



Promoting and strengthening
the Universal Periodic Review

Recommendations & Pledges

MOROCCO

Second Review Session 13

Review in the Working Group: 22 May 2012
Adoption in the Plenary: 19 September 2012

Morocco's responses to recommendations (as of 19.09.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
140 recs. accepted, (12 of which were considered as having already been implemented or being in the process of implementation) and 8 rejected	No addendum	No additional information provided	Accepted: 140 Rejected: 8 No clear position: 0 Pending: 0 Total: 148

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/21/3:

129. The recommendations formulated during the interactive dialogue, listed below, have been examined by Morocco and enjoy the support of Morocco:

A - 129.1. Establish expressly in the Criminal Code the criminalization of enforced disappearances and a ban of its statute of limitations, as well as ratify the International Convention against Enforced Disappearances and recognize the competence of its Committee (Uruguay);

A - 129.2. Acceded to the First Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention against Torture (Australia);

A - 129.3. Consider ratifying the ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise (Chad); 1

A - 129.4. Ratify the Optional Protocol of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);

A - 129.5. Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium, Estonia, France, Spain); 2

A - 129.6. Consider ratifying the Rome Statute of the International Criminal Court and fully align its legislation with all obligations under the Rome Statute, including incorporating the Rome Statute definition of crimes and general principles, as well as adopting provisions enabling cooperation with the Court (Austria, Costa Rica, Estonia, Latvia, Slovakia, Switzerland); 3

A - 129.7. Ratify the Optional Protocol to the Convention on the Elimination of All forms of Discrimination against Women (Maldives);

A - 129.8. Sign and ratify the Optional Protocol to the International Covenant on Civil and Political Rights (Maldives);

A - 129.9. Consider ratifying the ILO Convention 189 on Decent Work for Domestic Workers (Philippines);

A - 129.10. Sign the Optional Protocol on the International Covenant on Economic, Social and Cultural Rights (Portugal);

A - 129.11. Ratify the Optional Protocol to CEDAW (Slovenia);

A - 129.12. Submit to Parliament law on the protection of women from violence, which was announced during the UPR in 2008 (Switzerland);

A - 129.13. Continue to strengthen the legal and institutional framework for the promotion and protection of all human rights (Zimbabwe);

A - 129.14. Accelerate the deliberations on the draft law on domestic violence (Belgium);

A - 129.15. Revise the Family Code to guarantee equality between fathers and mothers in guardianship of their children (Belgium);

A - 129.16. Adopt a specific law for domestic violence, containing both criminal and civil provisions (Brazil);

A - 129.17. Codify the principles of gender equality in all areas of its national legal framework (Denmark);

A - 129.18. Study the possibility of harmonizing the domestic legislation with recently ratified international conventions and protocols (Ecuador);

A - 129.19. Bring its legal system in line with its Constitution by implementing measures that guarantee gender equality and adopting legislation guaranteeing women effective remedies against violence (Estonia);

A - 129.20. Continue the implementation of the provisions of the new Constitution so as to ensure full respect for human rights (France);

A - 129.21. Accelerate the drafting process of a bill on domestic violence and take appropriate measures in order to effectively prevent gender discrimination (Germany);

A - 129.22. Adopt measures to harmonize the legal order with the constitutional provisions on equality between men and women, including the revision of the Penal Code (Mexico);

A - 129.23. Revise the Penal Code as well as other legislation such as the Family Code to ensure that they are in compliance with international standards (Norway);

A - 129.24. Adopt a specific law on violence against women that contain both criminal and civil provisions (Norway);

A - 129.25. Revise the Family Code and adopt and implement other appropriate measures to prevent marriages of minors (Slovakia);

A - 129.26. Adopt legislative measures to combat violence against women, especially improve their protection in rural areas (Spain);

A - 129.27. Continue its efforts to consolidate the progress achieved in promoting women's rights and protecting human rights (Congo);

A - 129.28. Cooperate regionally in the field of National Human Rights Institutions (Hungary);

A - 129.29. Continue strengthening the institutional mechanism for the promotion and protection of human rights (Nepal);

A - 129.30. Prioritize and sufficiently resource the National Human Rights Council and the Office of the Ombudsman (Norway);

