



## Economic and Social Council

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

#### Summary record of the first part (public)\* of the 18th meeting

Held at the Palais Wilson, Geneva, on Thursday, 11 May 2006, at 3 p.m.

*Chairperson:* Ms. Bonoan-Dandan

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#### 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* (continued)

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\* No summary record was prepared for the second part (closed) of the meeting.

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*The meeting was called to order at 3.10 p.m.*

**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 (continued) (E/1994/104/Add.29; E/C.12/Q/MAR/2; E/C.12/MAR/Q/2/Add.1 and Add.2; E/C.12/1/Add.5; HRI/CORE/1/Add.23/Rev.1)*

1. *At the invitation of the Chairperson, the members of the delegation of Morocco resumed their places at the Committee table.*

2. **Mr. Abouzaid** (Morocco) said that there was a link between the development of infrastructures such as roads and access to drinking water and the development of agriculture. Thanks to a number of projects and investments, it was now possible to grow citrus fruits and olive trees and to raise livestock in Morocco. An agreement had been signed between the Islamic Development Bank and the Government of Morocco on the funding of a project to provide villages with electricity and to improve infrastructure.

3. **Mr. Eljirahi** (Morocco) said that, in keeping with the recommendations of the International Labour Organization (ILO), the law provides for maternity leave of 14 weeks. Mothers may also take additional leave during pregnancy and in the seven weeks following childbirth and may request leave without pay for one year in order to raise their children.

4. The Government enforced the trade union rights of employees and planned to intensify the dialogue so that more collective agreements were signed. It had also taken measures to start training and literacy programmes in the textile sector, for which 50 million euros had been budgeted.

5. In 2003, the authorities had elaborated a programme of reforms aimed at ensuring the financial equilibrium of the national pension plan. There were three basic plans: the Moroccan Pension Fund, which covered both civilians and military personnel, the social security scheme of the private sector, and the scheme for civil servants. All other existing schemes were complementary schemes.

6. The Labour Code stipulated that wages were freely determined on the basis of collective conventions or agreements adopted between the parties concerned which took the cost-of-living index into account. Labour inspectors were responsible for monitoring the application of the law, and in particular the Labour Code. They carried out their work in complete independence. Morocco had ratified ILO Convention No. 81 concerning Labour Inspection in Industry and Commerce and ILO Convention No. 129 concerning Labour Inspection in Agriculture.

7. **Mr. Loulichki** (Morocco) said that there were no camps in the sub-Saharan provinces, but there were a few in Tindouf in neighbouring Algeria. Morocco had consistently advocated the quickest possible repatriation of the populations there, who were living under difficult humanitarian conditions. To that end, it had launched two programmes; 20,000 housing units had been built under the first programme, which had had 120 million dollars in funding, and another 40,000 units were planned under the second programme, which was currently under way and had 140 million dollars in funding. Thus, more than a quarter of a billion dollars had been raised to build the housing units needed to lodge the entire population of the Tindouf camps. On the other hand, there were no camps in Lâayoune, and since 1975, the Government had been working to implement a policy aimed at overcoming disparities between the northern and southern provinces. At the time of decolonization, the southern provinces which Morocco had inherited had not had any hospitals, schools, universities or other infrastructure; no effort had been spared to close the gap.

8. **Ms. Bras Gomes** asked whether Morocco planned to ratify ILO Convention No. 183 concerning the revision of the Maternity Protection Convention and what prevented it from ratifying ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize. She would also like to know whether the privatization of health-care services impeded access to health-care services, and in particular whether health care for poor rural women was free.

9. **Mr. Pillay**, regretting that the rate of infant mortality was much higher in rural than in urban regions and that, of the 46 doctors per 100,000 inhabitants in Morocco, 44 were established in only two cities, asked what the State party was doing to ensure that the rural population had access to medical care on an equal footing with persons living in cities.

10. He also enquired whether it was true that, since the conclusion of a free-trade agreement with the United States of America, Morocco no longer had the right to use generic medicines, which would probably cause the price of medicines to rise. Prior to signing the agreement, had the Government conducted a study on its impact on the rights embodied in the Covenant, and had it considered the consequences which the agreement might have for the right to health of poor, underprivileged and marginalized persons?

