Memorandum on the candidature of the Kingdom of Morocco to the Human Rights Council for the 2023-2025 term

- Firmly committed to the UN system for the protection and promotion of human rights and determined to reaffirm its irreversible commitment to the respect of human rights and fundamental freedoms, the Kingdom of Morocco has decided to apply for membership to the Human Rights Council (HRC) for the 2023-2025 term.

- This candidacy is based on Morocco’s deep conviction, in line with the High Vision of His Majesty King Mohammed VI, of the importance of effective, pragmatic and inclusive multilateral action to address global challenges related to the three pillars of the United Nations: international peace and security, development, and human rights.

- Morocco, one of the founding members of the UNHRC and a strong supporter of its creation in 2006, served as a member of the Council for two terms for the periods 2006-2007 and 2014-2016. Even as an observer member of the HRC, Morocco has continued its active and constructive participation in the work of the Council.

- Thanks to its concrete and substantial involvement in the process of building, institutionalising and setting up the operating rules and mechanisms of the HRC, Morocco has succeeded in positioning itself as a major actor in strengthening the international human rights system.

- By submitting its candidature for the period 2023-2025, Morocco wishes to reiterate its support for the Council and its mechanisms and to contribute to the collective efforts to strengthen the action and effectiveness of this institution.

Morocco's active role in the Human Rights Council

- Morocco has consistently advocated that the Council should remain a space for dialogue and active, inclusive cooperation to promote the development and advocacy of human rights based on the common vision and shared values that prevailed over the creation of the Council.

- During its first term at the HRC, Morocco served as Vice-Chair from June 2006 to June 2007. In this capacity, Morocco contributed significantly, and in a responsible manner, to the institutional establishment of the Council and to the negotiation and adoption of the institutional package (IB Package) adopted through resolution A/RES/60/251.

- In a constructive spirit, the Kingdom of Morocco has greatly contributed as a facilitator to the process of creating and strengthening the HRC’s innovative mechanism, the Universal Periodic Review (UPR). Morocco was designated as facilitator for the establishment of the UPR for the period 2006-2007, facilitator of its modalities in 2008, and facilitator of the review process of this mechanism (2010-2011). Morocco continues to advocate for the safeguarding of this mechanism from any politicisation and to improve its effectiveness based on good practices such as the voluntary submission of mid-term reports regarding the status of the implementation of recommendations. Morocco also welcomes the important contributions of National Human Rights Institutions and NGOs to this universal review.

- Aware of the importance of fostering the engagement of all States in the UPR process, Morocco is among the major contributors to the UPR Mechanism Fund for technical assistance to developing countries.

- Since the creation of the HRC, Morocco has contributed substantially to its work, notably through the drafting, presentation, sponsorship, negotiation and promotion of numerous resolutions and decisions on various themes such as Human Rights education; enforced or involuntary disappearances; technical assistance and capacity building for developing countries; the impact of corruption on the enjoyment of human rights; protection of the environment; safety of journalists; fight against discrimination; digital technologies and human rights; the responsibility to protect populations against genocide and war crimes.

- Thus, Morocco, together with Switzerland and Argentina, initiated the creation in September
2011 of the mandate of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-repetition.

- Morocco was one of the initiators of the resolution that created, in March 2012, the Trust Fund for Technical Assistance to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the HRC.

- Alongside its active participation in the debates and informal reflections aimed at improving the work and effectiveness of the Council, Morocco is working to ensure that this UN body remains a space for dialogue and active, inclusive cooperation between the different regional groups, with the aim of promoting a common vision and consensus among all Member States on the decisions of the HRC.

**Cooperation and interaction with UN human rights bodies**

- Morocco cooperates fully with all components of the UN human rights system, namely the Council and its mechanisms, the bodies created by international human rights treaties and the Office of the High Commissioner for Human Rights.

