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الدورة الثانية والثلاثون

البند ٣ من جدول الأعمال

تعزيز وحماية جميع حقوق الإنسان، المدنية والسياسية والاقتصادية والاجتماعية والثقافية، بما في ذلك الحق في التنمية

تقرير الخبيرة المستقلة المعنية بحقوق الإنسان والتضامن الدولي، عن زيارتها المغرب*

مذكرة من الأمانة

تشرف الأمانة بأن تحيل إلى مجلس حقوق الإنسان تقرير الخبيرة المستقلة المعنية بحقوق الإنسان والتضامن الدولي عن زيارتها المغرب في الفترة من ١٥ إلى ٢٠ كانون الثاني/يناير ٢٠١٦. وكان الغرض الرئيسي من الزيارة هو الوقوف على أنشطة التعاون الدولي التي يضطلع بها البلد وأثرها في مجال تعزيز حقوق الإنسان.

وتقرر الخبيرة المستقلة وتشيد بتقدم المغرب في مجال الحكم الرشيد والتنمية البشرية وترحب، على وجه الخصوص، بالاعتراف بحقوق الإنسان كما ترحب بالأهمية التي يكتسيها التضامن والتعاون في الدستور. وتسلم الخبيرة المستقلة بجهود المغرب فيما يتعلق بإرساء التنمية المستدامة القائمة على المشاركة. وتشجع الخبيرة الحكومة على مواصلة تنقيح مبادراتها الإنمائية الوطنية باتباع نهج متكامل جيد إزاء التنمية والتعاون، على الصعيدين الوطني والدولي، وبزيادة الإجراءات المنسقة من أجل تحقيق الأهداف الجديدة للتنمية المستدامة بحلول عام ٢٠٣٠.

* قُدِّم هذا التقرير بعد الأجل المحدد لكي يتضمن أحدث التطورات.

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الرجاء إعادة الاستعمال



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Report of the Independent Expert on human rights and international solidarity on her mission to Morocco** ***

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** Circulated in the language of submission and in French only.

*** The Independent Expert also visited Ad Dakhla, Western Sahara, on 20 January 2015. As she is an independent mandate holder, her visit should not be interpreted as expressing any political view concerning the present or future status of the Non-Self-Governing Territory of Western Sahara. The territory is subject to the right to self-determination in conformity with the principles contained in General Assembly resolutions 1514 (XV) and 1541 (XV).

I. Introduction

1. In the present report, the Independent Expert on human rights and international solidarity presents the key observations made during her official visit to Morocco and Western Sahara from 15 to 20 January 2016. The aim of this country visit was to observe the nature of partnerships between Morocco and its external partners and the impact of such partnerships on the advancement of human rights. The Independent Expert wishes to recall that States have a duty to engage in international cooperation, especially through economic and technical assistance to other States who lack the resources and capacity to fulfil their human rights obligations. The inference is that States undertake international cooperation to facilitate the realization of human rights outside their borders. International solidarity goes beyond simply international cooperation; it requires international cooperation based on mutual respect, equal partnership and fundamental human rights principles, and geared towards the universal realization of human rights. Furthermore, international solidarity should emanate from cooperation policies at the national level. This suggests the importance of a participatory approach, in which adequate measures are in place for meaningful consultation with those who are likely to directly or indirectly be affected by international cooperation, and of such cooperation having an impact that is not incompatible with human rights principles.

2. The Independent Expert met with representatives of various ministries, including the Inter-ministerial Delegation on Human Rights, the Deputy Minister for Foreign Affairs, the National Coordinator of the National Initiative for Human Development under the Ministry of the Interior, the Director of the Budget under the Ministry of Finance, and the Ministry of Solidarity, Women, Family and Social Development. She also met with the Minister of Handicrafts and the Social and Solidarity Economy, the Minister of Labour and Social Affairs, representatives of the Department of Vocational Training under the Ministry of Education and Vocational Training, the Minister in Charge of Moroccans Living Abroad and Migration Affairs, and the Ministry of Energy, Mines, Water and the Environment. She held exchanges with the President of the Chamber of Representatives. She also met with the country's bilateral and multilateral development partners, and with civil society organizations. The Independent Expert visited the city of Ad Dakhla in Western Sahara on 20 January 2016.

3. The Independent Expert is grateful to the Government of Morocco for its invitation and full cooperation during her visit. She extends her gratitude to the United Nations country team in Morocco for its support throughout her visit and for its interest in the work of her mandate. She thanks all the stakeholders who took the time to meet and engage with her.

II. International human rights framework

4. The commitments of Morocco to various international human rights instruments and mechanisms are listed in its reports to the various treaty bodies, the reports that emerge from the universal periodic review process, and the reports of the special procedure mandate holders who have visited the country.¹ The 2011 Constitution of Morocco guarantees civil, political, economic, social and cultural rights, as well as the right to development. It is noteworthy that the principle of non-discrimination is enshrined in its preamble, effectively forbidding all forms of discrimination based on all prohibited grounds.

¹ See the web pages of the treaty bodies and special procedure mandate holders on the website of the Office of the United Nations High Commissioner for Human Rights.

5. The Constitution affirms the primacy of international law over national law. Morocco is a State party to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (since 2014) and the International Convention for the Protection of All Persons from Enforced Disappearance (since 2013). Morocco is also a State party to the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of the Child (since 1993) and its Optional Protocols. Finally, the country has also ratified the International Convention on the Elimination of All Forms of Racial Discrimination (in 1970) and the Convention on the Rights of Persons with Disabilities (in 2009).

6. In its midterm report on the implementation of recommendations issued during the second cycle of the universal periodic review, the Government referred to ongoing discussions regarding the country's accession to the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. Morocco has also expressly stated its openness to cooperation with the Human Rights Council and its mechanisms, including special procedures. The country has received 12 special procedure mandate holders and has extended invitations to many others. Morocco has served several times as facilitator in various review processes of the universal periodic review between the years 2006 and 2011. It supported the establishment of several special procedure mandates.²

7. At the regional level, Morocco has progressively acceded to the Council of Europe conventions on the protection of human rights that are open to non-member States, including the Convention on Contact concerning Children of 2003 and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse of 2007. Morocco also acceded to the European Convention on the Exercise of Children's Rights of 1996, the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and its Additional Protocol. The State also actively contributed to the consolidation of the Arab plan to foster the culture of human rights (2010).

