

Economic and Social Council

Distr.: General 11 March 2010 English Original: French

Committee on Economic, Social and Cultural Rights Thirty-sixth session

Summary record of the 16th meeting Held at the Palais Wilson, Geneva, on Wednesday, 10 May 2006, at 3 p.m.

Chairperson: Ms. Bonoan-Dandan

Contents

Consideration of reports:

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

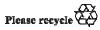
Third periodic report of Morocco

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.09-46595 (E) 230210 110310



The meeting was called to order at 3.15 p.m.

Consideration of reports (continued)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Third periodic report of Morocco (E/1994/104/Add.29; HRI/CORE/1/Add.23/Rev.1; E/C.12/1/Add.55; E/C.12/MAR/Q/2; E/C.12/MAR/Q/2/Add.1 and E/C.12/MAR/Q/2/Add.2)

1. *At the invitation of the Chairperson, the delegation of Morocco took places at the Committee table.*

2. **The Chairperson** welcomed the delegation of Morocco and invited it to present the State party's third periodic report.

3. **Mr. Bouzoubaa** (Morocco) said that Morocco's election to the Human Rights Council was an honour for his country, and conferred on it the international recognition it had always sought as a country that respected human rights, and in particular their universality and indivisibility.

4. The political and social programme being carried out by King Mohammed VI placed people at the centre of the human rights debate, and was intended to improve the well-being of the Moroccan people by ensuring that all civil and political rights and economic, social and cultural rights were respected at all levels, in the private as well as the public sector. Despite its limited resources and the rising price of fuel and energy, Morocco had decided to modernize the country, and had launched numerous projects with a view to fulfilling its national and international obligations. Achievements included bringing electricity to villages, which should be completed by 2007, and providing safe drinking water, which should be accessible to 90 per cent of the population, also in 2007. The rate of school enrolment was currently 91 per cent, and unemployment, at 9.8 per cent, was at its lowest level in the last 35 years.

5. Several national initiatives had been launched since the submission of the third periodic report. The first was the National Initiative for Human Development, which had been provided with a budget of 10 billion dirhams for the period from 2006 to 2010. Announced on 18 March 2005, its purpose was to transform Morocco into a modern State founded on democracy and respect for human rights, and to modernize the infrastructure. To that end, it was working together with social partners in local communities, with elected officials, the private sector, civil society and regional and national institutions to determine the level of urgency and the needs of the initiative's primary beneficiaries. Priority had been given to 360 local rural societies and 250 urban areas that were among the poorest in Morocco. The concern with accessibility, good governance and solidarity fell within the framework of the Millennium Development Goals.

6. The purpose of the second initiative was to foster human development, making closer social relations the thrust of all programmes carried out by the Government of Morocco.

7. The third initiative was the presentation, on 30 November 2005, of the results of the Moroccan Equity and Reconciliation Commission, which had been mandated to investigate enforced disappearances and to establish the amount of compensation to be paid to the victims, which amounted to US\$ 100 million. For its part, the Consultative Council on Human Rights had the responsibility of strengthening the human rights system and ensuring that human rights were taught in schools and universities.

8. The fourth initiative had the goal of harmonizing national legislation with international law, in particular with regard to the protection of children, women, and persons with special needs.

9. Finally, the fifth initiative had led to the creation of three economic and social development agencies, in the northern, southern, and eastern regions of the Kingdom. The purpose of those agencies, which were institutes of public law, was to formulate and implement programmes in those three regions.

10. The Family Code and the Labour Code had been adopted in recent years, providing additional guarantees for children, women, and workers. They forbade work by children and enshrined the principle of equal pay for equal work. Since March 2006, obligatory medical coverage had been expanded, and the number of people eligible had risen by 15 per cent.

11. The Code of Public Freedoms covered freedom of the press, freedom of association and the right to organize, and the Code of Criminal Procedure guaranteed the right to due process and the principle of the presumption of innocence. The Moroccan legal framework had undergone a significant reform, and amendments had been made to the provisions of criminal law prohibiting torture as well as to the Code of Criminal Procedure and the Code on Abandoned Children.

12. Reforms had also been undertaken in the economic and financial spheres, with a view to regulating competition, the creation of businesses, and real estate law. A draft code on money laundering, and draft legislation to grant Moroccan nationality to children born of a Moroccan mother and a foreign father, were being considered. All those measures should enhance the observance of human rights.

