme disposent des mêmes droits quant à la législation relative au mouvement des personnes et à la liberté de choisir leurs lieux d'habitation et de séjour,</p>
4	<p>Remplacement de la réserve formulée à propos des autres clauses du paragraphe “1” de l'article “16” par une déclaration explicative,</p>
5	<p>Recommandation : adhésion du Maroc au Protocole facultatif additionnel à la convention.</p>

- Le Maroc n'a pas encore entamé le processus de ratification du protocole facultatif de la CEDAW

Par rapport à la mise en œuvre des dispositions du sous thème n° 6 :

« Accroître la promotion et la protection des droits des femmes et des enfants »

Concernant le point 1 du sous thème n° 6 :

Les participantes – participants ont mis en exergue quelques limites d'application des nouvelles dispositions du code de la famille notamment en matière de :

Le mariage des mineurs défini à 18 ans, mais le législateur a prévu le recours exceptionnel pour le mariage avant l'âge légal qu'il a soumis à l'autorisation judiciaire sans en préciser l'âge minimal et les conditions. Cette disposition va à l'encontre de l'article 16(2) de la CEDAW qui stipule explicitement la nécessité de fixer un âge minimal pour le mariage et l'annulation juridique du mariage d'enfants. Ainsi, il s'avère d'après les statistiques du Ministère de la Justice que près de **89 % des demandes de mariage des mineurs, dont 97,5% sont des**

³⁴ Dans le communiqué du Ministère de la justice (7 mars 2006), la mention était faite pour cet alinéa au « droit de la femme de décider, à égalité avec l'homme, du droit d'établir le planning familial et d'accéder aux données y afférentes ». Or, il y a manifestement une erreur dans la mesure où l'alinéa “h” en question ne concerne pas le planning familial comme cela a été indiqué.

filles, ont été autorisées par les juges. Par ailleurs, au lieu de régresser, les demandes d'autorisation pour le mariage des filles mineures ne cessent de progresser (de 22,5% entre 2005 et 2006). Ces mariages concernent, parfois, des fillettes âgées de 13 ans³⁵.

Demande	Nombre total	Autorisée	Refusée	Abandonnée
	30.312	88,81%	10,11%	1,09%
Age du demandeur	14 ans	15 ans	16 ans	17 ans
	162	2.499	7.305	13.345
Sexe du demandeur	Demande pour des filles		Demande pour des garçons	
	97,5%		2,45%	
Zone géographique	Milieu rural		Milieu urbain	
	44,55%		55,45%	

**Tableau : Statistiques des mariages des mineurs
(Ministère de la Justice, 2006)**

La polygamie a fait l'objet de conditions légales très restrictives. Toutefois, dans la réalité, et selon les statistiques du Ministère de la justice (2006), 43,5 % des demandes jugées - relatives à l'autorisation du mariage polygame ont été acceptées par les juges qui répondent favorablement sans tenir compte de la dignité des premières épouses ni des menaces qui pèsent sur elles ainsi que sur leurs enfants. La proportion des mariages polygames dans le nombre total des actes de mariage enregistré même une petite progression entre 2005 et 2006 (respectivement 8,5% et % 9,7). La polygamie est souvent imposée aux femmes les plus vulnérables, qui ne disposent pas de ressources propres pour vivre et faire vivre leurs enfants. La stérilité des femmes (réelle ou supposée), une bonne situation financière du mari ainsi que la crainte que le mari ne soit tenté d'avoir des relations sexuelles hors mariage, sont souvent considérées par les juges comme des raisons suffisantes pour autoriser la polygamie.

En matière de reconnaissance de la paternité ; le délai de 5 ans fixé pour la résolution des affaires en suspens dans ce domaine ne permet pas aux femmes concernées, passé ce délai, de prouver la paternité de leurs enfants. Par ailleurs, dans le cadre des dispositions actuelles, seules les demandes des femmes pouvant apporter la preuve de fiançailles avec le père biologique de leur enfant sont recevables par les tribunaux.

En matière d'accès des femmes aux nouvelles procédures de divorce et plus particulièrement le divorce pour discorde (Chikak) : le divorce pour discorde est interprété, abusivement, par de nombreux juges comme un divorce pour préjudice, faisant ainsi obligation aux femmes de produire les preuves et les témoins de ce préjudice.

En matière du droit de la mère (gardienne) au domicile conjugal suite au divorce : dans la pratique, les femmes sont généralement expulsées du domicile conjugal, les procédures de réintégration immédiate ne sont pas explicitées et les procédures d'application - qui imposent de ne pas prendre de mesures hâtives et d'intervenir de façon réfléchie et empreinte de sagesse -,

³⁵ Cas enregistré à Mohammedia par LDDF, Rapport annuel 2006

sont en contradiction avec le contenu même de l'article. Les femmes sont généralement chassées du foyer conjugal.

Le rôle du ministère public qui, selon l'article 53 du code de la famille, doit intervenir pour ramener le conjoint expulsé au foyer conjugal. Or dans la pratique, le ministère public intervient au cas par cas, à cause d'un vide juridique ne facilitant pas son intervention d'une manière systématique pour garantir la protection et la sécurité du conjoint expulsé.

Le fonds de paiement de la pension alimentaire, pourtant prévu par la loi depuis sa promulgation en 2004 n'est toujours pas mis en place.