8. At the national level, Morocco has established a number of human rights monitoring and investigative bodies, such as the National Human Rights Council and the Office of the Ombudsperson, which both have constitutional mandates. The National Human Rights Council is the national human rights institution supported through the general budget of the State, with regional offices in each of the 12 regions of the country that closely monitor the human rights situation down to the local level. It is organized into several working groups, including one on the development of international relations, partnerships and cooperation, which is in charge of policies and strategies to develop cooperation with other countries. This particular working group is also responsible for developing and strengthening partnerships at the national and international levels, including with the United Nations system and other international human rights organizations.

9. The National Human Rights Council has formalized relationships with bilateral and multilateral partners with the aim of engaging in mutual capacity-building and the sharing of good practices, as is the case with the national human rights institutions of Jordan, Egypt and Libya, and the Arab Institute for Human Rights. It also maintains partnerships with the United Nations Children's Fund, the Joint United Nations Programme on HIV/AIDS, the European Union and the International Center for Transitional Justice. It has conducted a joint study with the United Nations Development Programme (UNDP) on the realization of human rights in Morocco focusing on economic, social and cultural rights. The Council is also part of a number of networks of human rights institutions, including the Arab Network

² See A/68/83, para. 12.

of National Human Rights Institutions, the Arab-European Human Rights Dialogue, the Francophone Association of National Human Rights Commissions, the Network of African National Human Rights Institutions and the Arab Ibero-American dialogue of National Human Rights Institutions. The Council provided information on the creation of a training centre for human rights, established with the support of European partners and aimed at strengthening civil society capacities in the field of human rights and at serving as a subregional human rights training centre, extending its services to civil society and other human rights actors in the region.

10. The Office of the Ombudsperson³ is an independent institution whose mandate covers interactions between public service providers and citizens in order to defend citizen rights, contribute to the rule of law and promote justice and equity, as well as transparency in the management of public funds, administrations and local governments. The president of the institution, who is selected by the King, is also a member of the National Human Rights Council, the High Council of Judicial Authority and the Central Institution of the Prevention of Corruption. The Ombudsperson maintains partnerships with similar institutions in France, Canada, Denmark, Mali and Spain, and actively participates in the Association of Mediterranean Ombudsmen, as well as in the international association of French-speaking ombudsmen. It held exchanges and training seminars at its international centre in Rabat, which benefited many foreign officials. At the Second World Human Rights Forum, held in Marrakech in 2014, the Office of the Ombudsperson invited a number of heads of international mediator and ombudsperson networks to participate in round tables, during which they shared views on institutional mediation and the promotion of human rights. They adopted the Marrakech Declaration to create an international mechanism that can bring together international institutional mediation networks and discuss avenues of cooperation with the United Nations system in order to support and encourage mediation services.

11. The Inter-ministerial Delegation on Human Rights, established in 2011, is a governmental institution mandated to elaborate and implement governmental policy for the protection, promotion and respect of human rights, in coordination with relevant governmental institutions. The 2012-2016 strategic plan of the institution includes three key objectives: coordinating and monitoring human rights policies; enhancing openness to national civil society organizations and improving their active participation in regional and international discussions; and undertaking proactive and efficient interaction at the international level. The latter objective includes enhanced cooperation with international and regional mechanisms and the special procedures mechanisms of the Human Rights Council; the preparation and presentation of reports to be submitted to the various treaty bodies; and the follow up to reports on Morocco prepared by various international organizations.

12. The Independent Expert also noted the establishment of the Economic, Social and Environmental Council, an independent consultative body mandated to provide advice and recommendations to the Government and the parliament on public policies and laws in the economic, social and environmental field. In delivering its mandate, the Council has given due consideration to the principle of solidarity, with a view to fostering social cohesion among citizens and among regions in the country. It has also promoted intergenerational rights, taking into account environmental sustainability and the fight against discrimination, especially gender-based discrimination.

³ See www.mediateur.ma/index.php/fr/documentation/rapports/rapports-soumis-a-sm-le-roi (accessed on 7 March 2016).

III. Solidarity and development policies

13. The Independent Expert has observed that the principle of solidarity as recognized in several provisions of the 2011 Constitution of Morocco is one of the foundational principles of the country's efforts to achieve human development and bring government closer to the people through the advanced regionalization process. In this regard, the Constitution, in its preamble, asserts the commitment to develop a society based on solidarity, in which everyone can enjoy security, freedom, equal opportunity, dignity and social justice within the framework of the complementarity of the rights and duties of citizens. Article 136 stipulates that the organization of the territory is based on the principles of self-administration, cooperation and solidarity. These are the principles grounding the process of decentralization, which is aimed at guaranteeing the participation of the population in the management of their local affairs and contributing to an integrated and sustainable human development process. Since 2001, the development policies of Morocco have focused on human development, the promotion of good governance and the active participation of citizens, based on the principles of accountability and transparency.

14. According to the World Bank, the Moroccan economy improved in 2015. The unemployment rate declined to 9.3 per cent, although it remained close to 40 per cent and 20 per cent among the urban young and educated, respectively. The 2015 national report on the Millennium Development Goals notes that the agriculture, construction and service sectors, which comprised 69.2 per cent of total gross domestic product (GDP), continued to be the key drivers of the national economy. These sectors are largely dominated by informal and low-productivity activities, yet they are the main markers of the employment structure. The amount of the State budget allocated to social sectors increased from 41 per cent to 55 per cent between 1999 and 2014, with an average proportion of 5.2 per cent devoted to the health sector and 25 per cent to education.⁴ The report further underscores that the overall improvement in living standards and the reduction of social inequality have contributed to a significant reduction of poverty and vulnerability, while extreme poverty has been almost eradicated. The absolute poverty rate today is not statistically significant at the national level, is insignificant in urban areas and has dropped to 8.9 per cent in rural areas. However, vulnerability to poverty remains stable, despite a sharp decline in rural areas, from 30 per cent to 18 per cent.⁵

15. The Government's 2012-2016 programme has been structured around five mutually reinforcing pillars, including: (a) deepening national identity, preserving social cohesion and diversity, and openness; (b) consolidating the rule of law and strengthening good governance, democratic participation and the advancement of regionalization and decentralization, in the context of accountability and true citizenship; (c) pursuing strong, competitive, multisectoral, diversified, wealth- and employment-generating and equitable economic growth; (d) promoting social programmes that guarantee equitable access to basic services and strengthening solidarity and equal opportunities among citizens, and across generations and regions; and (e) consolidating the country's regional and international credibility and promoting public services aimed at Moroccans living abroad.⁶

⁴ See "Morocco between Millennium Development Goals and Sustainable Development Goals: Achievements and Challenges – National Report 2015", p. 10.