13. New ministries had been created to handle economic, social and cultural matters, such as the Ministry of Social Development, the Family and Solidarity, the Ministry in charge of the Moroccan Community Abroad, the Office of the Secretary of State for the Family, Child Welfare and Disabled Persons, the Secretary of State for Rural Development, the Secretary of State for Literacy and Non-Formal Education, and the Secretary of State for Youth.

14. Morocco had also established many institutions, including in 1990 the Consultative Council on Human Rights, in conformity with the Principles relating to the Status of National Institutions (the Paris Principles) since April 2001; in April 2004 the office of the Moroccan ombudsman Diwan Al Madhalim, empowered to address violations perpetrated by the administration; the Superior Council of Audiovisual Communication, responsible for regulating the press and other media; the Royal Institute for Amazigh Culture, which championed one of the essential elements of Moroccan identity; and the Hassan II Fund for Economic and Social Development. On 25 August 2006, the Moroccan Government had endorsed the Declaration and Plan of Action for 2006–2015 adopted by the United Nations Special Session on Children.

15. In the context of cooperation between the Moroccan Government and civil society organizations, a national strategy for equity and equality had been developed, emphasizing social solidarity in all matters related to economic and social development. A monitoring centre had been set up to combat violence against women, with responsibility for following up on complaints lodged on those grounds; in addition, work was continuing on the implementation of the National Charter for Education and Training, in order that future generations might participate in organizing the economic, social and cultural development of the country. The Charter reaffirmed the importance of school for young people who wished to broaden their horizons. Under the first phase of the Charter, which was planned to be implemented over 10 years, a number of national programmes had been launched in the area of mother and child health and reproductive health. Other programmes sought to

humanize prisons, to combat illiteracy, to give assistance to marginalized population groups and to broaden access to land ownership and decent housing.

16. Morocco was committed to the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights and of all other international human rights instruments. King Mohammed VI often drew attention to the importance of those rights for the development of Morocco.

Articles 1 to 5 of the Covenant

17. **Mr. Pillay** said that according to reliable sources, it appeared that the judiciary was not completely independent, that it was vulnerable to pressure and that some judges were corrupt. The Committee would welcome clarifications from the delegation of Morocco.

18. He regretted the absence of satisfactory written replies to some of the questions on the list of issues. In particular, he would like to know what the Moroccan Government was doing to monitor the implementation of the Covenant in the Western Sahara and whether the national courts had had the occasion to take decisions in cases involving the rights protected by that instrument, particularly with regard to marriage between a Muslim woman and a man belonging to another faith, or the granting of Moroccan nationality to a child born of a Moroccan mother and a foreign father. Had the State party taken legislative, judicial and administrative measures to give effect to the provisions of the Covenant?

19. The Moroccan delegation should indicate whether the law required all public buildings to be accessible to disabled persons. It should also explain whether the criminal court had taken decisions in cases of discrimination against Saharans, and whether women, in particular women from the Western Sahara, had lodged any such complaints with the Diwan Al Madhalim.

20. **Mr. Atangana** enquired how matters stood with regard to self-determination for the Western Sahara. Noting with concern that women's civil status was inferior to that of men under many traditional practices, in particular the ownership of land after a divorce, he requested the State party to provide information on specific measures it had taken to improve the lives of women in Morocco.

21. **Mr. Kerdoun** welcomed the efforts of the Moroccan Government to improve the human rights protection system, and to establish the Equity and Reconciliation Commission to resolve the matter of disappeared persons. He asked whether the establishment of the Commission meant that Morocco acknowledged that human rights violations had taken place there in the past, and if so, when. It would be interesting to know whether the Moroccan people had been consulted about the establishment of the Commission and whether, in the view of the delegation, the Kingdom would enter a new era of respect for human rights when the Commission had fulfilled its mandate.

22. He also wished to know what percentage of the Moroccan population was Amazigh, whether the Royal Institute for Amazigh Culture — whose establishment he applauded — was an independent body or whether it was answerable to a public institution, and if so, which. In addition, he would like to know whether the Amazighs enjoyed their rights under the Covenant. In that regard, he regretted that Amazigh was not a national language.

23. He would also like to know what impact the Association Agreement on economic, social and cultural rights signed by Morocco and the European Union in 1995 had had in Morocco.