Ces limites ont été attribuées à une série d'obstacles de contraintes liées à la nature du cursus de formation des juges, à la large marge de manœuvre laissée à l'interprétation des dispositions du code, à l'encombrement des sections de la justice de famille, aux procédures de constitution du dossier (retard de notification, exécution des jugements et protections des droits des personnes concernées); à la corruption et enfin, aux difficultés d'accès des populations les plus vulnérables à la justice (analphabétisme, méconnaissance des lois et des procédures, etc.)

Concernant le point 2 du sous thème n° 6 relatif à la lutte contre les discriminations et les violences

Par rapport à la lutte contre les discriminations

Les participantes-participants ont identifié à la fois les progrès réalisés ainsi que les violations et discriminations subsistant dans plusieurs textes législatifs, notamment :

Le code pénal

La révision partielle du Code pénal (loi n°24-03 promulguée le 11 novembre 2003) a permis de réaliser des avancées en matière de protection des femmes et des enfants. Ces révisions ont concerné plus particulièrement :

- l'incrimination de la discrimination y compris sexuelle.
- l'abolition de la discrimination homme/femme en matière de peines en cas de meurtre/blessure commis par l'un des époux sur la personne de l'autre s'il le surprend en flagrant délit d'adultère et de poursuite de l'un des époux qui entretient de notoriété publique des relations adultères, si l'autre époux se trouve à l'étranger.
- l'aggravation des sanctions en cas de coups et blessures infligés volontairement par l'un des époux à l'encontre de l'autre dans les cas de récidive aux délits commis par l'un des époux à l'encontre de l'autre, proxénétisme si le crime est commis par le conjoint ou si la victime est enceinte.
- la levée du secret médical quand il s'agit de violences à l'égard des femmes et des enfants âgés de moins de 18 ans.
- la considération de la grossesse comme circonstance aggravante dans le cas du viol,
- l'incrimination du harcèlement sexuel sur les lieux de travail en le définissant comme un abus d'autorité.

Toutefois, plusieurs dispositions pénales restent profondément discriminatoires et introduisent une hiérarchie entre femmes mariées et non mariées, vierges et non vierges :

- le viol est sanctionné de peines identiques à celles de l'attentat à la pudeur,

- le non-consentement est difficile à prouver en l'absence de traces de violences, celles-ci sont souvent impossibles à prouver en l'absence de structures adéquates. Or, si l'absence de consentement n'est pas établie, le viol ne l'est pas non plus³⁶,
 - la notion de viol conjugal n'est pas prise en compte par le législateur car le corps de la femme mariée est censé appartenir à son époux,
 - le maintien de la défloration comme circonstance aggravante du viol fait des femmes, dans la pratique, une marchandise,
 - les poursuites pénales à l'encontre du violeur cessent automatiquement dès qu'il accepte d'épouser sa victime mineure et nubile, ce qui revêt un caractère humiliant et dégradant pour les victimes.
 - les dispositions de l'article 496 relatives à l'enlèvement de la femme mariée ont été maintenues. De ce fait, ceux qui hébergent une femme qui a fui le domicile conjugal sans le consentement de son mari, tombent sous le coup de cette loi (2 à 5 ans d'emprisonnement et une amende), abstraction faite du motif ayant conduit la femme à quitter le domicile conjugal. Cette disposition constitue, dans la pratique, une entrave légale qui n'encourage pas les ONG à ouvrir des foyers d'accueil pour héberger les femmes victimes de violences en attendant qu'une solution soit négociée.
 - le maintien des poursuites pénales en cas d'adultère et de relations sexuelles hors mariage, incite les femmes enceintes à l'abandon de leurs enfants dans la rue ou les hôpitaux ou même à des infanticides.
 - l'interdiction de l'avortement autre que thérapeutique et le coût élevé de l'IVG, sanctionne les femmes appartenant aux catégories sociales les plus démunies et les condamnent à l'exclusion sociale et au recours, par manque de moyens financiers et par ignorance, à la pratique de l'avortement dans des conditions dangereuses pour leur santé. Par ailleurs, le consentement de l'époux est requis (celui de la femme n'est pas considéré comme suffisant) pour l'avortement thérapeutique, même lorsque sa santé ou même sa vie sont en danger.
- Ces discriminations et violations des droits humains fondamentaux des femmes sont attribuables à la persistance d'une conception moraliste et patriarcale de l'honneur.

Le code de la famille : la réforme du Code de la Famille (loi n° 70-03 promulguée le 3 février 2004) a permis de réaliser des avancées importantes.

- L'égalité et la coresponsabilité des deux époux et l'égalité en matière d'âge du mariage (18 ans) ;
- L'abolition de l'obligation d'obéissance de l'épouse à son époux ;
- L'abolition de la tutelle matrimoniale obligatoire pour la femme ;
- La réglementation de la polygamie ;
- La réforme des procédures de divorce soumises dorénavant au contrôle judiciaire et introduction de la conciliation sous le contrôle du juge ou d'arbitres nommés par lui. De nouvelles procédures de dissolution du mariage sont introduites pour faciliter l'accès des femmes au divorce : le divorce par consentement mutuel, appelé droit d'option et le divorce pour raison de discorde ;
- Le renforcement du droit de garde de la mère ;
- La possibilité pour les époux d'établir un contrat, distinct du contrat de mariage, précisant les modalités de gestion de leurs biens ;
- La reconnaissance des droits de l'enfant : garde, pension alimentaire, reconnaissance de la paternité, régularisation de la situation des enfants nés hors mariage et droit des petits-enfants du côté de la mère d'hériter de leur grand-père, par le biais du « leg obligatoire », au même titre que les petits-enfants du côté du fils :

³⁶ Michèle Zirari, la victime risque alors d'être poursuivie pour relations sexuelles hors mariage.