11. **Mr. Sadi** asked whether Morocco made a distinction between nationals and non-nationals in the area of education, i.e. between Moroccan pupils and children of foreigners present in the country and, more specifically, whether everyone had access to education in the same conditions. The delegation might perhaps indicate whether human rights were taught in schools, and if so, at what level, and whether religious instruction for non-Muslims was given in private schools. It should also explain whether the State party had launched a campaign to reduce school dropout rates and whether it planned to make schooling, including higher education, free for both Moroccans and foreigners.

12. **Ms. Ghose** enquired whether a specific law made domestic violence and sexual harassment an offence and pointed out that harassment did not have only a sexual component but could also be reflected in a great variety of inappropriate words, gestures and behaviours and did not occur solely in the family sphere. Did sexual harassment at the workplace constitute an offence?

13. **Mr. Eljirari** (Morocco) said that in order to alleviate social problems resulting from the liberalization of the textile industry, the State had signed an agreement aimed at modernizing and safeguarding the sector, which employed some 200,000 workers, of whom 75 per cent were women, and providing training to employees. To that end, it was cooperating with ILO's Decent Work Country Programme (DWCP), which sought to strengthen dispute settlement mechanisms and create associations to assist safety and health committees and trade unionists.

14. The Labour Code drew upon the provisions of ILO Convention No. 87, which protected trade union representatives. Thus, any violation of the rights of those persons constituted a violation of the right to work, and labour inspectors sought to identify businesses which violated those provisions and to prosecute them in court. Many sentences had already been handed down on those grounds. The Government was currently considering whether to sign ILO Convention No. 87, a step which the administration and the private sector were not expected to oppose.

15. **Mr. Zirari** (Morocco) said that, given Morocco's lack of resources, its achievements in the area of health, and in particular the reduction in infant and child mortality, could be described as spectacular. To reduce disparities between urban and rural regions, the Government was allocating financial resources to help broaden health-care coverage in rural areas and to attract doctors to remote locations.

16. The question of maternal mortality in developing countries had been highlighted at the 1987 Nairobi Conference on the subject. Since then, Morocco had elaborated and implemented a policy to reduce maternal and neonatal mortality. A report on the question had determined the number of such deaths both within and outside health-care facilities and their causes. It had emerged that in general the problem was one of competence and quality of care, and it should thus be possible to reduce the mortality rate significantly by monitoring all pregnancies. Considerable efforts were currently being made to increase the number of maternity units and childbirth facilities and make them more personal. The technical installations had been reviewed with the doctors, and health-care personnel had been trained. Morocco had been a pioneer in the area, having adopted the World Health Organization/United Nations Population Fund (UNFPA) clinical guidelines for the reduction of maternal and neonatal mortality. The improvement in technical facilities and skills would make it possible to reduce the number of maternal deaths effectively.

17. Another focus of action had been on informing and educating women. Civil society had played a crucial role in that regard, and organizations working in the area must combat certain cultural taboos and practices: as everyone viewed pregnancy as a natural event, women did not go to health-care facilities unless there were complications. That was a mistake. Moreover, women who lived in remote areas did not have immediate access to an obstetrician, who alone was able to perform a caesarean in a life-threatening emergency. When an obstetrician was called in too late in such a case, the woman was already dead. However, there had been a spectacular increase in the rate of prenatal care, notably in cases of obstetrical complications, as well as post-partum care. In 1990, 1 per cent of women had given birth by caesarean, as against 12 per cent today. The impact of recent measures taken should make itself felt in seven or eight years, and a complete investigation would be conducted at that time.

18. Some 34 per cent of the population was covered by the compulsory health insurance scheme, and it was expected that 50 per cent of the population would soon be covered under the health-care scheme for the needy, those two components constituting basic medical coverage. The problem would remain of coverage for the 10 to 15 per cent of Moroccans who had small businesses or shops and who often had private insurance.

19. The Government was aware that generic medicines were much less expensive than brand-name medicines, and for that reason only generics were reimbursed under the compulsory health insurance scheme.

20. **Mr. Najem** (Morocco) said that to solve the housing problem, squatter settlements must be restricted, the stock of low-income housing renovated and construction permits issued in rural areas. Housing subsidies must be granted, and more Moroccans must be encouraged to become property owners. Existing slums must be replaced by new housing.

21. King Mohammed VI had asked that special attention be given to the victims of the Al Hoceima earthquake, many of whom were Amazighs, and considerable efforts had been made to improve their living conditions, including through cooperation between the Government and foreign institutions, organizations of civil society and the Moroccan Red Crescent. The region was being rebuilt, and new structures complied with seismic norms.