- Aware of the extreme importance of the international legal arsenal for the universal promotion and protection of human rights, the Kingdom of Morocco has strengthened its adherence to all international legal instruments relating to human rights, as well as to almost all the additional and optional protocols.

- In this respect, the Kingdom maintains a sustained and open interaction with the treaty body system by regularly submitting its national reports in accordance with its commitments to these conventions. Morocco is committed to formulating, in due time, the clarifications requested by these bodies regarding individual communications, in the framework of a constructive interaction that complies with Morocco’s international commitments. The recommendations and conclusions of these bodies are followed with the utmost attention by the governmental authorities, which ensure their effective implementation.

- Morocco's credibility in the promotion and protection of human rights and its capacity as a federator in this field led to its designation, during the 74th Session of the General Assembly, as co-facilitator for the review of the process of strengthening the UN human rights treaty bodies. The process was a real success for Morocco in many aspects: the level and volume of participation, the transparency and inclusiveness of the process, and the relevance of the Final Report A/75/601.

- As part of its unwavering support for the treaty bodies, Morocco regularly nominates Moroccan experts to serve on them. In this regard, independent and highly qualified Moroccan experts serve on the following bodies: Human Rights Committee, Committee on the Rights of the Child, Committee on Enforced Disappearances, Committee on the Rights of Persons with Disabilities, Committee on Migrant Workers, Committee against Torture, Committee on Economic, Social and Cultural Rights and Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

- Moreover, on 13 December 2019, Morocco also received an "A" grade during the follow-up review by the Human Rights Committee, for its action to implement priority recommendations, in particular "the adoption of the law on the national mechanism for the prevention of torture".

- In the same spirit of commitment and interaction with the treaty bodies and special procedures, Morocco has opened, without hindrance and throughout its territory, to 12 visits by special procedures mandate holders since 2000, facilitating their missions, responding to their observations and recommendations and benefiting from their assessments. In addition, 14 invitations have been extended to the special procedures to visit Morocco.

- The Kingdom has also submitted to three Universal Periodic Reviews (April 2008, May 2012...
and May 2017). Morocco, which participated actively and at a high level in these reviews, is fully implementing the recommendations accepted and is closely examining those to which it has not responded positively.

- Morocco is also the main sponsor or a member of the core groups of several resolutions on special procedure mandates on issues such as: transitional justice, enforced disappearances, torture, extreme poverty, the responsibility to protect, etc.

- Being aware of the importance of the role of the Office of the High Commissioner for Human Rights (OHCHR), Morocco has been supporting OHCHR initiatives on various issues such as the prohibition of advocacy of national, racial or religious hatred. In support of the actions carried out by the OHCHR, Morocco has granted a substantial financial contribution to the Office’s budget, positioning it among the top 10 donors in 2020. Morocco contributes regularly and substantially to the extra-budgetary resources of the High Commissioner for Human Rights.

- Alongside its work within the UNHRC, Morocco organises and participates in events, side-events and seminars aimed at promoting human rights in innovative and high-stakes thematic areas: the implementation of the Marrakech Pact on Migration as a vehicle for the promotion and protection of human rights; the strengthening of the Special Procedures; Artificial Intelligence and Human Rights; the implementation of the Convention against Torture; the launch of the Multi-religion Study on the Convention on the Rights of the Child: Faith and the Rights of the Child, etc. Morocco has also organized a side-event to the 46th session of the HRC on “establishing synergies between human rights and achieving the Sustainable Development Goals at the national level”.

- In addition, in support of international activities for the promotion and protection of human rights, the Kingdom periodically hosts meetings and major international and regional events, as part of the implementation of the decisions of the HRC and its recommendations (Rabat Action Plan in October 2012; World Forum on Human Rights in 2014; World Assembly of National Human Rights Institutions in October 2018; African Parliamentary Assembly on Human Rights ...).