- par ailleurs, la réforme du Code de Procédure Pénale (BO 30 janvier 2003) permet aux femmes de se constituer partie civile contre leurs époux sans autorisation préalable de la juridiction saisie.

Toutefois ce Code reste encore discriminatoire et inégalitaire en matière de:

Tutelle légale sur les enfants (droit exclusif du père, chef de famille) : La mère peut perdre la garde de ses enfants âgés de plus de 7 ans au motif de son remariage.

- La mère ne peut accéder à la tutelle légale sur ses enfants mineurs qu'en cas d'absence du père (décès, incapacité juridique). Dans le cas du décès du père et si ce dernier a désigné, de son vivant, un tuteur légal pour ses enfants, la mère ne pourra pas exercer ce droit.

- En cas de divorce, le père reste toujours le tuteur légal des enfants même lorsque la garde de ces derniers est confiée à la mère.

- La mère gardienne ne peut voyager avec l'enfant à l'étranger qu'après autorisation du tuteur légal.

Ces dispositions qui ne sont pas non plus conformes à l'article 16 (1) (e), (d) et (f) de la CEDAW qui stipulent l'égalité des deux parents en droits et responsabilités envers les enfants, peuvent engendrer des situations dramatiques pour les enfants

- **Législation successorale** : le code de la famille n'a apporté qu'une seule modification dans ce domaine qui est relative au legs obligatoire³⁷ (Art. 370). Jusque là, le legs obligatoire ne concernait que les enfants des fils prédécédés.³⁸ Toutefois, la part des enfants des filles reste inférieure à celle des enfants des fils.

Le reste de la législation successorale est discriminatoire : les héritiers (des hommes, liés au défunt uniquement par des hommes) ont vocation à la totalité de l'héritage alors que les héritières n'ont droit qu'à une quote-part fixées par la loi en fonction de leur parenté et de la qualité des autres héritiers. Ainsi une fille unique, a une part égale à la moitié de la succession, deux filles ou plus en l'absence d'un fils se partageront les deux tiers, le reste ira aux autres successibles. Par contre un fils unique a vocation à recueillir toute la succession après que les autres héritiers soient pourvus de leur quote-part. Enfin, les filles qui ont des frères héritent de la moitié de la part de leurs frères (article 251 du code de la famille).

- **Maintien de la polygamie et de la répudiation** qui sont des dispositions qui portent atteinte à la dignité des femmes.

- **Interdiction du mariage des musulmanes** avec les non musulmans alors que les marocains de sexe masculin sont autorisés à épouser des non musulmanes.

Le code de la nationalité:

Les participants ont également souligné d'une part les progrès enregistrés en matière de transmission de la nationalité depuis l'adoption du Plan d'action et les discriminations persistantes au niveau du code de la Nationalité révisé,³⁹ d'autre part :

³⁷ "Lorsqu'une personne meurt en laissant des petits enfants issus d'un fils ou d'une fille prédécédé ou décédé en même temps qu'elle, ces petits enfants bénéficient, dans la limite du tiers de la succession, d'un legs obligatoire" (Art. 369). Ce legs "est égal à la part de la succession que leur père ou leur mère aurait recueilli de son ascendant s'il lui avait survécu..."

³⁸ Article 266 de l'ancien code de statut personnel.

³⁹ Adopté par le parlement en février 2007 et est entré en vigueur en avril de la même année

Désormais, en vertu de l'article 6 du code de la nationalité révisé,⁴⁰ les femmes marocaines résidentes au Maroc ou à l'étranger ont le droit de transmettre automatiquement leur nationalité à leurs enfants avec effet rétroactif, dans la mesure où cette disposition est également applicable aux enfants nés avant la promulgation de ce texte. Suite à cette révision, le Maroc a procédé à l'annonce de la levée de la réserve sur le 2^{ème} paragraphe de l'article 9 de la CEDAW.⁴¹

Toutefois, le code de la nationalité révisé a maintenu la discrimination entre les deux sexes dans la mesure où l'épouse étrangère du marocain peut acquérir la nationalité par le mariage alors que ce droit n'est pas reconnu à l'époux étranger de la marocaine (article 10 du code de la nationalité révisé). Ces derniers sont obligés d'avoir recours à la procédure de la naturalisation (longue et à l'issue incertaine). Par ailleurs, le Maroc n'a toujours pas ratifié la Convention sur la nationalité de la femme mariée (1957).

Par rapport aux violences à l'égard des femmes

Les participantes-participants ont souligné l'importance de l'effort public et civil déployé en matière de lutte contre les violences à l'égard des femmes. Ils ont identifié pourtant l'effet limité des campagnes de sensibilisation et des actions menées par les pouvoirs publics en général surtout en matière de violences conjugales.