⁵ Ibid, p. 15-16.

⁶ See World Bank Group, "Country partnership strategy for the Kingdom of Morocco for the period FY 2014-2017" (1 April 2014), para. 50. Available from www.worldbank.org/content/dam/Worldbank/document/MNA/moroccocps/Morocco_CPS_FINAL.pdf

16. Article 139 of the Constitution stipulates that, in order to facilitate the involvement of citizens and associations in the elaboration and monitoring of development programmes, mechanisms of participation, consultation and dialogue should be established by regional councils and other local government councils. The ongoing process of advanced regionalization mandated under title IX of the Constitution establishes the rights and obligations of local governments, which have become important actors in sustainable human development and democracy. This process is aimed at strengthening the capacities of local institutions and decentralizing financial resources for the implementation of public development policies at the regional and local levels. This process has received support from foreign partners, especially in the field of capacity-building.

A. Social development policies and programmes

17. The National Initiative for Human Development, under the Ministry of the Interior, is the key policy instrument for advancing human development, improving access to public services, generating employment and improving household revenues to combat poverty and inequality. The implementation of the Initiative is supported by a number of other public policies and forms part of the process of advanced regionalization. It implements a geographical targeting of priority areas and populations and functions on a project basis, providing funding to initiatives submitted by local actors, including cooperatives, associations, non-governmental organizations, local governments and administrations. The Initiative reported that, between 2005 and 2014, more than 9 million people benefited from the programme, 50 per cent of whom were in rural areas.⁷

18. The financial contribution of development partners represented only 20 per cent of the total budget for the first phase of the Initiative, which has been financed mainly through the regular budget, demonstrating the country's resolve to invest in the enhancement of economic and social rights. The main contributors were Saudi Arabia, with \$125 million for the two phases, and the European Union, with €85 million. The programme received the equivalent of €27.5 million in debt conversion from Italy and Spain. The World Bank loan to the Initiative tripled from \$100 million to \$300 million during its second phase, which indicates its merits. Although, in absolute terms, the external financial contribution has diminished during the second phase in order to enhance self-sustainability, for the most part the contribution of foreign partners has been central in terms of capacity-building and monitoring results, with the development and progressive adjustment of indicators.

19. The Social Development Agency, established in 2001, also works towards poverty reduction and the promotion of social development in Morocco. It complements the work of several other institutions active in this field, in collaboration with civil society and local governments. With the establishment of the Initiative in 2005, the Agency moved from its function of financing local development projects driven by civil society to expanding its capacity-building activities for local actors in order to facilitate the implementation of the projects now funded by the Initiative, and providing support in defining local development strategies. Although the work of the two institutions has relied on civil society for the implementation of projects, it was reported that, while the Initiative had promoted the proliferation of a large number of development organizations, many human rights non-governmental organizations had not been included in the process. It was further underscored that the operative mode of the Initiative at times could not ensure the self-sustainability of projects.

⁷ L'Initiative Nationale pour le Développement Humain (INDH), "Une décennie de réalisations", Coordination Nationale INDH (18 mai 2015).

20. Morocco also established a National Observatory for Human Development, under the Prime Minister's Office, in 2008. The main mission of the Observatory is to analyse and evaluate the impact of human development programmes, and propose measures and actions that would contribute to the elaboration and implementation of a national strategy for human development within the framework of the National Initiative for Human Development. In addition, the Mohamed V Foundation for Solidarity, a private entity which manages a yearly budget of €50 million to engage in development assistance, also provides funding to social assistance centres run by civil society that cater to vulnerable sectors of the population.

21. While combating poverty and improving access to basic services are among the priorities of the Government, one concern raised by some stakeholders is the lack of a coordinated vision, in particular of a poverty reduction strategy. This lack might hamper the capability to surmount obstacles to the realization of economic, social and cultural rights, and undermine the integration of a human-rights-based approach to development across the various sectors. A national human-rights-based policy framework for human development would allow for the development of indicators to fully measure the human rights impact of the various programmes. This shortfall may to some extent also have a negative impact on the ability of external development partners to effectively coordinate the implementation of their respective strategic partnership frameworks with Morocco.

B. Solidarity against inequality and for promoting economic development

22. The Ministry of Solidarity, Women, Family and Social Development works to promote gender equality and parity, and to combat economic insecurity among women, children, persons with disabilities and the elderly. The Ministry promotes national mutual assistance and is in charge of the social welfare system. It manages 3,000 social workers and 1,000 centres, in cooperation with non-governmental organizations, in order to develop on-site assistance. The Ministry indicated that its partnership with civil society was a key component of its management model; civil society organizations were present in all levels of implementation. The Ministry further indicated that two thirds of its budget was spent through activities led by civil society. The Ministry also trains social workers through the National Institute for Social Development, which undertakes capacity-building activities for South-South cooperation.

23. The Ministry complements the work of the National Initiative for Human Development and the Mohamed V Foundation for Solidarity. Within the framework of its work on gender equality and women's rights, a partnership agreement was signed with the European Union in 2012 to fund the Government Plan for Equality for the period 2012-2016. Through this cooperation, €45 million has been allocated to fund a number of projects, including the development of indicators to measure progress made through this policy. The funds have been allocated as follows: budgetary support of €37.5 million, disbursed according to results achieved with regard to target indicators, €4 million for technical assistance and €2 million to fund subsidies to non-state actors.

24. Following the restructuring of the Ministry, a division of international cooperation was established with the principal mandate of exchanging experiences and practices with multilateral and bilateral partners. The World Bank has offered support in creating accessibility for persons with disabilities. In this regard, an extensive programme is now being implemented in Marrakech.⁸ In parallel, in 2015 the Ministry began working with UNDP to develop an integrated public policy for the promotion of the rights of people with

⁸ See www.social.gov.ma/fr/content/programme-de-coop%C3%A9ration-avec-la-banque-mondiale (accessed on 9 March 2016).

disabilities. A similar example was given of a joint project with Finland to share good practice and strengthen capacity for providing adequate assistance to older persons. The Ministry is also receiving assistance from the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), including in reviewing the family code.