- Furthermore, the Kingdom of Morocco was among the first UN Member States to endorse the Secretary-General's Call to Action for Human Rights. To this end, a briefing by the Secretary-General on the status of the implementation of the Appeal took place in February 2021 in New York, at the request of Morocco, together with 9 other countries.

Main achievements and national initiatives

- The Kingdom's active commitment to human rights is embodied at the national level by the momentum of the process of reform and bold, innovative initiatives aimed at consolidating fundamental rights and freedoms and building a democratic, modernist Moroccan society that respects human rights and the universal values of equality, pluralism and moderation.

- Thus, under the impetus of His Majesty King Mohammed VI, Morocco has embarked on a durable dynamic and a process of overhauling its legislative and institutional framework, aimed at improving the performance of institutions, strengthening the rule of law, democracy and good governance, and protecting and promoting human rights, with a view to improving the daily life of citizens within the framework of an inclusive and participatory approach, and ensuring the harmonisation of national laws with international norms and standards.

1. At the legislative and regulatory level:

- The enshrinement in the 2011 Constitution of the primacy of conventions and international law over domestic law, the recognition of and respect for local cultural diversity, and the criminalisation of torture and enforced disappearance are all measures that materialize the Kingdom's proactive and concrete commitment to human rights.

- In 2004, Morocco adopted a bold and ambitious new Family Code. This historic reform
consecrates the Kingdom's irreversible commitment to gender equality and women's rights. This commitment continued with the lifting of Morocco's reservations to the Convention on the Elimination of All Forms of Discrimination against Women in 2008, and the adoption, in 2011, of a Constitution that unambiguously enshrines equality between women and men in all areas. This proactive, inclusive and participatory dynamic in favour of women's rights has been reinforced by Morocco's pioneering leadership in gender budgeting and the adoption of pro-gender government strategies such as the Government Plan for Equality.

- In order to strengthen the rule of law and the primacy of the law, the Kingdom has carried out a reform of the justice system aimed at reinforcing the means and guarantees for better protection of citizens and expansion of public freedoms, including by strengthening the institutional mechanism of human rights.

- In order to further strengthen the independence of the judiciary, on 18 September 2017, Morocco adopted Law 33.17 on the transfer of powers from the Government Authority in charge of justice to the King's Attorney General at the Court of Cassation in his capacity as head of the prosecution service, which replaced the Minister of Justice in all matters related to the supervision of prosecutors. Other reforms are underway with a revision of the Penal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Commercial Code, in order to implement an effective penal policy.

- Holding the status of a constitutional institution, the Supreme Council of the Judiciary (SCJP) ensures the implementation of guarantees related to the independence, appointment, promotion, retirement and discipline of magistrates. The effective start of the Council through the appointment of its 20 members on 6 April 2017 signals a new phase in the process of reforming the Moroccan justice system, marked by the implementation of a set of measures aimed at anchoring the judiciary as an independent branch.

- The Council's strategic plan, which has clear objectives and priorities, is based on the rules of good governance and the imperatives of effectiveness, efficiency, transparency and communication in order to live up to the ambitions of this institution.

- In terms of planning, Morocco has distinguished itself by adopting a national strategy implemented through a Plan of Action for Democracy and Human Rights for the period 2018-2021 (PANDDH).

- Morocco has continued to strengthen national protection mechanisms, in particular the reorganisation of the National Council for Human Rights, which missions were expanded in September 2019 with the establishment of three protection and prevention mechanisms: the National Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the National Remedy Mechanism for Child Victims of Violations; and the National Mechanism for the Protection of the Rights of People with Disabilities.

- Based on the conviction that all human rights are universal, indivisible and interdependent, His Majesty King Mohammed VI launched the National Initiative for Human Development (INDH) in 2005 as an integrated plan to build upon political achievements, through the promotion of citizens' economic, social and cultural rights, and the fight against social and territorial disparities, gender discrimination and inequalities, etc.