A - 129.31. Continue cooperation and dialogue between the Government and non-governmental organizations (Jordan);

A - 129.32. Continue the implementation of the National Initiative on Human Development Program and extend allocated human and financial resources (Kuwait);

A - 129.33. Continue on promoting policies aiming at guarantying respect of cultural diversity in its territory (Lebanon);

A - 129.34. Formulate programmes for the effective implementation of the National Action Plan for Democracy and Human Rights (Nepal);

A - 129.35. Continue taking concrete measures to promote civil, political, economic, social, environmental and cultural rights (Nicaragua);

A - 129.36. Continue efforts to disseminate the culture of human rights (Qatar);

A - 129.37. Maintain as a priority the right of vulnerable persons (Senegal);

A - 129.38. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia, Uruguay); 4

A - 129.39. Promote gender equality and parity and prevent violence against women (Thailand);

A - 129.40. Continue to work in a concrete manner toward improving the status of women (Turkey);

A - 129.41. Continue to give high priority to the promotion of women, children, persons with disabilities and migrants rights (Zimbabwe);

A - 129.42. Continue fighting discrimination against persons with disabilities (Argentina);

A - 129.43. Continue to address the remaining challenges, including in empowering women and ensuring gender equality in purposeful manner (Bangladesh);

A - 129.44. Put in place the necessary arrangements to implement the new Constitution's guarantees of equality between men and women, in accordance with its international obligations, including CEDAW's Article 16 regarding marriage and family life (Canada);

A - 129.45. Step up the progress made over the last decade in the field of equality and women's rights (Djibouti);

A - 129.46. Continue with the reforms to step up protection and promotion of social and cultural rights and also implement programmes on gender equality (Russian Federation);

A - 129.47. Continue with reforms and practical measures in line with international standards in order to reach gender equality (Slovenia);

A - 129.48. Investigate all allegations of police brutality and torture and prosecute all security force officials accused of harsh treatment (United States of America);

A - 129.49. Consider the possibility of adopting measures aimed at abolishing the death penalty (Argentina);

A - 129.50. Continue implementation of the moratorium on death penalty and make efforts to achieve the total abolishment of the death penalty (Austria, Holy See, Hungary, Spain); 5

A - 129.51 Adopt a specific law on domestic violence and abolish the provisions allowing a rapist to escape punishment by marrying the victim; remove discriminatory legislative provisions that place the burden of proof solely on the victim (Austria);

A - 129.52. Take additional measures to reduce prisons' overcrowding and improve access to medical treatment and food (Austria);

A - 129.53. Step up its efforts in the field of combating trafficking of human beings and consider the possibility of inviting the Special Rapporteur on trafficking in persons, especially women and children (Belarus);

A - 129.54. Abolish the provisions which allow the rapist to escape from prosecution by marrying the victim (Belgium);

A - 129.55. Consider putting in place measures or legislation to ensure prevention and punishment of acts of violence against women, and ensure that rapists do not evade criminal prosecution by marrying their victims (Botswana);

A - 129.56. Continue the efforts aimed at strengthening the fight against torture, in compliance with international law (Chile);

A - 129.57. Step up its efforts to ensure the protection of women against violence (Indonesia);

A - 129.58. Carry out independent and impartial inquiries with respect to allegations of mistreatment in detention (Ireland);

A - 129.59. Continue the debate in view of the abolishment of the death penalty (Italy);

A - 129.60. Consider increasing the resources allocated to the prison system, as suggested by CAT (Italy);

A - 129.61. Step up effort to prevent and combat sexual exploitation and trafficking in women and children, including by ensuring that all allegations of trafficking and sexual abuses are investigated and the perpetrators are brought to justice and punished (Malaysia);

A - 129.62. Enact legislative provisions prohibiting corporal punishment of girls and boys in the home and schools (Mexico);

A - 129.63. Take all necessary actions to eliminate the practices enabling perpetrators of rape to escape a criminal conviction by marrying their young victims and safeguard the rights of rape victims (Netherlands);

A - 129.64. Repeal articles 475 of the Penal Code, which permits perpetrators of rape to marry their victims to evade prosecution (Portugal);

A - 129.65. Prohibit all forms of violence against children, including corporal punishment, in all settings (Portugal);