Ces limites sont dues pour l'essentiel aux lacunes législatives et institutionnelles en matière de lutte contre les violences faites aux femmes et ce à 4 niveaux :

- lacunes législatives
- investigation de ces violences par la police, la gendarmerie et la Justice;
- leur sanction
- la réparation des préjudices subis par les victimes

Ces manquements et lacunes expliquent la grande impunité dont bénéficient les agresseurs, justifiée par l'acceptation sociale des violences conjugales. En effet, les femmes victimes des violences conjugales, largement répandues,⁴² sont confrontées à l'absence de structures d'accueil et d'accompagnement dans les départements concernés et à des traitements iniques par les services de recours.⁴³

- les femmes ne sont pas toujours traitées avec dignité par les services de santé, de police, la gendarmerie et les tribunaux;
- les documents administratifs et les justificatifs exigés lors des démarches administratives diffèrent selon le genre du demandeur;
- l'accès à la justice n'est pas facilité aux femmes analphabètes et aux femmes pauvres,
- les voies de recours et les services sociaux pour lutter contre les violences à l'égard des femmes sont inexistantes.

Concernant le processus actuel d'élaboration du projet de loi-cadre sur les violences, les participantes-participants ont constaté un déficit au niveau de la participation des ONG des droits des femmes et de leurs centres d'écoute (malgré l'importance du travail effectué par ces

⁴⁰ Adopté par le parlement en février 2007 et est entré en vigueur en avril de la même année

⁴¹ A ce jour, les informations concernant la levée effective de cette réserve ainsi que des autres réserves annoncées par le gouvernement marocain le 7 mars 2006 (communiqué du Ministère de la Justice) sont contradictoires et non transparentes

⁴² Statistiques ANARUZ et LDDF

⁴³ LDDF- Rapport annuel 2006

derniers) dans un processus qui ne prend pas en charge le débat sur la pertinence de consacrer une loi-cadre aux violences au lieu d'inscrire ces dispositions dans le code pénal.

PROGRAMME DE LA FORMATION

Les Mécanismes des Droits de l'Homme dans les Relations UE-Maroc et la Politique Européenne de Voisinage

Jeudi 25 Octobre 2007

Rabat

9 :00 – 9:30 : Accueil des participants

9:30 – 10 :00 : Allocution de bienvenue

- **Mme Rabéa Naciri, REMDH**
- **Allocution au nom des associations membres du REMDH au Maroc :
Mme Naima Benwakrim, Espace associatif**

10:00-11:00 : PARTIE I : Introduction aux Institutions de l'Union européenne

Les institutions de l'UE, le processus décisionnel, les financements

- Présentation PowerPoint, **Mme Sandrine Grenier, REMDH**
- *Discussion*

**11:30-13:30 : PARTIE II : Discussion sur les mécanismes droits de l'Homme
dans les relations UE-Maroc et la Politique Européenne de Voisinage**

Le Partenariat euromed et la politique européenne de voisinage

- Présentation Powerpoint, **Mme Sandrine Grenier, REMDH**
- *Les mécanismes des droits de l'Homme nationaux et leurs liens avec les
mécanismes européens, M. Habib Belkouch, OMDH*
- *Les mécanismes des droits de l'Homme européens et la société civile au
Maroc, M. Jérôme Cassiers de la Délégation de la Commission européenne
au Maroc*
- *Discussion*

**14:30-17:00 : PARTIE III : Comment les ONG peuvent promouvoir le respect des droits de
l'Homme dans le cadre des relations UE-Maroc et de la PEV?**

- ✓ Expérience d'ONG d'un pays méditerranéen :
 - Cas de la Jordanie par **Mme Lina Al Quarah, SIGI**
- ✓ L'expérience d'ONG marocaines:
 - *Expérience de l'AMDH sur le comité de suivi des violations graves des droits
humains (point de vue technique) par Mr Tbel Said*
 - *Expérience de lobbying de l'ADFM sur le Plan d'Action quinquennal adopté par
la Conférence ministérielle euro-méditerranéenne d'Istanbul de novembre 2006
sur le renforcement du rôle des femmes dans la société, Mme Rabéa Naciri,
ADFM*
 - *Discussion/échange d'expériences*

17:00-17:30 : PARTIE V : Conclusions

- *Rapporteur, Espace Associatif, Karima Fettah et Abdeljalil Laroussi*

RAPPORT DE LA FORMATION

Les mécanismes des droits de l'Homme dans les relations UE-Maroc et la Politique Européenne de Voisinage

**Jeudi 25 Octobre 2007
Rabat**

INTRODUCTION

Le Réseau Méditerranéen des Droits de l'Homme (REMDH), en partenariat avec ses organisations membres au Maroc, l'Espace Associatif (EA), l'Association Démocratique des Femmes du Maroc (ADFM), l'Association Marocaine des Droits Humains (AMDH) et l'Organisation Marocaine des Droits de l'Homme (OMDH), ont organisé une formation au profit des associations marocaines qui œuvrent dans le domaine du développement démocratique et des droits de l'Homme.