24. The delegation of Morocco should explain how the rights of undocumented migrants from sub-Saharan African countries returned to Morocco after attempting to reach Europe were protected. He would also like to know whether Morocco had concluded migrant

readmission agreements with European countries, in particular Spain, and whether regroupment camps had been set up in Morocco.

25. Welcoming the establishment of the Mohammed VI Foundation for the Protection of the Environment, he observed that the right to a healthy environment was linked to other rights, such as the right to health, the right to housing, the right to food and the right to water. He asked whether that right was enshrined in the Moroccan Constitution or in national legislative or regulatory texts.

26. **Mr. Tirado Mejía** said that the delegation of Morocco should provide additional information on new developments unfolded in the Western Sahara since the consideration of the second periodic report. He would also like to know to what extent civil society — especially non-governmental organizations — had participated in the preparation of the report.

27. **Mr. Sadi** asked what the status of the Covenant was under domestic law, whether the national courts had invoked it as a basis for a decision, and whether the Covenant took precedence in cases of conflict between it and domestic law.

28. In addition, he enquired whether the Consultative Council on Human Rights monitored respect for economic, social and cultural rights in the same way as for other fundamental rights, and if so, whether the delegation could provide specific examples to demonstrate it. He would also like to know whether decisions taken by the Council were binding or merely advisory opinions, whether the office of the Moroccan ombudsman Diwan Al Madhalim was empowered to take on cases involving failure to observe economic, social and cultural rights, and if so, whether it already had. It seemed that discriminatory acts could be punished by up to one year's imprisonment and fines. Had those punishments ever been handed down?

29. Observing that polygamy was permitted in the Kingdom of Morocco under certain circumstances, he asked whether the State party could guarantee equality between men and women in that context.

30. **Ms. Bras Gomes** noted that the privatization of basic public services prevented lowincome households from benefiting from them, since they were no longer free. Women in general — especially heads of household or Amazighs — were the first to suffer from that situation, especially in major urban centres, which contravened the principle of gender equality. Inequalities between men and women meant, for example, that few women held positions of responsibility and that a large number of women had low-skilled jobs. In her view, the fact that the principle of equality between men and women was not explicitly enshrined in Moroccan law, that no legislation prohibited discrimination based on sex, and that stereotypes regarding the role of men and women in society were persistent, were reasons for the current situation. She would like to know whether the Moroccan Government was aware of the existence of those inequities, and, if so, whether it planned to take short-term measures to inform the public that much remained to be done if respect for human rights was to be achieved.

31. **Ms. Ghose** asked whether the mechanisms set up to hear complaints from victims of discrimination seeking compensation — the ombudsman's office, for instance, or the administrative courts — were financially accessible to persons of modest origins, especially women, and more so Amazigh women, who were subject to double discrimination.

32. She had been surprised to learn that only 25 per cent of the population of Morocco was Arab and that the great majority was Amazigh. That being so, the report under consideration did not provide sufficient information about the Amazighs, in particular about discrimination against them. According to her sources, members of that population group were deprived of several of the fundamental rights enshrined in the Covenant: they did not

have the right to give an Amazigh name to their children, or have access to education in their native language, which contravened the principle of the universality of education. She would like to know whether, in the view of the delegation of Morocco, those elements constituted discrimination.

33. She also wondered whether progress had been made since the amendment of the provisions of the Family Code regarding polygamy, which strictly regulated and set specific conditions for the practice while empowering the courts to take decisions in such cases. Information about the evolution of the relevant case law would be welcome.

34. The delegation of Morocco should explain whether single mothers had access to justice and education and were able to provide for their basic needs, since basic services were harder to obtain for persons who were poor and female.

35. **Mr. Rzelpiński** enquired whether any judges had been dismissed from their posts or convicted for corruption in 2004 and 2005; how many women had attained positions in the judiciary; and what proportion of the security forces and the army were Amazigh.

36. He would welcome additional information on laws or royal decrees providing assistance to disabled persons who were discriminated against, and on any practical measures taken to eliminate the traffic in persons, especially children.

37. He would also like to know what specific measures the Government of Morocco had taken to combat the common practice in the country, whereby poor families from rural areas sent their children (often girls under the age of 12) to work as domestic servants in the homes of rich urban families.

38. Lastly, he asked whether the Family Code would improve the status of single mothers.

39. **Mr. Abdel-Moneim** enquired whether Moroccan citizens could invoke the provisions of the Covenant before the courts, and if not, why not.