25. The Ministry of Handicraft and the Social and Solidarity Economy heads the efforts to promote a solidarity-based economic model by developing an environment that is conducive to the realization of economic and social rights for members of cooperatives and economic associations. The Ministry has worked towards developing a framework bill on a social and solidarity economy with the help of the Food and Agricultural Organization of the United Nations (FAO). The promotion of a social solidarity economy in Morocco is perceived as a means for developing local economies that foster development at the community level and empower small producers, and for regularizing the informal economy. Cooperatives promote economic innovation at the grass-roots level and at the same time strengthen solidarity and the implementation of democratic economy. Solidarity among producers in the milk industry has enabled their cooperative to achieve autonomy and offer products at accessible prices in the national market, benefiting both producers and consumers.

26. The Ministry is also implementing programmes with foreign partners for functional literacy, with a view to empowering peasants and handicraft workers, in coordination with the International Labour Organization (ILO). Additionally, with the help of ILO and the Ministry of Labour, a programme has been implemented to combat child labour in this particular sector, among others nationwide. The Independent Expert was informed that, as a result, child labour had decreased drastically from 600,000 concerned children in 2009 to less than 60,000 at present. The ILO confirmed that the programme had been discontinued in 2015 owing to its success in drastically reducing child labour in Morocco.

C. Solidarity towards migrants and refugees

27. Morocco has been commended for its groundbreaking policy on refugees and migrants in the region, developed as a result of the 2013 National Human Rights Council report presented to the King, which drew attention to the vulnerability of migrant populations, including asylum seekers. That report recommended that the national legal framework be amended to conform to the international standards to which Morocco had committed. The same report further advised that an adequate institutional framework should be established to implement a policy of integration that would also allow the migrant population to have access to basic services that were part of their fundamental human rights. The report of the National Human Rights Council also recognized the need to strengthen the country's cooperation with the Office of the United Nations High Commissioner for Refugees (UNHCR). Furthermore, it called on the Government to facilitate a permanent dialogue with national and international civil society, in order to exchange information, mobilize humanitarian assistance and legal expertise, disseminate good practices and provide assistance in return. The Council highlighted that recognizing the limited economic capacities of Morocco, and the role of international organizations, including relevant United Nations agencies, and partner States, including European countries, as well as the European Union, was paramount in the design and implementation of a new migration and asylum policy in Morocco. It was further stressed that assistance would be needed with regard to mobilizing human and financial resources for the implementation of a genuine policy of inclusion and regularization of the status migrants.

28. As a result of that report, a new human-rights-based approach to migration policy has been adopted. The Ministry in Charge of Moroccans Living Abroad and Migration Affairs informed the Independent Expert that Morocco was developing a national system that ensured the rights and freedoms of migrants and refugees, in cooperation with relevant public institutions. An emergency plan had also been put in place to address the needs of about 18,000 migrants who had recently been granted residency permits. It was reported that 92 per cent of applications for regularization had been approved, although members of civil society had indicated difficulties in the implementation of the temporary measures at the local government level. The plan included the full integration of migrants into Moroccan society through education, vocational training, language classes and access to income-generating activities, in addition to equal access to public services. In order to implement the emergency plan, framework conventions had been established with the Ministry of Education and Vocational Training; the Ministry of Solidarity, Women, Family and Social Development and the Ministry of Youth and Sport, as well as the Office for Vocational Training and Promotion of Work.

29. Morocco has worked jointly with UNHCR to grant access to services to refugees and has responded positively to the influx of Syrian refugees. The 2013 mobility partnership with Europe, which is a joint policy to manage the movement of persons aimed at strengthening cooperation on migration and development, combating irregular migration, smuggling and trafficking, and implementing return policies has played a significant role in the policy shift by Morocco. The framework document setting up the mobility partnership specifies that its implementation should respect fundamental rights and the dignity of the people concerned, and should comply with duly ratified international instruments concerning the protection of refugees.

30. The new national migration policy also accounts for shared responsibility between countries of origin, transit and destination, and promotes multilateral cooperation with sending countries to address the root causes of migration, in coordination with the European Union and the International Organization for Migration. More activities to address the push factors in countries of origin have to be developed within the framework of South-South cooperation with the agreement of development partners. The role of civil society in implementing this policy shift has been crucial. The Independent Expert was informed that civil society had contributed to the preliminary discussions, as well as the design and implementation of the policy. It was underscored that all actors were consulted, including migrants in irregular situations themselves. The Ministry regularly met with a civil society council, and a seminar was scheduled to take place in March 2016 to discuss the role of civil society in implementing the policy on migration. The Independent Expert welcomes this initiative, as it may be a starting point for responding to the need for an enhanced strategic partnership between the Government and civil society, especially in monitoring the effective implementation of the new policy at the local level.

D. National environmental policy and international solidarity

31. Despite its insignificant gas emissions, Morocco has chosen a production model based on clean energy and has made the green growth agenda a top priority, in line with its commitment to actively participate in the efforts of the international community to address climate change. To this end, the Government has developed strategies for the initiation of green growth in the sectors of energy, transport, industry, construction and solid waste. The various programme components are aimed at building a diversified energy mix, in which

the share comprised by renewable energy would increase from 4.8 per cent of consumption in 2014 to 12.8 per cent in 2020.⁹

32. The Framework Law on Environment and Sustainable Development, approved in January 2013, defines the rights and obligations of the State and its citizens relating to the protection and preservation of the environment and to sustainable development. It established the Environmental Police to strengthen environmental control and inspection, and introduced a green tax (the *fiscalité verte*). In addition, it promotes waste reduction, reuse and recycling, with a view to achieving more productive and resilient use of environmental assets. The Government is currently preparing a national strategy for the sustainable management of natural resources.¹⁰

IV. International solidarity and cooperation in Morocco

A. Framework for international solidarity and cooperation

33. The 2011 Constitution of Morocco, in its preamble, acknowledges the importance of international cooperation and reaffirms the commitment of Morocco to the strengthening of fraternity, cooperation and solidarity, as well as to constructive partnerships with other States. The Constitution underscores that Morocco commits to consolidating cooperation and solidarity with African peoples and States, especially countries in the Sahel and Sahara subregions, intensify close cooperation and partnerships with Euro-Mediterranean neighbours, and broaden and diversify its friendly relations and exchanges in the economic, scientific, technical and cultural fields with all the countries of the world. A particular emphasis is placed on strengthening South-South cooperation. The commitment to protect, promote and contribute to the development of human rights and international humanitarian law is also expressed in the Constitution. These constitutional provisions have been translated into a set of cooperation policies and activities, which will be discussed in the sections below.

