

ADVANCE QUESTIONS TO MOROCCO

DENMARK

- Freedom of the news media is relatively broadly acknowledged in Morocco, however a range of incidents underscore that further progress should be made. Which steps will Morocco take to ensure such progress?
- Take note of the fact that child labour is prohibited. However many children under the age of 15 are working – some under difficult circumstances. What does the Moroccan government intend to do to assure the respect of Children's rights?
- Acknowledge the advances made under the government's reform program intending to further guarantee the impartiality and independence of the institutions of the judicial system. How will Morocco ensure the full independence of the judiciary?

FINLAND

- We acknowledge that the Government of Morocco has made commitments to protect children from violence, including by prohibiting the use of corporal punishment in schools and in penal institutions¹.
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Morocco. In particular, we would greatly appreciate if the Government of Morocco could share with us good practices to prevent and respond to violence against children³.

¹ Summary prepared by OHCHR in accordance with paragraph 15 (c) of resolution 5/1 of the Human Rights Council (A/HRC/WG.6/1/MAR/3, paragraph 14).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 69).

GERMANY

- Does the GoM intend to implement the recommendation of the /Instance Equité et Reconciliation/ (IER) to give greater prominence to human rights in the constitution and in other laws?
- What are the plans of the GoM to accelerate the adoption of the announced press law (“Code de la Presse”)?

IRELAND

- What measures have been taken to ensure full enjoyment of the freedoms of expression, assembly and association, with particular regard to the right to protest?
- What measures have been taken to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- What measures have been put in place to support the work of human rights defenders, including in Western Sahara?

ITALY

- While commending Morocco for the de facto moratorium on executions in place since 1994, international NGOs report that 133 people are detained in the death row. Is Morocco foreseeing any new step regarding to the death penalty after the adoption of the recent UN General Assembly Resolution on a universal moratorium on the use of the death penalty?
- We are pleased to note that Morocco included in its pledges for the candidacy to the Human Rights Council a wide reference to the rights of migrants. Could Morocco further clarify its initiatives in this field, as briefly highlighted in its national report on UPR?

LATVIA

- According to the information of the Office of the UN High Commissioner for Human Rights 59 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering the cooperation of Morocco with the special procedures (visits of Special Rapporteur on the sale of children, child prostitution and child pornography in 2000, Special Rapporteur on the human rights of migrants in 2003, Special Rapporteur on the right to education in 2006) as well as the voluntary pledge „to continue cooperation with the special procedures” and to „continue to respond promptly and regularly to any future communications addressed by the special procedures” (Note of the Permanent Mission of the Kingdom of Morocco to the UN in New York No VN/170/06 of 17 April 2006)

- would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

NETHERLANDS

- As mentioned in the report, in addition to awarding reparations, the Instance Equite et Reconciliation (IER) has made a number of recommendations to prevent a repeat of the large-scale human rights violations such as occurred during Morocco's 'Years of Lead'. While action has been taken to realise some recommendations, how does Morocco propose to follow up on all recommendations in the near future?
- A number of times, the report refers to a revision of the press law (Code de la Presse) without mentioning details. Could the delegation provide more information about this new law?
- Section 33 of the report states that the Moroccan ombudsman has investigated 23,120 complaints since his appointment in 2001. Does the government have an overview of how many of these investigations were concluded and whether the ombudsman's decisions were implemented?

PORTUGAL

- Portugal welcomes the decision taken by the Government of Morocco to elaborate a National Action Plan for the promotion and protection of Human Rights. We would like to underline that the sense of ownership is vital to the positive outcome of any given policy in every society. We would therefore appreciate further information on how the Government of Morocco intends to implicate its civil society in this process?

SWEDEN

- In 2007, the Government of Morocco announced that it would propose a reform of existing press legislation. Civil society organizations have expressed the hope that any such reform would eliminate current regulations that do not conform to international standards for the freedom of expression, including provisions allowing for imprisonment for certain offenses. Could the Government of Morocco elaborate on its plans for press law reform and any other measures it is taking to ensure full respect for the freedom of expression in accordance with international standards?
- The UN General Assembly has affirmed that efforts against terrorism must be carried out with full respect for human rights. The 2003 anti-terrorism law in Morocco stipulated a number of special provisions, including extended periods of detention. The law has also stipulated a definition of the term "terrorism"

which civil society organizations have argued is insufficiently clear. What measures is the government of Morocco taking to ensure that its work against terrorism is in line with its human rights obligations?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- We welcome free and fair elections last year. What efforts is the Government of Morocco making to improve democratization at both local and national levels?
- Could you please elaborate further on the extent to which civil society in Morocco was involved in the preparation of your national report for this process?
- We welcome Morocco's significant advances in signing up to various international human rights conventions. What steps is the Government of Morocco taking towards signing others, such as OPCAT?
- We welcome the fact that, though the death penalty has been handed down in last couple of years, it has still not used. What steps is the Government of Morocco taking towards reviewing the use of the death penalty?
- The reports highlight continued concerns over censorship of the media, such as Al Watan, Nichane, Le Journal, Tel Quel and others. A number of Association Marocain des Droits de l'Homme (AMDH) officials have also been arrested, as well as members of Al Adl wa al Ihsan. What is the Government of Morocco doing to ensure the protection of freedom of speech?
- Could you please elaborate further on the existence and status of a National Human Rights Institution in Morocco and if it complies fully with the Paris Principles?