La formation a été ouverte par **Mme Rabéa Naciri**, membre du Comité exécutif du REMDH et **Mme Naima Benwakrim**, présidente de l'Espace associatif, qui ont rappelé les objectifs de cette journée :

- Développer les connaissances et les capacités sur les institutions européennes et les mécanismes droits de l'Homme dans les relations UE-Maroc avec un accent sur la Politique Européenne de Voisinage (PEV)
- Former au plaidoyer auprès de l'UE et accroître le rôle que la société civile pourrait avoir dans le domaine.
- Aider à appréhender l'articulation entre la PEV et les initiatives marocaines (plan national, IER, etc)
- Encourager la création d'un réseau entre ONG

Elles ont insisté sur la nécessité pour les ONG de ne pas agir uniquement au niveau des Nations Unies mais d'être plus active au niveau européen, ce qui est d'autant plus important lorsqu'on considère les liens entre le Maroc et l'UE.

Le but de la formation était également de préparer leur participation au séminaire « le partenariat Maroc – UE, Evaluation du plan d'action Maroc – UE dans le cadre de la politique Européenne de voisinage, » qui a eu lieu le lendemain.

Cette formation a rassemblé environ 25 participants, membres d'ONG de défense des Droits de l'Homme au Maroc. Des représentants de la délégation de la Commission européenne à Rabat ont aussi participé à cette session. Elle a été menée par Sandrine Grenier, directrice du plaidoyer du REMDH, avec l'intervention de plusieurs experts sur la question des droits de l'Homme et de l'UE.

La formation comportait trois parties :

PARTIE I : Introduction aux Institutions de l'Union européenne

Les institutions de l'UE, le processus décisionnel, les financements

PARTIE II : Discussion sur les mécanismes droits de l'Homme dans les relations UE-Maroc et la Politique Européenne de Voisinage

Le Partenariat euromed et la politique européenne de voisinage

PARTIE III : Comment les ONG peuvent promouvoir le respect des droits de l'Homme dans le cadre des relations UE-Maroc et de la PEV?

Résumé des discussions

La première intervention par **Sandrine Grenier du REMDH**, a mis l'accent sur deux niveaux :

- a. Les institutions de l'UE: comment les ONG peuvent-elles agir auprès des institutions de l'UE ?
- b. Les mécanismes des droits de l'Homme dans les relations entre l'UE et les pays du Sud de la Méditerranée, le cas du Maroc

La dimension droits de l'homme a été mise en relief par rapport aux compétences de chaque institution. L'intervenante a rappelé les engagements généraux de l'UE concernant les droits de l'Homme. La présentation Powerpoint est disponible sur le site du REMDH⁴⁴.

Le débat s'est focalisé sur la complexité des institutions européennes, les intérêts des Etats membres et leurs liens respectifs avec les pays de la rive sud de la Méditerranée.

L'intervenante a également fait un rappel du cadre dans lequel s'inscrit le partenariat Euro-méditerranéen (PEM) ainsi que ses chapitres et ses dimensions, avant de présenter les caractéristiques du partenariat entre l'UE et le Maroc (Conseil d'association, Sous-comité sur les droits de l'Homme, démocratisation et gouvernance). L'accent a été mis par la suite sur la PEV et sa complémentarité avec le Partenariat ainsi que sur le Plan d'action Maroc-UE.

M. Jérôme Cassiers, de la délégation de la Commission européenne à Rabat, a centré son intervention sur *Les mécanismes des droits l'Homme européens et la société civile au Maroc*. Il a mis l'accent sur l'articulation de la formation par rapport au séminaire et la volonté de la Commission européenne de connaître ce qui se fait au niveau de la pratique au-delà des accords institutionnels. Il a réitéré l'importance et l'intérêt d'impliquer la société civile au niveau du débat en vue de collecter ses avis et recommandations. La délégation a notamment précisé qu'elle consultera les ONG à Bruxelles et à Rabat en amont de la réunion du prochain Sous-comité sur les droits de l'Homme, démocratisation et gouvernance, prévue le 21 novembre.

M. Habib Belkouch a fait une introduction *aux mécanismes des droits de l'Homme nationaux et leurs liens avec les mécanismes européens*. L'intervention a passé en revue les mécanismes des droits de l'Homme au niveau national :

- les instances législatives ;
- les instances exécutives ;
- les institutions consultatives ;
- La Justice ;

⁴⁴ www.euromedrights.net

- Les mécanismes non-gouvernementaux.

Dans le cadre des relations Maroc-UE, il a remarqué que l'Exécutif accapare les relations officielles et qu'il est nécessaire que les ONG lancent une réflexion sur leur rôle dans ces relations. Il a insisté sur le rôle important de la société civile dans les évolutions du pays en matière de droits de l'Homme et l'opportunité pour les ONG d'être plus présentes au niveau national et européen.

L'après-midi a été consacré aux témoignages et expériences d'associations dans leur travail de *promotion du respect des droits de l'Homme notamment afin de voir comment ces expériences sont mises en oeuvre dans le cadre des relations UE-Maroc et de la PEV.*

Mme Lina Al Quarah, de SIGI en Jordanie, a présenté l'expérience de son organisation. Elle a d'abord rappelé le cadre des relations entre la Jordanie et l'UE puis listé les priorités en matière de droits de l'Homme dans le plan d'action UE-Jordanie ainsi que les défis particuliers de la mise en oeuvre de ces actions. Elle a pris l'exemple de la promotion des droits des femmes. Enfin, elle a donné quelques exemples concrets d'implication de la société civile dans la mise en oeuvre du Plan d'action, notamment à travers la définition d'une stratégie pour la consultation des représentants de la société civile sur les réformes politiques et économiques.