A - 129.66. Accelerate efforts to prevent minors from being subjected to forced or hazardous domestic labour (Slovakia);

A - 129.67. Take additional measures to train its security force, as recommended in 2008, in order to guarantee respect for human rights (Switzerland);

A - 129.68. Step up its efforts to combat impunity and to ensure access to justice (Switzerland);

A - 129.69. Intensify its efforts and measures to strengthen the rule of law (Viet Nam);

A - 129.70. Continue reform of the criminal justice system, including ensuring that all detainees are either charged with recognizable criminal offences and tried in accordance with international standards for fair trial, or immediately released (Australia);

A - 129.71. Conduct a national program or campaign to raise awareness about and encourage compliance with the new laws, along with similar campaigns directed towards judges and other operators of the law (Brazil);

A - 129.72. Continue prioritizing the reform of justice, under the principle of separation of powers (Chile);

A - 129.73. Continue programs of human rights training for law enforcement officials, in the field of torture and ill treatment, in line with the already established practice (Greece);

A - 129.74. Adopt international human rights standard in national trials (Iraq);

A - 129.75. Continue efforts to insure that victims of human rights violation are provided with efficient, flexible and instant compensation (Kuwait);

A - 129.76. Pursue its efforts to guarantee to victims of human rights violations effective, flexible and prompt remedies (Republic of Moldova);

A - 129.77. Intensify its efforts to combat cases of torture and other ill-treatment by state agents, by establishing a training plan in the field of human rights for the State's security forces (Spain);

A - 129.78. Continue action to increase representation of women in elected and decision-making positions (Sri Lanka);

A - 129.79. Continue its action to promote freedom of expression and to accelerate the adoption of new law of press (Sudan);

A - 129.80. Take immediate steps to implement the new Constitution's provision that international human rights are to be fully respected, including press freedom, freedom of expression, assembly and association (Sweden);

A - 129.81. Continue efforts to further enhance the separation of powers (Turkey);

A - 129.82. Finalize, in collaboration with press associations and rights groups, a legal framework that ensures full freedom of expression (United States of America);

A - 129.83. Promptly approve the license applications for all civil society organizations that meet legal requirements, including those organizations advocating for minority populations (United States of America);

A - 129.84. Continue the effective and action-oriented cooperation between Government and national human rights institutions (Azerbaijan);

A - 129.85. Revise the Press Code so that it would be in conformity with the international standards and take necessary measures to effectively apply the principles of freedom stipulated in the Constitution (Belgium);

A - 129.86. Decriminalize press crimes and prevent arrests of individuals for expressing opinions including through social media (Canada);

A - 129.87. Turn the draft new Press Code into a significant progress on the area of freedom of opinion and expression (Chile);

A - 129.88. Continue enactment of legislations and strengthening of efficient public policies to insure protection and respect of women rights and their role in the society, including promoting women participation in public life and development process (Egypt);

A - 129.89. Continue openness to a constructive dialogue with all members of the civil society (Egypt);

A - 129.90. Revise the Press Code and other relevant legislation so that they would allow the enjoyment of freedom of information in line with international standards (Estonia);

A - 129.91. Delete from the Press Code sentences involving deprivation of liberty and revise the criminal provisions in the area of freedom of expression so that no journalist or human rights defender can be arrested for a simple fact of having expressed his opinion (France);

A - 129.92. Revise the Press Act and abolish provisions that lead to a restriction of freedom of opinion and expression and freedom of religion and belief and take measures in order to allow for free , impartial and objective media (Germany);

A - 129.93. Pursue further policies aimed at improving women's participation in all spheres of public life, including political and professional life (Greece);

A - 129.94. Ensure the application, in line with international human rights provisions, of articles 3 of the new Constitution that guarantees freedom of worship for all (Holy See);

A - 129.95. Take actions to ensure the right to freedom of expression as established by the Constitution (Mexico);

A - 129.96. Revise the press law to comply with international standards concerning the media freedoms (Slovakia);

A - 129.97. Take further measures to remove disparities in access to health care, in particular with respect to vulnerable groups and regions that are poorly served (Sri Lanka);

A - 129.98. Ensure better access to health care and education by women and girls, especially in rural areas (Thailand);