40. **Mr. Kolosov** asked whether the State party, which was a democratic State, had incorporated into its Constitution the principle enshrined in article 1, paragraph 1, of the Covenant, whereby all peoples had the right of self-determination, and that, by virtue of that right, they could freely determine their political status and freely pursue their economic, social and cultural development. The question arose as to how the Government and the King of Morocco understood the term "all peoples", since they seemed to adopt a different definition from the authors of the Covenant.

41. **The Chairperson**, speaking in her personal capacity, enquired why the Ministry of Human Rights had been subsumed into the Ministry of Justice, and whether the Ministry of Justice had the same powers as the former Ministry of Human Rights.

42. **Mr. Bouzoubaa** (Morocco) said that, having heard the concerns of the members of the Committee about the situation of the Amazighs, he had the impression that the dialogue was about a country other than Morocco. The members were mistaken in their views. In fact, there was no distinction between Arabs and Amazighs in that country, since all were Moroccans and enjoyed the same rights. Under the French occupation, efforts to exacerbate the difference between them, by the adoption of a law establishing a distinction between Berbers and Arabs, had failed on a number of occasions. Indeed the King, who was the symbol of Moroccan unity and a descendent of the prophet, was married to an Amazigh woman. The various Arab and Amazigh tribes that made up the Moroccan people had mingled early on, and the notion of "indigenous" did not apply in Morocco as such. There was therefore no segregation, in law or practice. Solely accent and dialect might suggest that the speaker belonged to one or the other of those two communities.

43. He recalled that he himself had led an arduous campaign for human rights for many years, as a member of the opposition, and had founded the Moroccan Human Rights Association. Ever since his party had become the majority party, he had done everything possible to ensure that the culture of human rights was paramount and that Moroccan legislation abided by international human rights instruments.

The judiciary was independent, in accordance with Ministry of Justice precepts. As 44. in many other countries, the courts were overburdened: they handled over 3 million cases yearly, which did not prevent the judges from fulfilling their duties conscientiously. Furthermore, the authorities had demonstrated their intent to combat corruption and bribery in the judiciary. The Supreme Council of the Judiciary had been created to handle matters related to the advancement, mobility and assignments of judges. The Council - whose independence from the executive power was based on the French model --- functioned as it would in any other democratic regime. It was also a disciplinary board, and had reviewed the cases of more than 60 judges accused of corruption: depending on the gravity of the offences, they had been given a warning, dismissed, or temporarily suspended. Some had even been sentenced to prison for having committed irregularities and for having undermined the profession and its code of ethics. Since 2005, worthy judges had been promoted and received salary increases, which should dissuade them from accepting bribes. The Ministry of Justice did not meddle in court cases, and the Government of Morocco wished the judicial authorities had more power.

45. If they committed slander, journalists could be prosecuted and convicted. In such cases, they lost no time before introducing a political dimension into the debate and shedding doubt on the existence of freedom of the press, even though they were being prosecuted for breaking the law, like any other citizen in similar circumstances.

46. As for the question of the Western Sahara, he recalled that the Committee was empowered to consider questions of an economic, social and cultural nature, and not political ones. That being said, throughout Morocco everyone was entitled to the fundamental rights enshrined in the Covenant. In Western Sahara, the Saharans were able to enjoy their rights just as the rest of Morocco's population, and were represented in Parliament as well as in municipal and rural councils. He also pointed out that Morocco had a complex history, having been under French control, under international mandate, and also under the sway of Spain. Morocco had liberated itself region by region and the Western Sahara was the last region to win its freedom. The Saharans were not victims of discrimination of any kind; they benefited from comprehensive programmes and when the King had visited the region he had received a warm welcome. He invited the members of the Committee to visit the region in order to assess the situation for themselves.

47. Morocco upheld the values and principles of Islam, which called for respect for the dignity of women. The new Family Code was precise with respect to divorce. Divorce proceedings could now be initiated by women, and the divorce would be granted if the judge hearing the case failed to reconcile the parties within six months. Similarly, women no longer had to obtain consent from their brother or father in order to marry, and within the household, parents shared the upbringing of their children. A woman could make an agreement with her husband with regard to household finances and could establish in advance the terms of divorce or inheritance. Since the adoption of the new Code, the number of marriages had risen and the number of divorces had dropped by 30 per cent.