34. According to the Government, the promotion and protection of human rights is a basic principle of the diplomacy of Morocco and its relationships with all of its partners at the United Nations level, and with its Maghreb, Arab-Muslim, Euro-Mediterranean and African neighbours, as well as within the framework of South-South cooperation and other partnership initiatives. The Independent Expert underscores that the International Covenant on Economic, Social and Cultural Rights, which Morocco has ratified, requires that States engage in international cooperation in order to enable the universal realization of economic, social and cultural rights, and commends the openness of Morocco in this regard.

35. Morocco has fully endorsed the principles set forth in the 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action. The Paris Declaration lays out a practical, action-oriented road map to improve the quality of aid and its impact on development. It delineates a number of specific measures for implementation and establishes performance indicators for assessing progress, which will be further discussed in the present report. It also calls for an international monitoring system to ensure that donors and recipients are mutually accountable. In 2008, Morocco reported on progress made in implementing the Paris Declaration.

⁹ “Morocco between Millennium Development Goal and Sustainable Development Goals, p. 14.

¹⁰ See World Bank Group, “Country partnership strategy for the Kingdom of Morocco for the period FY 2014-2017”.

36. Morocco has also endorsed the Busan Partnership for Effective Development Cooperation, which specifically highlights a set of common key principles for making development cooperation effective. These include the ownership of development priorities by developing countries, recognition of the diversity and complementarity of development actors, transparency and shared responsibility, whereby development cooperation must be transparent and accountable to all citizens and promote performance-based programming.

37. In 2015, the Organization for Economic Cooperation and Development (OECD) and the Government of Morocco signed a memorandum of understanding for a two-year country programme which will support the reform agenda of Morocco. The country programme is a new OECD tool that enables some partner economies to leverage OECD expertise and best practices, strengthen institutions and build capacity for successful policy reforms. The agreement targets areas such as investment, trade, public governance, education and employment, and is built around three main policy areas: economic growth and competitiveness, social inclusion and public governance.¹¹

38. The Ministry of Foreign Affairs and Cooperation indicated that Morocco was one of the most open countries in the region, one that prioritized its relationship with Africa, the European Union and the Arab world, and that sought to expand its ties with Asia and the Americas. The Independent Expert was also informed that civil society played a role in the incorporation of international agreements into domestic law and in implementing policies with a view to fulfilling the country's international obligations, especially with regard to human development through the National Initiative for Human Development. The Independent Expert notes with appreciation the efforts of the Ministry of Foreign Affairs and Cooperation to provide public information on its website on the framework of its cooperation with various stakeholders.¹²

39. The Moroccan Agency for International Cooperation, established in 1986, is mandated to implement the country's foreign cooperation policy, in close cooperation with the Ministry of Foreign Affairs and Cooperation and in partnership with the relevant ministerial departments and public institutions. Its main mission is to develop and expand foreign relations in the scientific, cultural, technical, economic and humanitarian fields with partner countries, especially within the framework of South-South cooperation.¹³ The Independent Expert did not have the opportunity to directly engage with the Agency but noted the recurring concern that each institution had its own specific cooperation agenda, not necessarily coordinated with that of other institutions, meaning that some initiatives fell outside the framework of a harmonized development cooperation policy.

B. Transparency and accountability in development

40. In its latest report to Committee on Economic, Social and Cultural Rights, Morocco referred to a plan of action that had been shared with various donors. The plan was aimed at improving aid efficiency through an integrated multisectoral approach, along with the promotion of transparency and coordinated aid activities.

41. During her engagement with the Budget Directorate within the Ministry of Finance, the Independent Expert stressed that the duty of international cooperation required the State to use its maximum available resources, from both national and external sources, for the

¹¹ See www.oecd.org/newsroom/oecd-strengthens-co-operation-with-morocco-signs-morocco-country-programme-agreement.htm (accessed on 6 March 2016).

¹² See <https://www.diplomatie.ma/Politique%20etrangere/ONU/Institutionsspecialisees/fondsetautresorganismes/tabid/195/language/en-US/Default.aspx>.

¹³ See <https://www.diplomatie.ma/Politiqueetrangere/ONU/FinancementduDeveloppement/tabid/200/vw/1/ItemID/378/language/en-US/Default.aspx>.

fulfilment of fundamental human rights in conformity with its human rights treaty obligations. The Independent Expert pointed out that human-rights-based budgeting and financing were essential and crucial in that regard.

42. The Director of the Budget underscored that all funds received from international donors were being used for the implementation of reforms that had a direct impact on the realization of human rights. Among other tasks, the Budget Directorate is in charge of implementing and monitoring the external financing of public projects. In this context, the Directorate participates in determining strategies and external financing standards and modalities for the funding of the projects included in the budgets of the State, local authorities and public bodies. It is also mandated to seek, negotiate and mobilize external funding for the implementation of these projects or programmes, monitor the use of these funds, coordinate the related activities of foreign donors in this field and participate in the negotiation of cooperation protocols in the cultural, technical and scientific fields.

43. Article 34 of organic law on finance 13013 of June 2015 stipulates that the attribution and modalities of use of external funds should comply with the agreement reached with the donor, and unused funds should be credited to the general budget of the State. The law guarantees performance- and outcome-monitoring and institutionalizes the imperatives of accountability and transparency throughout the process. The various sectorial development programmes are funded through the general budget of the State and, to a much lesser extent, through international funds.

44. Morocco is committed to enhancing aid effectiveness, including through the implementation of the 2005 Paris Declaration on Aid Effectiveness and of partnerships for development. One of the objectives of the Declaration was to achieve the allocation of 85 per cent of aid to the public sector in budgetary provisions by 2010. According to the OECD 2008 Survey on Monitoring the Paris Declaration,¹⁴ 80 per cent of the total aid announced by donors was accounted for in the Moroccan budgetary provisions. Although this rate does not meet the 85 per cent threshold set in the Paris Declaration, the survey points out that discrepancies may be attributed to direct disbursements of aid to the beneficiaries without notification being provided to the Ministry of Finance. Morocco did not take part in the more recent 2011 survey.

45. The new organic law provides for complete transparency, stipulating that everyone should have access to information on the budget and affiliated projects. In this regard, the Budget Directorate has created, with the support of UNDP, a publicly accessible nationwide mapping of development projects funded by external donors. The map, which can be found on the website of the Ministry of Finance, provides information on projects, including their geographic location, the target sector, the main donor and the amount allocated, as well as the status of disbursements. The map has been developed to disseminate information on development initiatives undertaken at the national level. It also supports decision-making processes and facilitates aid coordination among donors. Nevertheless, the Independent Expert would like to encourage the various relevant governmental institutions to publicly disclose the form in which the assistance is provided, and to not only actively involve civil society in capacity-building or as implementation partners, but also to systematically involve civil society in the evaluation and monitoring of development projects, whether funded through the regular budget or development aid.