22. Teachers were trained in specialized institutes of higher learning, preparatory classes and universities. The details of vocational training and retraining were set out in agreements signed with private firms, which financed certain courses. Training classes were also held for persons with disabilities, including blind persons, and for prisoners.

23. **Mr. Aghmani** (Morocco) said that the Criminal Code made sexual harassment an offence and imposed a punishment of up to three years' imprisonment and a fine of 3,000 dirhams for anyone found guilty of sexual harassment or of having used coercion, threats or a position of authority for that purpose. The Criminal Code also punished all forms of

sexual violence. Married women could lodge a complaint for physical assault or emotional abuse.

*Articles 13 to 15 of the Covenant*

24. **Ms. Bras Gomes** wondered what steps the State party was taking to preserve unwritten local traditions, which according to the 2003 Human Development Report on Morocco of the United Nations Development Fund (UNDP) remained marginalized and were in danger of disappearance.

25. **Mr. Kerdoun** asked whether, between 1963 and 2000, schooling had been compulsory for children from 6 to 15 years of age or only from 7 to 13, what type of facilities cared for children aged 4 and 5 in preschool education and whether those facilities were public, private or even religious, such as mosques.

26. He welcomed the growth of informal education since 1997, which aimed to integrate children between 9 and 15 years of age who had never gone to school or had dropped out. Recalling that the age of compulsory school enrolment in the State party was 6, he asked the delegation to explain why some 9-year-old children had never attended school.

27. He also enquired whether the language used for teaching science in primary and secondary school was Arabic, because if that was the case, the fact that subjects such as mathematics and physics were taught in French at university might pose problems for pupils whose classes had been taught entirely in Arabic as part of the promotion of the use of the language in schools, which was one of the goals of the National Charter for Education and Training. He would also like to learn more about the strategy aimed at having only teachers who were Moroccan nationals, from primary school to higher education, so as not to have to rely on foreign assistance. Lastly, was it possible for Moroccan students to take a doctorate so that they did not need to leave the country to pursue their studies?

28. **Mr. Marchán Romero** was concerned that denying the existence of an Amazigh culture as such and not recognizing that Amazighs were a cultural group in their own right might prevent them from asserting their cultural identity and enjoying the rights embodied in article 15 of the Covenant, notably the right to participate in the cultural life of the country.

29. **Mr. Rzepliński** asked whether television channels and radio stations broadcast programmes in the Amazigh language or in one of the Amazigh dialects or whether programmes were solely in Arabic and whether the State party permitted radio stations which broadcast in languages such as French, Spanish or English.

30. Referring to credible reports that the authorities had harassed journalists who had written about difficulties which Morocco was encountering in the economic, social and cultural spheres, he enquired how many cases of that kind had been brought before the courts in the past three years and to what extent the perpetrators of acts of harassment had been prosecuted and punished for having impeded access to information.

31. **Mr. Malinverni**, noting with concern that the enrolment rate was 88 per cent for primary school but only 31 per cent for secondary school, wondered whether the Government considered only primary school to be compulsory. He also asked the delegation whether or not it could confirm other statistics which had come to the Committee's attention and according to which in May 2004, 1.5 million children between 10 and 15 years of age had not attended school and whether it was true that the authorities tended to favour private schools over public schools, which would be prejudicial to children from the most underprivileged social groups.

32. He noted with concern that only 10 per cent of youths of age to attend university did so, that percentage being half of what it was in comparable countries, and that graduates were nevertheless unable to find employment. The question arose as to whether the posts of trained professionals were held by foreigners and whether that was because most students studied law or economics rather than medicine or engineering. He was also concerned that, on average, students spent nearly 10 years in university, instead of 4, because they had to pay for their studies. Was the scholarship system functioning well?

33. **Mr. Texier** would like to know whether, given the number of persons who spoke Amazigh in the State party, it might be possible to make it an official language at some later date, the consequence of which would be to make the teaching of Amazigh in primary and secondary school compulsory and to enable the members of that population group to use their mother tongue in their dealings with the administration and the courts.

34. **Mr. Kolosov**, noting that the issue of Arabs and Amazighs involved much more than just a question of language, asked what measures had been taken by the State party to preserve and promote the cultural identity of the Amazigh population.