48. Polygamy, which allowed a man to marry four women, had been permitted in the past, first, because many men had died in the war and many women had been without husbands, and secondly, in cases in which the first wife was sterile. In the second instance, polygamy protected that woman from divorce while guaranteeing the presence of children in the family. Under current socio-economic conditions it was difficult to support more than one woman; moreover, polygamy existed in only 0.7 per cent of households. The Family

Code allowed for polygamy under certain conditions: the first wife must first of all give her consent and the husband must have a good reason for opting for polygamy, as well as the financial means to provide for the needs of his wives equally. If the first wife was sick or sterile, it was the judge who decided whether or not to permit the husband to marry another woman.

49. In Morocco, women enjoyed all the fundamental rights: if they had equal skills and responsibilities they received the same salaries as their male counterparts, and enjoyed the same employment opportunities. There were currently 600 women judges, and many women in the medical and business sectors. In general, it seemed that women living in the countryside were freer than those who lived in cities.

50. NGOs had been consulted for the preparation of the report, and had received copies. He pointed out that Morocco was a poor country with limited resources and was obliged to decide its priorities if it wished to carry out all its projects successfully. The growth rate was 7 per cent, except in times of drought, when it fell to 1 per cent.

51. Moreover, Morocco was a country where peace, tolerance and dialogue reigned, and where Muslims, Jews and Christians lived together harmoniously, all exercising their rights. Among the country's sources of revenue were tourism and natural resources such as phosphate. These were augmented by the salaries sent home by the many Moroccan nationals working abroad. Assistance from the European Union was therefore welcome for the implementation of large-scale projects such as the renovation of tourist areas.

52. Morocco was located only 12 kilometres from Europe, and was therefore a transit country for African migrants. When they were sent back to Morocco, illegal migrants were treated humanely. In 2005, 9,000 migrants had been flown back to their countries of origin at the expense of the Moroccan authorities, after having been cared for and fed throughout the identification and expulsion procedure. They all saw Europe as paradise, but the European Union was no longer issuing visas, and freedom of movement now merely meant the movement of merchandise, not people. On its own, Morocco could not continue to shoulder the burden of protecting its shores, and was requesting aid from the European Union for that purpose.

53. Morocco respected international human rights law, and the Moroccan Constitution established that international law had primacy over the relevant national laws, and should therefore be applied by the courts. National legislation should be reviewed accordingly in order to avoid conflicts. Any Moroccan citizen who deemed that his rights had been infringed could apply to the courts for compensation; it was more important to enforce existing laws than to enact new ones.

54. Women could own real estate on the same terms as men, and spouses could co-own their home. The Family Code made provision for cases in which a wife was unemployed and took care of the children and home while the husband provided for the needs of the household: in the event of divorce, the wife could maintain that she had sacrificed her career in order to bring up her children and had therefore not been able to put aside savings, in which case the judge could, under the provisions of the Family Code, grant to her a portion of her husband's wealth.

55. In practice, Morocco had independent courts and competent judges empowered to hand down judgements within set time frames. In alimony proceedings, for instance, judges were required to take a decision within three months; in divorce proceedings, the period was six months. The Government of Morocco had asked judges to achieve greater consistency in their decisions, with the emphasis on implementing the provisions of the Family Code.

56. The fact that the Equity and Reconciliation Commission had been placed under the authority of the Consultative Council on Human Rights merely demonstrated the rapport between the Government of Morocco and NGOs. When the Council had been created in 1990, its role had been to review all reports about Morocco published by international organizations and civil society associations, such as Amnesty International, which denounced human rights violations, injustices and acts of torture committed against political prisoners. After King Hassan II had studied the Council's report, he had considered means of remedying the situation and ensured that such practices were prohibited.

57. Since 1995, the Consultative Council on Human Rights had reviewed thousands of files relating to enforced disappearances and arbitrary detentions that had occurred in Morocco in the past, and had set up an arbitration system enabling victims to claim compensation from the courts. A comparable number of decisions had been handed down, and compensation totalling nearly US\$ 100 million paid to victims. The Equity and Reconciliation Commission had been created in order to handle complaints from persons who had been unable to submit them in due time, in the interests of national reconciliation. All the victims of torture had had an opportunity to describe, on television, the suffering they had endured, and had explained that they did not seek vengeance but wanted people to know what had happened to them in order to prevent any recurrence of such horrific events. After studying the Commission's report, King Mohammed VI had called together all the victims and their families and had offered his apologies, which had greatly helped to reconcile the population and the national institutions.