- Under the High Orientations of His Majesty the King, Morocco has endeavoured to promote, respect and protect the rights of all persons, particularly the most vulnerable populations. Thus, Morocco has made a major effort to harmonize its national legislation with the principles of the Convention on the Rights of the Child, notably through the adoption of a new Family Code in 2004, a new Labour Code in 2003, Law no. 19-12 on the employment conditions of domestic workers, Law No. 15-01 on the care of abandoned children, Law No. 37-99 on civil status, as well as several revisions of the Criminal Code and the Code of Criminal Procedure.

- The third phase (2019-2023) aims, mainly, to support people in precarious situations, improve
the income and economic integration of young people, and promote the human development of the rising generations, in order to honour its commitments to achieve the Sustainable Development Goals of the 2030 Agenda. Morocco pays particular attention to the rights of people with disabilities, as part of the high regard in which His Majesty the King has always held them. Thus, Morocco has adopted a framework law for the protection of persons with disabilities, as well as a National Strategy to promote the rights of persons with disabilities for the period 2017-2021.

• With regard to the rights of older persons, the Kingdom has established a solid legislative and institutional framework for their promotion, respect and protection, in particular through the relevant provisions of the Constitution, the Social Charter of the Economic, Social and Environmental Council, the Dahir establishing the National Council for Human Rights, the Family Code and the Criminal Code.

• Within the framework of the National Immigration and Asylum Strategy launched by His Majesty the King in 2013, Morocco is implementing policies and programmes aimed at facilitating the integration of legal immigrants, upgrading the regulatory framework for immigration and asylum, setting up an appropriate institutional framework, and managing migration flows in compliance with human rights. This strategy, which is divided into 11 sectoral and cross-cutting programmes, is guided by the principles of a humanistic, coherent and responsible global approach based on human rights, compliance with international law, renewed cooperation and shared responsibility.

• Given its active and responsible engagement in the management of the migration issue at the international level, Morocco hosted in December 2018 the Intergovernmental Conference for the Adoption of the Global Compact on Migration, marked by the adoption of the Global Compact for Safe, Orderly and Regular Migration, known as the Marrakech Compact.

• At the instigation of His Majesty King Mohammed VI, a Special Commission was set up to design a new Development Model in order to identify the priorities and the way to achieve the changes expected by 2035 in Morocco. The Commission presented its report in May 2021, reviewing all the issues at stake and listing the actions to be taken to consolidate the country’s achievements.

• The main objective of the report is to "release energies and restore confidence to accelerate the march towards progress and prosperity for all". It is "a common reference framework for all the driving forces in their diversity", which places "the human being" at the heart of the priorities of public policies. It also renews the national compact that guarantees both equity and freedom, protection and autonomy, innovation and historical rooting, diversity and unity in the service of a new ambition.

• With a view to strengthening good governance by 2035, the new Development Model places particular emphasis on the protection and promotion of human rights, including education, justice and freedom. In particular, it aims at:
  o The promotion of equality and parity and zero tolerance for all forms of violence and discrimination against women, the protection of the fundamental right to compulsory education and childhood.
  o The strengthening of individual and public freedoms and their protection by the judiciary as a necessary condition for the creation of a climate of confidence and the liberation of all energies.

• In the context of the COVID-19 pandemic, the Kingdom of Morocco, under the High Vision of His Majesty King Mohammed VI, has adopted a holistic approach based on human rights, in particular the right to life and health but also all economic and social rights, on proactivity, inclusion and complementarity between actors (public sector, private sector, and civil society).

• As part of this approach, Morocco took proactive health measures, as soon as the first cases
of COVID-19 appeared on its territory, to safeguard public health. These inclusive measures were designed to protect the rights of all populations on its territory, including migrants, in the context of an unprecedented health crisis, and are in line with all international human rights legal instruments.