35. **Mr. Pillay** pointed out that the concluding observations formulated by the Committee in 2000 at the close of the consideration of the State party's second periodic report had already stressed the subjects of concern raised by the members of the Committee at the current session, namely the need to extend medical coverage to rural areas, to take all necessary steps to reduce the rate of maternal and infant mortality and the high level of illiteracy, especially among women in rural areas, and to ensure that Amazigh people could participate in cultural life and use their language in public life.

36. **Mr. Bouzoubaa** (Morocco) said that in their comments, the members of the Committee gave the impression that the country was divided, which was not the case. Morocco was at the crossroads of several civilizations and had been colonized by Spain, Portugal and France, which had all left their imprint. The question of the Amazighs was not a topical one in Morocco. Anyone who wanted to speak Amazigh, Arabic or French was free to do so. Amazigh existed only in oral form, and the Royal Institute for Amazigh Culture was working on its written codification so that it could be taught at schools in regions in which it was spoken. Thus, from a cultural point of view, the idea of giving Amazigh the status of official language was quite possible. However, the authorities refused to draw a distinction between Moroccans on the basis of their origin and had resisted any attempt made by France in that direction during the colonial period. The Committee should be wary of organizations which sought to introduce such a distinction for political reasons.

37. **Mr. Loulichki** (Morocco) said that in order to minimize the social repercussions of the free-trade agreement on generic medicines concluded between the United States of America and Morocco, the Government had involved as many stakeholders as possible in the negotiation process — parliamentarians and representatives of the Government, the private sector and associations, including associations of manufacturers of pharmaceutical products — and had stressed the need to ensure access for all social groups to medicine. Given the importance of agriculture in Morocco, agricultural products had been excluded from the scope of the agreement. The parties had also decided that if the negotiations of the World Trade Organization resulted in more attractive commercial agreements, the free-trade agreement with the United States would be amended accordingly.

38. Human rights were taught at all educational levels, including at university. Like international humanitarian law, they were also included in the syllabuses of police academies, the judicial training academy and elsewhere.

39. Foreigners had access to universities on an equal footing with Moroccan citizens, and the Government continued to grant scholarships despite the financial burden involved.

Some 6,000 African students studied in Morocco; their enrolment fees were covered by a Moroccan agency for international cooperation, and the Government provided them with low-cost housing as part of its relations with African countries and in order to promote South-South cooperation.

40. It was not true that students prolonged their university studies; they did so only if they changed their field of study. The problem facing Morocco, which was typical of developing countries, was that training did not meet the needs of the market. Students enrolled in law and economics in much greater numbers, because unlike the study of medicine, pharmaceutical sciences, engineering or architecture, there were no entrance examinations for those subjects. The Government was working to introduce a new system of career guidance for students who were unable to complete their university studies, the aim being to suggest training and help them find employment. It was also very important to find a solution to the problem of the brain drain to the countries of the North.

41. Radio stations had been broadcasting programmes in the Amazigh language for decades. News was broadcast first in Arabic, then in French and in the three Amazigh dialects. In the context of the liberalization of the audio-visual sector, Moroccan, Spanish, French and American companies had submitted a number of joint projects to create television channels and radio stations.

42. At national level, the right to self-determination was the right of a population to participate in the political decision-making process and in the Government. That right was guaranteed for all Moroccans, regardless of colour, sex or cultural specificity. At international level, that right had been laid down by the Charter of the United Nations and confirmed in the Declaration on the granting of independence to colonial countries and peoples contained in United Nations General Assembly resolution 1514 (XV). General Assembly resolution 1541 (XV), adopted 24 hours after resolution 1514 (XV), provided that self-determination for a population could take three different forms: accession to independence; integration with an existing State; or free association with an independent State. Since 1970, the expression of the right to self-determination could also manifest itself by the free expression of the will of populations in any other form. Thus, autonomy was an expression of the right to self-determination in that it enabled the population concerned to decide on a plan for autonomy which had been negotiated between all the parties concerned.

43. **Mr. Aghmani** (Morocco) said that copyright laws also covered folklore and oral traditions. Festivals were organized throughout the country, notably in Essaouira and Marrakech, to celebrate the cultural heritage, and steps were taken to record oral traditions in order to keep a record of them and to ensure that they were preserved and protected. The various dialects of the country had their place in the audio-visual sector, and the high authority for audio-visual matters had signed agreements with the first and second channels setting a quota for the broadcast of programmes in French, Arabic, Tachelhit and Tamazight. In the same way, all locally produced films and videos must be translated.