M. Tbel Said, a fait part de *l'expérience de l'AMDH sur le comité de suivi des violations graves des droits humains d'un point de vue technique.*

Enfin, Rabéa Naciri, est intervenue sur l'expérience de lobbying de l'ADFM sur le Plan d'Action quinquennal adopté par la Conférence ministérielle euro-méditerranéenne d'Istanbul de novembre 2006 sur le renforcement du rôle des femmes dans la société. Cette dernière expérience a montré un cas concret de mobilisation concertée des associations membres du REMDH au Maroc et dans d'autres pays européens et méditerranéens.

Les conclusions et recommandations de la journée de formation

Les conclusions et recommandations de la journée ont été axées sur deux principaux points :

1. Par rapport à la formation elle-même :

Il a été souligné par les associations présentes que la présente formation, compte tenue de l'importance du sujet, ne peut être considérée que comme une initiation qui devra être appuyée et renforcée par d'autres sessions de formation beaucoup plus approfondies.

2. Par rapport au rôle des associations dans la promotion du respect des droits de l'Homme dans le cadre des relations UE-Maroc et la PEV

Il a été conclu qu'il était nécessaire de travailler sur ces points:

- le renforcement de leurs compétences ;
- la sensibilisation et l'information pour développer les connaissances;
- l'explication et la diffusion du Plan d'action ;
- la recherche continue de l'information en vue d'en faire le suivi et d'organiser des actions par anticipation ;

- la coordination et le réseautage pour de larges mobilisations ;
- la mobilisation, le plaidoyer et le lobbying ;
- L'importance des médias dans les campagnes d'information et de lobbying ;
- **le développement de stratégies** pour contrer l'absence de la société civile dans le processus de **décisions national et européen** ;
- **l'élaboration de recommandations précises par les ONG, sous la forme par exemple de rapports parallèles sur les droits de l'Homme et le renforcement du rôle des femmes**

Cela passe par la création de mécanismes à mettre en place sur trois niveaux :

- la mise en place de **mécanismes de concertation et de coordination efficaces pour le suivi de la mise en œuvre du Plan d'action**
- **la proposition de mécanismes de dialogue avec les ONG au niveau marocain et européen** à présenter au Ministère des affaires étrangères marocain, et à la Délégation de la Commission européenne
- **la mise en place d'un mécanisme de consultation entre ONG dans la région méditerranéenne** dans le but de partager les expériences, notamment avec le REMDH, sur certaines thématiques (Justice, femmes, migrations, etc).

Les participants ont convenu de rester en contact et d'agir dans la perspective de la réunion en novembre du Sous-comité sur les droits de l'Homme, démocratisation et gouvernance, prévue dans le cadre du partenariat Maroc – UE et de la PEV.

PROGRAMME DU SEMINAIRE

LE PARTENARIAT MAROC-UE Evaluation du Plan d'action Maroc-UE dans le cadre de la Politique Européenne de Voisinage

**25 & 26 Octobre 2007
Rabat**

JEUDI 25 OCTOBRE

- **18.00-20.00 : Ouverture du séminaire**
Présidence : Amina Bouayach, OMDH
 - M. Abdelmaksoud Rachdi, Réseau marocain euromed des ONG
 - Mme. Rabea Naciri, REMDH
 - M. Bruno Dethomas, Chef de la Délégation de la Commission européenne à Rabat
 - M. Joao Rosa La, Ambassadeur du Portugal à Rabat, Présidence de l'UE
 - M. Mohammed Lotfi Aouad, Ambassadeur Directeur des Affaires Européennes

VENDREDI 26 OCTOBRE

- **09.00-10.30 : Séance d'introduction : Les relations UE-Maroc:
Evaluation de la Politique Européenne de Voisinage et de la mise en œuvre du Plan d'Action PEV**
Présidence : Abdelkader Azriah
 - M. Jérôme Cassiers, Délégation de la Commission européenne
 - M. Habib Belkouch, *présentation sur les aspects droits de l'Homme dans le Plan d'action Maroc-UE*
 - M. Driss Khrouz, GERM, Coordinateur général du rapport du séminaire
 - Mme Lina Al Qurah, SIGI : Exemple de mise en œuvre du chapitre Droits de l'Homme du Plan d'action PEV en Jordanie

Débat

10.30 – 11.00 Pause Café

- **11.00 – 13.00 Ateliers simultanés : Approche thématique sur la mise en œuvre du Plan d'Action PEV et Recommandations**
 - **DÉMOCRATIE ET DROITS DE L'HOMME** : Etat de droit, et libertés fondamentales, droit d'association, droits des enfants, liberté d'expression
Modérateur : Khadija Marouazi

Rapporteur : Hamid Bouhaddouni

- **JUSTICE** : Accès à la justice, lutte contre la corruption, lutte contre la criminalité, droits des prisonniers
Modérateur : Abderrahim Jamaï
Rapporteur : Nouaydi Abelaziz
- **EGALITE DES GENRES**
Modérateur : Nadir Moumni
Rapporteur : Rabea Naciri
- **MIGRATIONS** : droits des migrants, des réfugiés et demandeurs d'asile, liberté de circulation, citoyenneté
Modérateur : Aïcha Belarbi
Rapporteur : Mohammed Khachani