A - 129.99. Continue to increase and consolidate the Green Morocco and housing social programs which are essential for the eradication of poverty and social exclusion (Venezuela (Bolivarian Republic of));

A - 129.100. Allocate more resources to the programs that fight unemployment (Viet Nam);

A - 129.101. Keep carrying out the relevant measures, including better social services for dealing with the problems of Moroccans living abroad (Azerbaijan);

- A - 129.102. Step up its investment in education, healthcare, employment in order to promote economic and social sustainable development (China);
- A - 129.103. Intensify efforts made to achieve further progress in enhancing economic, social and cultural rights, especially the rights of women, children, and disabled (Egypt);
- A - 129.104. Increase programs of obstetric, prenatal and neonatal care and attendance at deliveries by medical and paramedical professionals, especially in rural areas (Holy See);
- A - 129.105. Continue efforts with regard steps and measures taking to enhance economic and social rights that we value greatly (Jordan);
- A - 129.106. Allocate more resources in promoting and protecting human rights in crucial areas such as poverty eradication, justice administration, education, public health and gender equality for all sections of the population (Malaysia);
- A - 129.107. Introduce policies in the health system to address the needs of people in situation of vulnerability (Mexico);
- A - 129.108. Continue the campaign put in case for the widespread access to potable water and electricity in the rural area (Monaco);
- A - 129.109. Continue improving the business environment to stimulate job opportunities (Pakistan);
- A - 129.110. Continue improving and advancing the measures related to work environment and creation of job opportunities (Palestine);
- A - 129.111. Intensify efforts to consolidate economic and social rights, especially in the area of health, education, housing and unemployment (Qatar);
- A - 129.112. Exert additional efforts toward improving economic rights (Saudi Arabia);
- A - 129.113. Continue to take measures to promote economic, social and cultural rights (Senegal);
- A - 129.114. Continue, with the assistance from the relevant international organizations such as the WHO, to enhance access to health care by women and further reduce the maternal mortality rate, especially in the rural areas (Singapore);
- A - 129.115. Continue the prioritization of initiatives to combat poverty and ensure programmes aimed at poverty reduction are adequately funded (South Africa);
- A - 129.116. Continue putting forward effective measures for reducing illiteracy and boosting the quality and performance of education in the country (Azerbaijan);
- A - 129.117. Take additional measures to improve universal access to primary education (Belarus);
- A - 129.118. Continue its considerable efforts to integrate human rights education in the school programmes and textbooks (Djibouti);
- A - 129.119. Increasing mainstreaming of human rights value in education curricula (Iraq);
- A - 129.120. Continue its efforts to enhance general education, awareness campaigns and training programmes on human rights (Singapore);
- A - 129.121. Develop strategies to better manage the migratory flows of political and economic refugees who unfortunately overwhelm Morocco's capacity and resources (Swaziland);
- A - 129.122. Continue progress in the implementation of the policies that safeguard the rights and dignity of migrants (Indonesia);
- A - 129.123. Continue cooperating with the United Nations human rights mechanisms (Costa Rica);

A - 129.124. Take the necessary measures to ensure full respect for human rights in the framework of counter-terrorism struggle, and in particular, the rights to defense and non-use of torture (France);

A - 129.125. Actively pursue the program scheduled by the National Human Rights Institution and share the best practices acquired with the international community (Venezuela (Bolivarian Republic of));

A - 129.126. Streamline its experience of establishing Inter-ministerial public administration and delegation dealing with human rights in order to make other countries benefit from this experience (Yemen);

A - 129.127. Organize regional conferences in Morocco to exchange views and best practices on promoting forward looking initiatives and fostering cooperation between regional groups (Hungary);

A - 129.128. Continue to expand the experience in gender sensitive budgeting, which could be considered as a good practice for all of the Middle East and North Africa region and elsewhere (Republic of Moldova).