46. The Directorate informed the Independent Expert that, with the support of United Nations partners, it had implemented a gender-responsive budgeting policy since the early 2000s whereby budgeting took gender inequality into consideration. The United Nations

¹⁴ See 2008 Survey on Monitoring the Paris Declaration — Country Chapters. Available from www.oecd.org/dac/effectiveness/2008surveyonmonitoringtheparisdeclaration-countrychapters.htm (accessed on 2 March 2016).

Development Fund for Women (UNIFEM, now part of UN-Women) reported that, in 2002, with the support of the World Bank, the Ministry of Finance and Privatization had carried out a preliminary study on the “methodological feasibility of budgetary accounts for gender and childhood in Morocco”.¹⁵ This was followed up by a joint initiative of the Ministry of Finance, Privatization and UNIFEM, with the financial support of the Government of Belgium. In 2014, UN-Women recognized the success of Morocco in implementing gender-responsive budgeting.¹⁶ This approach of performance-based and gender-responsive public finance has been enshrined in the new organic law on finance. The law explicitly stipulates that gender equality must be taken into account in the definition of objectives, results and indicators of performance in line budgets, and further mandates the publication of the Gender Report as an official document that is part of the annual finance bill. Following a visit to Morocco in 2012, the Working Group on the issue of discrimination against women in law and in practice pointed out that the gender-sensitive budgeting approach implemented in Morocco should permit, *inter alia*, systematic analysis of inequality that hindered development and provide opportunities to take remedial action. The report also underscored that this approach embedded accountability in overall policy processes, and translated policy commitments and legal obligations into outcome-focused financial allocations that should contribute to the elimination of discrimination and the promotion of equality and human rights.¹⁷

47. The Independent Expert also received information that, despite the availability of public information, the multitude of sources of information and the variations in format from one institution to another made it difficult to obtain a comprehensive and detailed overview of the budgetary situation. A single official platform with harmonized and easy-to-comprehend data could improve effective access to information for the general population.

48. The Independent Expert notes some findings from the World Bank client feedback and stakeholder consultations, which reviewed the previous country partnership strategy between the World Bank and Morocco.¹⁸ The review reported that one of the most common requests made by civil society organizations during consultations on the strategy was for the chance to be involved in the country’s development programmes from inception to implementation, including in the decision-making process. There was also a widely echoed request for increased transparency and participation at all levels of decision-making. Similar concerns were voiced by a number of civil society actors with whom the Independent Expert met, who also reported that the performance of public services, and social programmes in particular, had fallen well below people’s expectations, especially in lagging regions and some urban and peri-urban areas.

C. Development assistance

49. The Government informed the Independent Expert that its national development goals were aligned with the development objectives to be achieved in collaboration with the United Nations and international partners. In 2014, Morocco received over \$2 billion in official development assistance, of which 70 per cent emanated from bilateral cooperation. France was the top donor to Morocco in 2014. Other important development cooperation partners included the European Union institutions, Germany, the United Arab Emirates and

¹⁵ See <http://gender-financing.unwomen.org/en/highlights/gender-responsive-budgets-case-of-morocco> (accessed on 29 February 2016).

¹⁶ *Ibid.*

¹⁷ See A/HRC/20/28/Add.1, para. 85.

¹⁸ See World Bank Group, “Country partnership strategy for the Kingdom of Morocco for the period FY 2014-2017”.

the United States of America. From the official development assistance received by Morocco, 48 per cent was allocated to economic infrastructure and services, 21 per cent to social infrastructure and services and 19 per cent to education.¹⁹

50. Although the financial aid received by Morocco does not represent a significant share of its regular budget, the country encourages donors to provide their contributions through the regular budget, in conformity with the country's objective to improve transparency, performance-based management and evaluation. In its latest report to the Committee on Economic, Social and Cultural Rights, Morocco also indicated that the close alignment of action by funding agencies with the country's policies concerning economic, social and cultural rights, and the increased integration of aid into the country's budgetary system, made it difficult to ascertain the specific impact of international cooperation.²⁰

United Nations country team

51. The 2012-2016 United Nations Development Assistance Framework was developed based on five programmatic principles: a human-rights-based approach, environmental sustainability, gender equality, capacity-building and performance-based management. It identifies five priority areas of cooperation between the United Nations system and national actors, including civil society: (a) improving the quality of education and vocational training; (b) improving health and nutrition; (c) socioeconomic development and reduction of vulnerability and inequality; (d) strengthening gender-sensitive democratic governance; and (e) environmental protection and sustainable development. The crosscutting promotion of initiatives with non-traditional partners such as labour unions, political movements and the private sector, as well as the strengthening of North-South, South-South relationships, are features of the framework. The framework was informed by the national priorities and the orientation of the Government, the Sustainable Development Goals (and previously by the Millennium Development Goals) and the country's international human rights treaty obligations. The framework mentions that, despite progress observed recently, the coherence and coordination of the activities of various United Nations agencies, especially in the fields of justice reform and education, needs to be implemented more rigorously.

World Bank Development Group

52. Under the country partnership strategy for the period 2014-2017, the World Bank Development Group has focused its support to Morocco on the country's open governance and green growth agendas, supporting innovative multisectoral approaches to sustainable and environmentally sound development.²¹ Areas of intervention include improving good governance and accountability, and providing assistance in institutional capacity-building for better management of public resources and more effective delivery of basic services, particularly within the framework of the advanced regionalization process. The promotion of "citizens' voice and participation is integral to these efforts, as is the focus on gender and youth".²²

¹⁹ See https://public.tableau.com/views/OECDACaidataglancebyrecipient_new/Recipients?:embed=y&:display_count=yes&:showTabs=y&:toolbar=no?&:showVizHome=no.

²⁰ See E/C.12/MAR/4, para. 28.

²¹ See World Bank Group, "Country partnership strategy for the Kingdom of Morocco for the period FY 2014-2017".

²² Ibid., para. 2.

53. In order to prepare the current country partnership strategy, the World Bank Group conducted rounds of consultation with the central Government, the local authorities, project management units, civil society organizations, the private sector and development partners on selected issues, including access to education, the quality of teaching and training, citizens' participation, governance, provision of services, youth and development.

