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COMMITTEE ON ECONOMIC, SOCIAL  
AND CULTURAL RIGHTS  
Pre-sessional working group  
17-20 May 2005

**IMPLEMENTATION OF THE INTERNATIONAL COVENANT  
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**List of issues to be taken up in connection with the consideration of the  
third periodic report of MOROCCO concerning the rights covered by  
articles 1-15 of the International Covenant on Economic, Social and  
Cultural Rights (E/1994/104/Add.29)**

## **I. GENERAL INFORMATION**

1. Please provide updated information on factors and difficulties that impede the State party's ability to implement its obligations under the Covenant, especially in Western Sahara.
2. Please provide updated information on the results of initiatives taken by the State party to tackle the debt burden.
3. Please provide information on whether the mandate of the Human Rights Advisory Council also covers economic, social and cultural rights.

## **II. GENERAL LEGAL FRAMEWORK**

4. Please indicate the status of the Covenant in the legal order of the State party, and provide information on cases which have been brought before domestic courts involving violations of rights enshrined in the Covenant.

## **III. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)**

### **Article 2 (2) - Non-discrimination**

5. Please provide information on the concrete steps taken by the State party to implement the provisions of the Covenant relating to non-discrimination, particularly with regard to the population of Western Sahara.

### **Article 3 - Equal rights of men and women**

6. Please provide updated information on the progress of the reform of the Personal Status Code proposed by the Royal Commission (report, paras. 69 ff.).
7. Please provide additional information on specific measures taken to ensure women's rights, in particular measures to promote women's effective participation in decision-making affecting the sustainable development of the country.
8. Please provide updated information on the present status of women, particularly with regard to inheritance rights, divorce and polygamy.

## **IV. ISSUES RELATING TO SPECIFIC RIGHTS RECOGNIZED IN THE COVENANT (arts. 6-15)**

### **Article 6 - The right to work**

9. Please provide disaggregated statistics on the unemployment situation in the State party following the adoption of the new Labour Code. In addition, please provide information on results of the measures described in the report (ibid., paras. 90 ff.).

### **Article 7 - The right to just and favourable conditions of work**

10. Please indicate what specific measures have been taken to effectively implement Covenant provisions on equal pay for work of equal value, which is also established in the Constitution.

11. Please indicate the number of cases involving violence or sexual harassment in the workplace that have been brought before the courts, following the reform of the Labour Code, which makes these acts criminal offences.

### **Article 8 - Trade union rights**

12. Please provide updated information regarding the State party's process of accession to International Labour Organization (ILO) Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize.

13. Please describe the progress made in amending article 288 of the Penal Code (*ibid.*, paras. 169-170).

14. Please indicate the present status of the bill on the right to strike, which has been submitted, according to paragraph 171 of the report, to the social partners and the ILO for an opinion.

### **Article 9 - The right to social security**

15. Please provide information on Government mechanisms to monitor private social security schemes.

16. Please provide information on the extent of coverage of unemployment benefits in the State party. Please also provide statistics on recipients of unemployment benefits, disaggregated by sector of activity.

### **Article 10 - Protection of the family, mothers and children**

17. Please list any court cases in which acts relating to the sale or prostitution of children or child pornography were prosecuted.

18. Please indicate whether measures have been taken to address the concern raised in the Committee's previous concluding observations concerning discrimination against children born out of wedlock (E/C.12/1/Add.55, paras. 23 and 47).

19. Please provide information on progress made in the proposed plan of action mentioned in paragraph 213 of the report, which aims at strengthening the protection of children who work in handicraft production and light industries and of girl children employed as domestic workers.

### **Article 11 - The right to an adequate standard of living**

20. Please provide information on measures taken to provide alternative housing to households that have been affected by the programme of slum clearance and the renovation of sub-standard housing.

### **Article 12 - The right to physical and mental health**

21. Please provide information on the medical assistance scheme for the economically vulnerable mentioned in paragraph 275 of the report. Please provide disaggregated statistics concerning the beneficiaries of the scheme and on the types of health problems for which assistance is provided.

22. Please provide additional disaggregated information on the prevalence of HIV/AIDS in the State party as well as information on measures taken to prevent the spread of HIV infection and to support and assist persons living with HIV/AIDS.

### **Articles 13 and 14 - The right to education**

23. Please provide updated information on progress made in the implementation of the National Charter for Education and Training, which sets out the educational policy for the decade 2000-2009 (ibid., para. 317).

24. Please indicate whether, pursuant to Act No. 04-00, children who are not enrolled in the nearest school lose their entitlement to free education.

25. Please indicate the percentage of schoolchildren who attend private schools, at all levels of education, and provide information on how the quality of education in private schools compares to that in public schools.

### **Article 15 - Cultural rights**

26. Please indicate whether the facilities for the linguistic and cultural development of the Amazigh community called for under the National Charter for Education and Training have been effective. In addition, please indicate the number of universities that have been provided with such facilities and the percentage of Amazigh students that benefit from them.

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