130. The following recommendations enjoy the support of Morocco which considers that they are already implemented or in the process of implementation:

A - 130.1. Intensify its efforts to ratify the International Convention for the Protection of all Persons from Enforced Disappearances (Argentina);

A - 130.2. Continue its efforts to strengthening the rights of children, especially those concerning juvenile justice and courts competent for minors (Sudan);

A - 130.3. Take measures to protect human rights defenders, particularly in the Western Sahara, against harassment, repression, arrest or detention, including by granting an official accreditation to the associations working in this field (Canada);

A - 130.4. Address unemployment among young people (Thailand);

A - 130.5. Continue to cooperate closely with civil society to combat child mortality so as to attain the MDG 4 (Uzbekistan);

A - 130.6. Continue to work toward improving access to health (Bahrain);

A - 130.7. Continue its efforts to implement the strategy of the Ministry of Health, particularly in the area of maternal and child health so as to reduce even further the child mortality rate, which is in connection with the Millennium Development Goal 4 (Monaco);

A - 130.8. Continue the provision of social housing to the rural communities with the aim of improving their living conditions (South Africa);

A - 130.9. Continue to ensure basic education for all children in all the territory of Morocco and continue providing quality education programs with a special attention to the prevention of school dropout (United Arab Emirates);

A - 130.10. Take further measures to reduce school dropout rates (Greece);

A - 130.11. Give particular attention to all measures to improve the human rights situation in Western Sahara, in particular develop and implement independent and credible measures to ensure full respect for human rights and guaranteeing such basic rights as freedom of association and expression (Ireland);

A - 130.12. Take measures to ensure the adequate protection of human rights in the Western Sahara in light of the reported cases of enforced disappearances, torture and ill-treatment, restrictions on freedom of expression, association and assembly by Moroccan security forces (Spain).

131. The recommendations below did not enjoy the support of Morocco:

R - 131.1. Consider withdrawing the remaining declarations and reservations to CEDAW (Slovenia);

R - 131.2. Lift its declarations concerning articles 2 and 15 of the CEDAW and change the legislative provisions that still discriminate against women (Switzerland);

R - 131.3. Introduce a de jure moratorium on the executions as rapidly as possible (Belgium);

R - 131.4. Ensure that the procedures governing registration of civil society organizations, including organizations advocating for the Saharawi people's right to self-determination, are in conformity with international standards (Norway).

R - 131.5. Commute all of the death penalties to prison sentences and abolish, once and for all, death penalty (France);

R - 131.6. Revise the Family Code to prohibit polygamy and marriage of minors (Belgium);

R - 131.7. Revise the Family Code to guarantee equality between men and women in inheritance matters (Belgium).

132. The following recommendation is rejected by Morocco which considers that it does not fall within the scope of the mandate of the Human Rights Council:

R - 132.1. Accept the establishment of a permanent human rights component in the United Nations Mission for the Referendum in Western Sahara (MINURSO), being the only peacekeeping mission not having this component (Uruguay).

Voluntary Pledges & Commitments Made By Morocco in the Framework of the UPR

Document A/HRC/21/3:

- Morocco informed the Working Group of its plan to submit a progressive report in two years in which it will mention the level of progress in the implementation of recommendations it accepted.

Document A/HRC/WG.6/13/MAR/1:

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

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

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

Endnotes

1 The recommendation as read during the interactive dialogue: Ratify the ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise (Chad).

2 The recommendations as read during the interactive dialogue: Consider ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Belgium); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Estonia); Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (France); Ratify the Second Optional Protocol to the Covenant on Civil and Political Rights (Spain).

3 The recommendations as read during the interactive dialogue: Ratify the Rome Statute of the International Criminal Court and fully align its legislation with all obligations under the Rome Statute, including incorporating the Rome Statute definition of crimes and general principles, as well as adopting provisions enabling cooperation with the Court (Latvia); Ratify the Rome Statute of the International Criminal Court and fully conform the domestic legislation to its provisions (Austria); Consider ratifying the Rome Statute of the International Criminal Court (Costa Rica); Ratify the Rome Statute of the International Criminal Court (Estonia); Ratify the Rome statute of the International Criminal Court, including its Agreement on Privileges and Immunities (Slovakia); Ratify and ensure the implementation in the national legislation of the Rome Statute (Switzerland).

4 The recommendation as read during the interactive dialogue: Extend a standing invitation to all special procedures of the Human Rights Council (Uruguay).

5 The recommendations as read during the interactive dialogue: Proceed with the total abolition of the death penalty (Austria); Abolish “de iure” the death penalty (Holy See); Replace the death penalty with a sentence that is fair and proportionate (Hungary); Eliminate the death penalty from the penal system (Spain).

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