- Aware of the economic and social repercussions of this crisis, the Kingdom has taken courageous decisions to mitigate them, particularly with regard to the most vulnerable segments. It is within this framework that the Kingdom undertook, on High Royal Instructions, the creation of a Special Fund for the Management of the Pandemic, endowed with nearly 4 billion dollars, as well as an Economic Follow-Up Committee, whose mandate was to ensure the follow-up of the economic repercussions of the health crisis and to identify the priority measures to support the most affected economic sectors. In the same vein, the Kingdom has undertaken an operation of monthly direct payments to the most vulnerable households, particularly in rural areas and those employed in the informal sector.

- A recovery plan, with a budget of 100 billion dirhams, was launched upon Royal Instructions to support the recovery of economic activity and create the conditions for an inclusive post-COVID recovery.

- The Moroccan authorities have also provided for covering bank interests on consumer and housing loans for 400,000 citizens.

- In the light of the lessons learned from the management of the pandemic, His Majesty King Mohammed VI has launched the universalization of social coverage, a major step in the promotion of economic and social rights, based on four pillars: the generalization of Compulsory Health Insurance, the granting of family allowances to all households; the granting of pensions to the uninsured active population; and unemployment benefits for the active population in unemployment.

- For years, Morocco has made numerous commitments to the youth, notably through the enshrinement of a special position for the youth in the Constitution, calling on the public authorities to take all measures to generalize the participation of young people in the Kingdom’s socio-economic, cultural and political development, the adoption of a quota for young people in the Parliament and the launch of the Integrated National Youth Strategy 2015-2030.

2. **At the institutional level**:

- Morocco’s commitment to the protection and promotion of human rights is also reflected in the strengthening of the institutional framework for human rights through the creation of numerous institutions such as: the National Council for Human Rights; the "Al-Wassit" Institution -the Ombudsman-; the Interministerial Delegation for Human Rights; the Authority for Parity and the Fight against all Forms of Discrimination; the National Authority for Probit and the Fight against Corruption, etc.

3. **Strengthening the role of civil society**:

- The new constitution of 2011 gives civil society a key role in the democratic development of the Kingdom. The Interministerial Delegation for Human Rights in Morocco is one of the few administrations in the region that has instituted a State-NGOs partnership, encouraging the strengthening of dialogue and partnerships with civil society, and contributing to the reinforcement of the latter’s capacities, by establishing mechanisms and procedures for the development of cooperation with NGOs, and by reinforcing their role in the development of public policies relating to human rights.

**International and regional cooperation on human rights:**

- The Kingdom of Morocco has made the promotion and protection of human rights a fundamental dimension of its diplomacy and its relations with all its partners in the UN context, as well as in its Maghreb, Arab-Muslim, Euro-Mediterranean and African neighbourhood, and in the context of South-South cooperation and partnership.
Morocco has undertaken several cooperation actions in the field of training and capacity building in the area of human rights for the benefit of various brotherly and friendly countries.

In the wake of its firm commitment to contribute to the advancement of the three pillars of the UN, namely peace and security, human rights and development, Morocco has always played an active role in the Middle Eastern and African environments.

Morocco has worked tirelessly to reaffirm the important role played by national human rights institutions and ombudsmen and mediators in promoting the effective exercise of human rights and fundamental freedoms. Thus, it was on Morocco’s initiative that the UN General Assembly adopted resolution 75/186 on the role of Ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law, a text adopted by consensus and co-sponsored by 90 UN member states.

Morocco, together with Argentina and France, are the pen-holders of the joint bi-annual resolution 76/158 on the “International Convention for the Protection of All Persons from Enforced Disappearance”, which was adopted by consensus and co-sponsored by 81 Member States.

The Kingdom of Morocco, an age-old land of welcome, is at the confluence of several migratory currents. As a token of the visionary scope of the National Immigration and Asylum Strategy that was launched in 2013, His Majesty King Mohammed VI was appointed African Leader on the issue of migration by the African Union. It is in this capacity that His Majesty the King presented an African Agenda on Migration to the 32nd African Union Summit. In recognition of the leading and ambitious role played by Morocco in bringing the voice of Africa to the governance of migration, Morocco hosts, since December 2020, the African Migration Observatory, which aims to address the structural need to provide reliable data to understand the phenomenon of migration and its diverse dimensions in Africa.