13.00-14.30 Déjeuner

- **14:30-16:30 Ateliers simultanés : Approche thématique sur la mise en œuvre du plan d'Action PEV et Recommandations (suite)**
- **DROITS ÉCONOMIQUE ET SOCIAUX FONDAMENTAUX** : normes de travail, emploi et politique sociale, santé, droit au logement, droits aux services publics...
Modérateur : Omar Benbadda
Rapporteur : Mohamed Benhammou
- **GOVERNANCE LOCALE** : développement local, développement durable, protection de l'environnement
Modérateur : Hourria Tazi Sadiq
Rapporteur : Jamila Sayouri
- **EDUCATION** : formation, culture, jeunesse...
Modérateur : Fartate Tijania
Rapporteur : Nafali Hassan

16:30-17.00 Pause café

- **17.00-18.15 Conclusions et recommandations des ateliers par les Rapporteurs**
Présidence : M. Abdelmaksoud Rachdi, Réseau marocain euromed des ONG
- **18.15 – 19.00: Conclusions du séminaire**
 - Mme. Sandrine Grenier, REMDH, directrice du plaidoyer
 - M. Kamal Lahbib, Réseau marocain euromed des ONG

19.00 Clôture du séminaire

LISTE DES PARTICIPANTS A LA FORMATION

	Noms & Prénoms	Organisations
1.	Zaer Yatou	ADFM
2.	Nabia Haddouch	ADFM
3.	Rabéa Naciri	ADFM/REMDH
4.	Amri Mohammed	AMDH
5.	Said Tbel	AMDH
6.	Hanane Souna	AMEJ
7.	Azouzi Mohammed	Amicale Marocaine des Handicapés
8.	Laila Benjelloun	Association Atfal
9.	Jamal Echahdi	Centre des Droits des Gents
10.	Kamal El Hachouri	Chouaâla
11.	Jérôme Cassiers	Délégation de la Commission européenne
12.	Louis Dey	Délégation de la Commission européenne
13.	Ali Sidki	EA
14.	Karima Fettah	EA
15.	Laroussi Abdeljalil	EA
16.	Sadouk Kenza	IPDF
17.	Nadia Mouilek	LDDF
18.	Imerhane Leila	OMDH
19.	Echat Mohammed	OMDH
20.	Habib Belkouch	OMDH
21.	Sandrine Grenier	REMDH
22.	Emilie Dromzée	REMDH
23.	Aziz Ajahbli	Réseau Amazigh pour la citoyenneté
24.	Lian Al Qurah	SIGI
25.	Itajtaouen El Houcine	Tamaynut
26.	Fatima Zohra Machrafi	UAF

LISTE DES PARTICIPANTS AU SEMINAIRE

N°	Noms et Prénoms	Associations
1.	Abdelaziz Nouyachi	ADALA
2.	Aichi Aitmhand	ADBAM
3.	Humda Bemani	ADFM
4.	Rabéa Naciri	ADFM
5.	Jto Zaïr	ADMF
6.	Yamed Sadik	AJCSS
7.	Rachida El Bazoz	AMAL
8.	François Viard	Ambassade de France
9.	Laszlo Parp	Ambassade de Hongrie
10.	Mohammed Lotfi Aouad	Ambassadeur Directeur des Affaires Européennes
11.	João Rosa Lã	Ambassadeur du Portugal à Rabat
12.	Hamid Bouhaddouni	AMDH
13.	Mohamed Amki	AMDH
14.	Said Tbel	AMDH
15.	Ahmed Zekri	AMERM
16.	Saaf Abdelkedir	AMES
17.	A. Behoumar	Amnesty International Maroc
18.	Catarina Melo	Amnesty International Maroc
19.	Yassine Fatimzahra	Amnesty International Maroc
20.	Abdelmalek Haji	AMSED
21.	Tarik Maarouei	AMSED
22.	Boubker Elmouktafi	Anolf-Maroc
23.	Tijania Fentat	AREF
24.	Kadouni El Houssmi	ASEET
25.	Zaghraoui Abderralim	ASEET
26.	Bahia Laraki	ASEET & Eau et électricité pour tout le Monde
27.	Assion Morabet	Association Al Harra pour la citoyenneté et l'égalité des chances
28.	Aicha Azz	Association DIAE pour la Protection de l'Enfant
29.	Khadija Alouazouti	Association Femme et Enfant
30.	Asmar Ezzine	Association Forum des Contributions
31.	Gança Ezzine	Association Forum des Contributions
32.	Mohammed Khachani	Association Marocaine d'études et recherches sur les migrations
33.	Amami Soumia	Association Réseau Egalité
34.	Ahmed Jaafari	Association SEEPOM
35.	Fanzi Bonkriss	ATMDPE
36.	Med El Hami	ATT
37.	Khassis Khelifn	ATT
38.	Fanan El Afami	Bayane Al Ayaoum
39.	Amal D'Zakariya	Blouse blanche pour la Palestine