58. The Royal Institute for Amazigh Culture — mandated to make recommendations and maintain relations with the different ministries with a view to disseminating Amazigh culture — was independent, and was not under the sway of the executive branch. The Ministry of the Interior regulation prohibiting the use of names that had no meaning in any of the Amazigh dialects or which could embarrass the bearer should be repealed since everyone should have the right freely to choose their children's given names. That said, the regulation had had the legitimate intent of ensuring that names given to children should be acceptable and easy to use.

59. Owing to the high number of traffic accidents in Morocco, which caused almost 10 fatalities per day, the percentage of disabled persons might well be greater than in other countries. That was why Morocco reserved 7 per cent of Government posts for disabled persons. In addition, many associations dealt with the reintegration of disabled persons, and family solidarity played an important role.

60. The competent authorities were currently drafting a law to regulate the working conditions of household employees, with a view to requiring employers to treat the domestic employees as they would treat their own children, which had been the case in the past. Moreover, national programmes were under way to enforce legislation establishing equality between men and women. Among other major undertakings, Morocco planned to review its national legislation in order to harmonize it with the international human rights instruments to which the country was a party, in particular since Morocco was a member of the newly established Human Rights Council.

61. The Ministry of Human Rights had been placed under the aegis of the Ministry of Justice, where a special department — the department of fundamental rights — had been created, to enable all the competent authorities to work together on protecting human rights.

62. **Mr. Loulichki** (Morocco) said that the readmission agreement that Morocco had concluded with Spain solely covered Moroccans sent back to Morocco from Spanish territory and did not apply to nationals of the neighbouring sub-Saharan countries. He explained that the repatriation of several thousand nationals of those countries had been

arranged with the embassies of the countries concerned, who had been asked to identify their nationals before they were repatriated and to ensure that procedures used would guarantee respect for their fundamental rights. The scope of the migration problem and the challenges it brought had prompted Morocco to propose to the European Union and to the African countries from which most would-be immigrants came, to hold an international conference on migration and development and on the need for counties both in the North and in the South jointly to manage that sensitive problem.

He said that the Western Sahara was an integral part of the territory of Morocco and 63. that since 1956, it had fought to preserve its territorial integrity within the context of the decolonization process. The proposals made by the United Nations to resolve the conflict in that area had proven unworkable and Morocco was clearly the only country that was prepared to negotiate in order to find a definitive solution. Three times, King Mohammed VI had proposed to end the conflict, offering the populations concerned the option of handling their own local affairs and freely debating their future within the context of a democratic process. For Morocco, it was not a matter of imposing a solution but of offering to negotiate the terms of their autonomy with the other parties. If those other parties showed good faith, and the negotiations therefore had a real purpose, it should be possible to achieve a statute negotiated and accepted by all. To overcome the impasse and respond to the numerous appeals that had been made by the United Nations Security Council, all parties had to demonstrate genuine political will to move forward, as had Morocco. The other parties must accept the principles of negotiations, and understand that the outcome must be submitted democratically to the population concerned. He hoped that approach would be acceptable to all, so that an end could be brought to that artificial problem which was preventing the countries of the Maghreb from focusing on the integration and unity desired by all.

64. **Mr. Atangana** said that in his view, the mere fact that the executive branch could require judges to explain their interpretation of the Family Code, and the grounds for their decisions, threatened their independence. He asked for clarification of that matter.

65. **Mr. Rzepliński** said that even if children working in homes were treated as members of the family in which they worked, the parents of those vulnerable young people had nevertheless agreed to place them in the service of strangers in exchange for a payment. Although he understood that for economic reasons, parents were sometimes obliged to enter into contracts of that kind, he hoped that the authorities would ensure that parents did not need to resort to such arrangements.

66. The delegation of Morocco had stated both that there was no way of distinguishing between an Amazigh and any other Moroccan, and that the Queen herself was of Amazigh origin, which seemed contradictory. If it really was possible to determine who was Amazigh, it would be interesting to know how many Amazigh were serving in the police force or the army. In his view, if Amazighs could work in those capacities without discrimination, it could reasonably be concluded that they were not subject to discrimination of any kind.

The meeting rose at 6 p.m.