African Development Bank

54. The cumulative commitments of the African Development Bank (AfDB) in Morocco totalled almost \$2.5 billion to fund 31 projects. This level of commitment testifies of the quality of the partnership between Morocco and AfDB. In addition to its major contribution to the Green Morocco Plan, which would have a positive impact on the right to food and the rights of rural women, AfDB has approved a loan of \$115 million to finance the third phase of a programme supporting key institutional reforms of medical coverage in Morocco. The programme is aimed at reducing costs and expanding the social safety net for the poorest and most vulnerable in order to provide equitable access to quality health care for all Moroccans. This programme is a major component of both the AfDB fight against poverty and the inclusive growth agenda.²³

European Neighbourhood Policy

55. Within the framework of the European Neighbourhood Policy, Morocco is the first recipient of European Union development cooperation. For the period 2014-2017, bilateral assistance from the European Union to Morocco may range between a minimum allocation of €728 million and a maximum allocation of €890 million.²⁴ The plan is based on a progressive disbursement approach that takes into account the country's needs and progress in implementing its national reform agenda. The priority areas of this cooperation include the following: equitable access to social services; democratic governance, the rule of law and mobility; and employment and sustainable and inclusive growth. The framework also provides for complementary support for capacity-building and civil society empowerment. Morocco also receives additional funding under several other thematic programmes and instruments, such as the European Instrument for Democracy and Human Rights and the programme for civil society and local authorities.

56. Concerns were raised about the lack of involvement of civil society actors in the process of developing the European Neighbourhood Policy. It is also worth noting that calls from civil society actors to establish a tripartite dialogue between the European Union, the Moroccan authorities and civil society seemed to remain unanswered at the time of the visit.

International cooperation and civil society organizations

57. The Independent Expert wishes to stress the important role that development partners can play in empowering civil society actors, including human rights organizations, as well as small grass-roots organizations that have very little access to international funds. Concern was raised that calls for projects often do not reach remote areas, so that the process itself tends to overlook the very small associations that are very active at the grass-roots level but who have limited resources. The Independent Expert acknowledges efforts made by development agencies to include all stakeholders and encourages them to reinforce their efforts in empowering these organizations.

²³ For further information, see www.afdb.org/en/news-and-events/article/afdb-approves-eur115-million-for-inclusive-and-universal-health-coverage-in-morocco-12712.

²⁴ See http://ec.europa.eu/enlargement/neighbourhood/countries/morocco/index_en.htm (accessed on 7 March 2016).

58. The Independent Expert would also like to bring attention to possible restrictions on civil society access to foreign aid and funds. She recalls that the ability to seek, secure and use resources is essential to the existence and effective operations of any association, and that the right to freedom of association includes the ability to seek, receive and use resources — human, material and financial — from domestic, foreign and international sources.²⁵ It is worth noting that the Special Rapporteur on the rights to freedom of peaceful assembly and of association noted that “for associations promoting human rights, including economic, social and cultural rights, or those involved in service delivery ... access to resources is important, not only to the existence of the association itself, but also to the enjoyment of other human rights by those benefiting from the work of the association”.²⁶

59. The Independent Expert recognizes that monitoring is essential to ensure the accountability of all development actors, particularly when it comes to development funds they receive for activities that will benefit the communities with which they work. Therefore, development actors and other concerned stakeholders should work together with the Government to determine and agree on appropriate and effective accountability mechanisms that should be put in place, in line with the provisions on freedom of association. In this connection, the Independent Expert is of the view that the draft bill on civil society should provide a platform to ensure that all civil society organizations can enjoy the equal opportunity to access development funds — whether domestic or foreign — to implement their projects and activities for the communities they serve.

D. South-South cooperation

60. The Constitution of Morocco recognizes the importance of the country maintaining and strengthening its cooperation with sub-Saharan Africa. In this regard, the country has reaffirmed its affinity for the continent and, more recently, emphasized its commitments to historical, cultural and cooperation ties with sub-Saharan African countries.

61. Morocco aspires to develop its continental cooperation into active and solidarity-based partnerships. In this respect, King Mohamed VI has engaged with several African presidents, with a view to strengthening bilateral relationships and providing a new impetus to the country’s South-South cooperation.

62. Bilateral and multilateral agreements have been established in a number of sectors, such as the economic, technical, social, cultural and human development sectors, not only with regard to combating poverty but also in the fields of agriculture, fisheries, training and education, water management and irrigation, basic infrastructure, urbanization, information technology, finance and banking. Other partnerships are being developed concerning the country’s experience with the National Initiative for Human Development and microcredit. In this respect, the Independent Expert was informed that an agreement had been signed with Gabon in June 2015 to develop a pilot programme similar to the Initiative.

63. It is significant to note that, despite its status as a lower-middle-income country, Morocco has taken a series of measures to contribute to financing for development. In 2000, King Mohamed VI cancelled the debts of the least developed African countries and provided preferential customs treatment of their main exports, which resulted in an increased influx into Morocco of imported goods from these countries.

64. The cooperation of Morocco with African countries, especially in West Africa, has focused on capacity-building and training, with a view to improving human capital. In this

²⁵ See A/HRC/23/39, para. 8.

²⁶ *Ibid.*, para. 9.

regard, the country has provided access to higher education to 15,000 sub-Saharan African students and trained 1,000 imams. The Department of Vocational Training provides capacity-building support to 15 African countries. Four countries are receiving support in establishing a vocational training system, including building centres and providing training of trainers. In 2015, 800 students from sub-Saharan Africa received vocational training, either with the support of the Moroccan Agency for International Cooperation or the Mohamed VI Foundation. Other initiatives have been implemented by all sectors that have developed capacity-building activities with African States.

65. For example, the Ministry of Agriculture provided information on its extensive engagement in South-South cooperation through both multilateral and bilateral agreements. Morocco has signed several multilateral agreements through its extensive cooperation with FAO. Under this framework, Morocco has engaged in capacity-building activities in Burkina Faso, Djibouti and the Niger, where 82 Moroccan experts have undertaken long-term direct activities. The Ministry also worked towards the development of interinstitutional and inter-professional relationships through agreements signed with other ministries of agriculture. The Ministry further indicated that, within the framework of its actions in partner countries, assessment missions were always conducted in order to determine the specific needs of the country before defining a tailored programme of action. It was further confirmed that, during the assessment phase, all stakeholders, including the primary beneficiaries, were consulted.