40.	Nadia Laghrissi	CDG Fes
41.	Abderrahman Sakhy	CDT
42.	Chahdi Jamal	Centre des Droits des Gens
43.	Fadma Bellaoui	Centre Jacques Burque Rabat
44.	Khalid Bensaïd	CERIC
45.	Youssef Zakari	CERIC
46.	Karouacet Khalid	CERS
47.	Ahmed Ahbal	CERSS
48.	Aziz Doukali	CERSS
49.	Kladija Benaleb	CERSS
50.	Fouziz Bentaleb	CERSS
51.	Imad Sarir	CERSS
52.	Rachid El Bouanani	CERSS
53.	Saaf Abdelhak	CERSS
54.	Sbai Soumaya	CERSS
55.	Zahar Hassan	CERSS
56.	Zkiou Abdellilah	CERSS
57.	Nezla Hafidi	Chantiers Jeunesse Maroc
58.	Kamal Hachamy	CHOUALA
59.	M.Amadi	CHOUALA
60.	Anne Sophie Wender	CIMADE
61.	Majib Benadell	CJM
62.	Abdelakh Bakkali	CMERDHI
63.	Abdelali Jili	CMERDHI
64.	Karim Ali	CMERDHI
65.	Noureddine Fassi	CNACED
66.	Meriem Benkhouya	CODEM
67.	Mina Maad	Collectif autisme Maroc
68.	Omar Benbadda	Confédération démocratique du travail
69.	Driss Alahdaloussi	Conseil Fahal
70.	Alanda Tosseb	Conseil Fédéral
71.	Datfim M'Bouk	Coopérative
72.	Mohas Khacha	COPEL AMER
73.	Karim Ishayenne	CRSS
74.	Zoukhal Hassan	CRSS
75.	Bruno Dethomas	Délégation de la Commission européenne
76.	Hassan El Yakhoubi	Délégation de la Commission européenne
77.	Jérôme Cassiers	Délégation de la Commission européenne
78.	Louis Dey	Délégation de la Commission européenne
79.	Zkion Abdelillah	Eau et énergie pour tous
80.	Laroussi Abdeljalil	Espace Associatif
81.	Noura Bennani	ESPOD
82.	NadirEl Marni	Faculté de Droit
83.	Aricha El Aidami	FCDM
84.	Khalid Boualam	FCDM

85.	Lahbabi Salima	FCDM
86.	Makhzen Ahmed	FCDM
87.	Malika Najib	FCDM
88.	Mostafa Idmiloud	FCDM
89.	Rachida Bjljon	FCDM
90.	Zmeb Saber	FCDM
91.	Tarbi Habcih	FDT
92.	Mohamed Ben Hammou	Fédération démocratique du travail
93.	Jamila Sayouri	Fédération nationale pour les réformes locales
94.	Faquiri Boucha	Femme Action
95.	Houmaid Asis	Femme Action
96.	Hajo Lanz	FES Maroc
97.	Boudaif Ariza	FNARIL
98.	Fouhai Abderrahmi	FOMAC et CENACED
99.	Alain Chenal	Fond. Jean Jaune
100.	Brahim El Koutbi	Fondation Marocaine pour des Ecoles de l'Autre Chance
101.	Hamid Benchampf	Fondation Marocaine pour des Ecoles de l'Autre Chance
102.	Adallah Saif	Forum Civil
103.	Foukehi Abdemahi	Forum Marocain du Consommateur
104.	Aressmouk Maaroufi	FS&ES
105.	Driss Khrouz	GERM
106.	Mohamed Bouazze	GREM
107.	Outmam Lern	GRET
108.	Amal El Idrissi	Groupe Jeunes Chercheurs
109.	Zoubir Meziane	HACA
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111.	Lasib Fellerahbi	Hungarian Socialist Party
112.	Kenza Sadok	IPDF
113.	A. Ezzie	IURS
114.	Nelcharrar Naima	Journal ALALAM
115.	Hicham Ferch	MAP
116.	Karim Aouifa	MAP
117.	Jhalib Aziz	Maroc Azetta
118.	Abderrahim Jamaï	Observatoire Marocain des Prisons
119.	Rachel Bedani	MBD
120.	Samhari Med	Mountada Saad
121.	Hamid Lamrissi	Observatoire Marocain des Prisons
122.	Hasslam Benharim	ODT
123.	Amina Bouayach	OMDH
124.	Amina El Gani	OMDH
125.	Echhatt Mohammed	OMDH
126.	Habib Belkouch	OMDH
127.	Khadija Merouazi	OMDH

128	Larziou Boubkeur	OMDH
129	Mohamed Echehatt	OMDH
130	Jawad Skali	OMP
131	Ikajtaoun Lhousseh	Organisation Tamayrut
132	Lise Rioux	OXFAM
133	Olivia Moreno	OXFAM
134	Michaud Sabine	Oxfam-Quebec maroc
135	Rachid El Katibi	Plateforme Euromed Maroc
136	Emilie Dromzée	REMDH
137	Sandrine Grenier	REMDH
138	Birgitte Marcher	Renner-Institut
139	Mohamed Ben Bouzi	Réseau Marocain
140	Abdelmaksoud Rachdi	Réseau marocain euromed des ONG
141	Kamal Lahbib	Réseau marocain euromed des ONG
142	Louis D'Or Ngala	RFS Maroc
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145	Ryaguenza Abdelkerir	SNTP
146	Laila Majdouli	Solidarité Féminine
147	Nafali Hassan	Syndicat des artistes marocains
148	Fatima El Machrafi	UAF
149	Lahgcn Graich	UJM
150	Leila Rhimi	UNIFEM
151	Imane El Hatimi	Veolia Services à l'Environnement du Maroc
152	Abdelkader Azriah	
153	Aicha Belarbi	
154	Hourria Tazi Sadiq	