As a country of openness, peaceful coexistence, tolerance, and respect for all religions under the Commandery of the Faithful, Morocco presented to the UN General Assembly resolution 75/303 entitled "Combating Hate Speech: Promotion of Interreligious and Intercultural Dialogue and Tolerance", a text adopted by consensus and co-sponsored by 90 UN member states. Through this resolution, it was decided to convene a high-level meeting of the General Assembly on 18 June 2022 to commemorate the first International Day against Hate Speech.

In recognition of Morocco’s role as a major actor of the dialogue among civilizations, under the High Vision of His Majesty the King, Commander of the Faithful, the Kingdom will host the 9th Forum of the UN Alliance of Civilizations in 2022, which will be held for the first time in Africa. Morocco has also organised a special meeting at the UN on the "Global Commitment to Action by Religious Leaders and Faith-Based Organisations to Combat the COVID-19 Pandemic".

Similarly, Morocco reiterates its unwavering commitment to the full respect of the special status of sacred places, as well as the need to work together to maintain and safeguard them, while considering them as oases of serenity, spaces of enlightenment and places for the blossoming of the culture of peace, coexistence and cohabitation. Indeed, Morocco is one of the five pilot countries of the Mapping Project worldwide. The UN Alliance of Civilizations chose Morocco as a pillar of this global mapping project based on its respect for freedom of religion and various faiths and its efforts to safeguard religious sites.

Morocco has launched a Call to Action at the UN to support the humanitarian response to the COVID-19 pandemic. The objective is to promote international solidarity and cooperation, partnership and people-centred solutions based on international humanitarian law.

Morocco’s aspiration to serve, once again, in the UNHRC thus reflects its unwavering commitment to multilateralism as a fundamental framework for the preservation and defence of human rights, the establishment of peace, the fight against inequalities and
human rights violations, and the promotion of cooperation, solidarity and dialogue.

**Morocco's pledges:**

Morocco's aspiration to serve, once again, in the UNHRC thus reflects its unwavering commitment to multilateralism as a fundamental framework for the preservation and defence of human rights.

Morocco plans to use its forthcoming election to the Council as an opportunity to further boost its membership and contribution to the promotion and protection of human rights, through:

(i) **Strengthening international solidarity**;
(ii) **Protecting fundamental freedoms**;
(iii) **Promoting climate change issues and human rights**;
(iv) **Promoting gender equality, fight against discrimination and all forms of inequality**.

To this end, the Kingdom of Morocco undertakes to:

- To continue to develop its action in favour of human rights both domestically and internationally;
- Continue to support the work of the Human Rights Council, as the main body of the United Nations system for the promotion and protection of human rights;
- Work to strengthen UN human rights mechanisms, including the Treaty Bodies and the Universal Periodic Review;
- Pursue its efforts to promote education and training in the field of human rights at the national and international levels;
- Promote exchange of experience and best practices between States, with a view to strengthen dialogue and cooperation, more particularly South-South cooperation, in the field of human rights;
- Share Morocco’s experience regarding the permanent national coordination mechanisms in charge of reporting and follow-up to the recommendations issued by UN human rights bodies;
- Continue its cooperation and constructive dialogue with the Special Procedures both in terms of visits and activities to implement their mandates and their cooperation with the Council;
- Continue to cooperate fully with the various Treaty Monitoring Committees by submitting its periodic reports on time, engaging in interactive dialogue with the Committees at the time of the review and actively following up on the recommendations made by them;
- Strengthen its commitments related to strategic planning in the field of human rights and promote this practice in the framework of HRC’s work;
- Pursue the harmonization of national legislation with international standards and, where appropriate, the ratification of the few international instruments to which Morocco is not yet party.