44. **Mr. Najem** (Morocco) said that Arabic was the language used in primary and secondary schools, except in private schools, where the language was French.

45. **Mr. Zirari** (Morocco) said that there had never been any question of privatizing health care. Moroccan doctors were free to work either in the private or the public sector. Some public health-care facilities were administered independently, and in such cases persons who were insured under a health-care scheme paid their bill, indigent persons submitted a document as proof that they were destitute, and persons who were not covered paid directly when they had the means.

46. **Mr. Laraki** (Morocco) said that, since submitting its second periodic report in 2000, the Kingdom of Morocco had made considerable efforts to combat illiteracy, but had not

achieved the desired results because of the country's rapid demographic growth. In 2004, 43 per cent of the population, or 10 million persons, had been illiterate. Illiteracy was much higher among women than among men, especially in rural areas, where 65 per cent of women were affected. One million children were not enrolled in school, and 250,000 children, or 1 in 3, dropped out of school every year, despite a Government initiative to re-enrol them or to encourage them to take vocational training. Thanks to a general mobilization at national level, with the active participation of civil society and district-level partnerships, progress was expected to be made in the area, the objective being to eradicate illiteracy by 2015. In 2006, the Government had allocated 150 billion dirhams for that effort.

47. **Mr. Malinverni** said that it was possible for a country to have several official languages without its unity being threatened. In fact, multicultural societies made up of several ethnic or linguistic groups were very fortunate. The sociological composition of the population should be reflected in the Constitution.

48. He was concerned that the Arabic literacy campaign was also conducted for Amazigh-speakers: there was a risk that persons who spoke Amazigh might become literate in a language other than their mother tongue.

49. **Mr. Aghmani** (Morocco) said that children who dropped out of school were usually from underprivileged backgrounds and must work to help the family make ends meet. In 2003–2004, 23,821 children had received informal education, of whom 15,447 had benefited from programmes to combat child labour and were expected to return to the regular school system. In cooperation with civil society, children who had been placed in the Tindouf camps would also be returning to school.

50. **Mr. Najem** (Morocco) said that the Government was aware of the high dropout rate among nomadic populations that migrated from one region to another, and to address the problem it had set up a programme for nomads living alone or in groups as well as for those in remote areas. Morocco was also taking steps to introduce subsidies for families in rural areas, where it also planned to build schools and perhaps establish a system of itinerant schools. Meals were provided at school.

51. **Mr. Eljirari** (Morocco) said that complaints had been lodged by the Federation of Trade Unions, which had invoked the Labour Code to request the creation of a health-care unit, run by a part-time physician, at every workplace with more than 50 workers or employees. Tripartite negotiations were under way to amend the relevant provisions of the Labour Code, but the trade unions seemed to be opposed to such an agreement. Currently, 60 per cent of the workplaces which were required to set up such a medical unit had done so.

52. **Mr. Ghemija** (Morocco) said that there had not been any harassment of journalists investigating economic, social and cultural rights in Morocco, but journalists who had been sued for libel had been prosecuted. Journalists who made slanderous statements undermined their own credibility.

53. **Mr. Eljirari** (Morocco) said that trade unions must be registered as such with the authorities — who issued them a receipt — if they wanted their activities to be legally recognized by the State. However, some trade unions were not registered because they were in a region that was too far from the authorities, and thus the law was not always applied well.

54. **Mr. Bouzoubaa** (Morocco) said that Morocco lacked the resources needed to implement the Covenant, but it remained committed to ensuring economic, social and cultural rights. It had a record of being a united country despite its cultural diversity and considered that the unity and solidarity of all was a guarantee of security and stability.



Morocco had made progress towards defending freedom and democracy and upheld the values and principles of universally recognized human rights. It sought to promote peace, freedom and development, to meet the challenges of globalization, poverty and illiteracy, and to improve the destiny of all Moroccan citizens in both urban and rural areas. Morocco would give due attention to the concluding observations which the Committee formulated at the close of the consideration of its third periodic report and would continue to cooperate with it.

55. **The Chairperson** thanked the delegation of Morocco for its constructive dialogue with the Committee and welcomed its determination to cooperate and its sincerity. The Committee had thus completed its consideration of the third periodic report of Morocco.

56. *The delegation of Morocco withdrew.*

*The first part (public) of the meeting rose at 5.20 p.m.*