66. The Ministry of Health also has a dedicated unit on international cooperation. The chief of cooperation within that Ministry briefed the Independent Expert on the various activities conducted within the framework of South-South cooperation. Morocco has signed several bilateral conventions in the field of health, the latest of which led to the establishment of eight cooperation protocols, relating to pharmaceutical products, including quality control, training of senior health practitioners and the fight against fraudulent medicines. The Ministry is also engaged in capacity-building by sharing the practices of Morocco concerning universal health coverage and its experiences with the national health-care coverage system for the poorest segment of the population. Mention was also made of tripartite cooperation between Japan, Morocco and French-speaking African countries for capacity-building on child and maternal health.

67. Despite the mandate of the Moroccan Agency for International Cooperation, South-South cooperation seems to be very much fragmented, with little coordination among the different sectors engaged in capacity-building and other activities, which makes it difficult to evaluate whether the country has set any specific goals and whether those goals are being met. The South-South cooperation policy should be formalized, duly developed to integrate a human-rights-based approach and coordinated by a single entity. The Independent Expert notes with appreciation that a mapping exercise was launched by the Ministry of Foreign Affairs in order to identify ongoing cooperation initiatives, including those conducted with third parties.

V. Visit to Ad Dakhla, Western Sahara

68. On 20 January 2016, the Independent Expert visited the city of Ad Dakhla in Western Sahara, where she met with local representatives of the various institutions implementing development programmes and the National Human Rights Council. Due to time constraints, the Independent Expert did not have a chance to meet with members of local civil society. Therefore, further assessment may be needed in this regard. The Independent Expert visited local projects of the National Initiative for Human Development, including a boarding school, where she met and held exchanges with school officials, teachers and volunteers. The school admits students from very remote areas with

no educational facilities. In addition to free education, the students, who are of varying ages, also receive free accommodation and meals. The Independent Expert was able to interact with a few students who could speak English. She also visited a handicraft cooperative centre for pottery, ceramics, metalworking, jewellery and traditional textiles.

69. The office of the National Human Rights Council in Ad Dakhla informed the Independent Expert of its efforts to promote solidarity with marginalized migrants by facilitating their integration into the local economy, and by ensuring their access to health services, which were sometimes denied to them by service providers. It was reported that 200 migrants had been regularized in Ad Dakhla and were awaiting their residency cards.

70. The National Human Rights Council also stressed the need for capacity-building cooperation, especially in catering for persons with disabilities, who had often been the victims of landmines, as well the importance of having opportunities to develop partnerships with international development actors.

71. It was suggested that, beyond political considerations, adequate attention should be given to the realization of economic, social and cultural rights locally. A proposal was voiced that development partners might consider establishing a fund to support local development initiatives that were led by civil society.

VI. Conclusion and recommendations

72. **The Independent Expert commends the Government of Morocco for the progress it has made with regard to the progressive realization of economic, social and cultural rights, as well as its near achievement of the Millennium Development Goals by the end of 2015. She notes with appreciation the constitutional recognition of the fundamental value of solidarity, which also drives a participative, people-centred, transparent, accountable and environmentally sustainable development model. She further commends the active engagement of Morocco at the international level and its commitment to contributing to international cooperation based on the principles of solidarity and mutual benefit in the spirit of partnership and fraternity.**

73. **Based on her observations as outlined in the present report, the Independent Expert makes the following recommendations for the consideration of the Government of Morocco:**

(a) **Provide simplified and widely accessible information on international agreements signed by Morocco, including economic and trade agreements, and the impact of such agreements on the country's population. This information should be accessible beyond Internet-based platforms so as not to exclude those who do not have access to the Internet. In this regard, the new Sustainable Development Goals, the outcome of the Third Conference on Financing for Development, and the climate agreement resulting from the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change should be widely publicized in a simplified format so that the public can be made aware of their direct implications for Morocco;**

(b) **Develop one human-rights-sensitive national framework policy on human development that is informed by international human rights standards, including equality and non-discrimination. While the Independent Expert recognizes the efforts made towards implementing gender parity, she notes that much more remains to be done. In this regard, she would like to recommend that a gender perspective be mainstreamed in all development programmes and policies across sectors. Moreover, she would like to stress that a human-rights-based approach to**

development requires that planning and implementation of development measures should be deliberate, targeted and progressive in order to create an enabling environment for the exercise and fulfilment of human rights;

(c) Strengthen the overall policy of national development, from its planning and design, to implementation and delivery, to monitoring, assessment and evaluation, to policy coherence and harmonization across all the various ministries, including those which are engaged in international development cooperation. It is strongly suggested that a single office be dedicated to an oversight function in this regard, to optimize resources and avoid duplication;

(d) Implement more systematic and thorough consultation for the planning, implementation, monitoring and evaluation of development programmes, including development assistance programmes, with the meaningful participation of civil society and affected communities;

(e) Allocate additional resources for capacity-building on all levels of development implementation, especially in the light of the imminent decentralization process. In this regard, it is further suggested that the Inter-ministerial Delegation on Human Rights, in coordination with the National Human Rights Council and partners, intensify human rights training programmes, especially for civil servants involved in the delivery of public services. This would enhance transparency and would be a positive step towards deterring favouritism and corruption in public service;

(f) Work jointly with civil society actors, including human rights organizations and development partners, to establish a framework for the monitoring of foreign funds received by civil society actors. This protocol should be based on impartiality and objectivity, accountability, transparency and fairness, and should be in full respect of the freedom of association. Provisions in this regard should be considered for inclusion in the draft bill on civil society, in accordance with the international human rights standards referred to in the report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (A/HRC/23/39);

(g) Establish a tripartite framework, consisting of Government, development partners and civil society, to monitor the implementation and outcome of development assistance programmes;

(h) Consider ratifying the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. The Independent Expert encourages the Government to redouble its efforts to submit its reports in a timely manner to the relevant human rights treaty bodies.

74. The Independent Expert also makes the following recommendations for the consideration of the international development partners of Morocco:

(a) Consult all stakeholders affected by development assistance programmes, and fully integrate human-rights-based approaches in all stages throughout the entire process, from planning, to implementation, to monitoring and evaluation;

(b) Ensure equal opportunity in accessing development assistance funds for civil society actors, in particular for grass-roots organizations in the rural and remote areas that are often left out because they lack access to information. Consideration should be given to modifying the existing procedure for calls for proposals, bearing in mind the situation in remote areas where there are no Internet facilities;

(c) Within the framework of their partnership, include human rights education, training and capacity-building for civil society and communities to enable them to be active agents in their own development.
