



## Follow-up Report on the Implementation of Equity and Reconciliation Commission Recommendations

**Main Report**  
December 2009

Conseil Consultatif des Droits de l'Homme  
Place Achouhada - BP 1341  
10 040 - Rabat - Maroc  
Tél. : +212 (0) 537 722 218 / 207  
Fax : +212 (0) 537 726 856  
Site web : [www.ccdh.org.ma](http://www.ccdh.org.ma) - E-mail : [ccdhd@ccdhd.org.ma](mailto:ccdhd@ccdhd.org.ma) / [cdh@menara.ma](mailto:cdh@menara.ma)

CCDH - Maroc - Rabat - Juin 2010 - 10 pages

Publications of the Advisory Council on Human Rights

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## Introduction

The Advisory Council on Human Rights (CCDH), pursuant to the royal speech delivered at the end of the mandate of the Equity and Reconciliation Commission (IER) and the presentation of the report on “50 Years of Human Development in Morocco”, was tasked with following up the implementation of recommendations included in the IER Final Report. In that speech, His Majesty the King said, *“I should like to commend the Equity and Reconciliation Commission, its president and its members, for their sincere endeavors, and I call on the Advisory Council on Human Rights to implement the Commission's recommendations. I also call on public authorities to continue their fruitful cooperation with the Council; by doing so, they will be reflecting my determination to promote the pursuit of truth, equity and reconciliation”*.

In the Throne Speech, given on July 30, 2006, His Majesty the King reaffirmed this mission. *“Accordingly, I accepted the publication of the Equity and Reconciliation Commission's Final Report in order to boost the nation's self-confidence. I entrusted the Advisory Council on Human Rights with monitoring the implementation of the report's recommendations, and asked the public authorities to facilitate that mission, each in their respective fields of competence, so that the rule of law may be enhanced and justice done”*, His Majesty said.

As part of executing this mandate, the CCDH worked to follow-up the implementation of the IER recommendations, by adopting a working method to define the areas subject to follow-up, the parties concerned and the means of implementation. As a result, the CCDH set up various multidisciplinary commissions, composed either of the CCDH members alone or including relevant government authorities and civil society actors.

The CCDH has previously elaborated a special follow-up report on the implementation of IER recommendations, on the occasion of its 26th meeting on December 4, 2006, in which it listed the whole actions it carried out to implement the recommendations. This report seeks to outline, in a complete and thorough manner, all the achievements made so far, and includes appendixes on the details of these achievements.



The report has been drawn up in light of the Paris Principles and the role of the national institutions for the promotion and protection of human rights and the monitoring of human rights violations. It is based on the IER Final Report which, upon analysis of the events, facts and contexts associated with the gross human rights violations perpetrated in the past, recommended that constitutional, institutional and legal reforms should be made, and stressed the importance of monitoring the implementation of the recommendations and pursuing the investigation about the still unresolved cases of persons whose fate is unknown and the disappeared. The truth about these cases was not totally uncovered due to the limited period of the IER mandate, the complexity of some cases, or other objective impediments.

This report also falls within the framework of the implementation of the comprehensive action plan that the CCDH Coordination Committee approved at its meeting of January 2006, which is generally related to the following missions of the CCDH:

- Missions that fall within the mandate of the CCDH and the programs of its working groups;
- Missions, as part of pursuing the IER action, particularly as regards investigations and reparations;
- Missions that come under the follow-up of the IER recommendations on the proposed structuring reforms, especially those linked to the CCDH remit and prerogatives.

The Coordination Committee also decided to establish commissions to follow-up the implementation of the IER recommendations pertaining to the following issues:

- Individual reparation program;
- Continued truth-seeking investigation program;
- Community reparation program;
- Legal and institutional reforms.

This report aims to present the results of the work of these commissions. It also highlights the specificities of the follow-up action in the Moroccan transitional justice process, by determining the stakeholders or the parties involved, the areas where the recommendations are to be implemented, as well as the adopted action plan and methodology, in addition to the results achieved. It includes special appendixes that provide detailed information and statistics.

## **CHAPTER ONE**

### **Specificities of Recommendations of the Follow-up Process, Areas and Means of Implementation**



The CCDH was tasked with following up the implementation of the IER recommendations in view of its role in the transitional justice process of our country and the experience it has acquired in this field since the establishment of the Independent Arbitration Commission for Compensation, and also considering transitional justice experiences across the world concerning the implementation of recommendations issued by the truth and reconciliation mechanisms or commissions. The Moroccan experience in the implementation of the recommendations therefore has certain specificities relating to the nature and context of the transitional justice experience, which helped to pinpoint the areas and mechanisms of implementation on the basis of a special perception of the implementation follow-up significance.

### **1. On the Significance of Implementation Follow-up**

The follow-up of the implementation of recommendations of the truth, justice and reconciliation commissions in the transitional justice experiences is the shared responsibility of governments, civil society organizations and other stakeholders. This approach indeed respects the world-wide accepted essence and goals of transitional justice. However, reality and practice have revealed a number of shortcomings, particularly the dispersal of responsibilities, the fragmentation of recommendations and the adoption of contradictory and conflicting approaches and mechanisms of implementation. This situation often results from the absence of a specific entity or body responsible for coordinating the follow-up of recommendations.

In the Moroccan experience, the mandate given to the CCDH should not be interpreted as if the CCDH was the only and exclusive entity responsible for implementing the recommendations. The main objective of this assignment is to ensure coordination in perceptions, approaches and actions among all parties involved directly or indirectly. It also took account of the CCDH role in shaping the philosophy, approach and mechanisms of transitional justice in our country, as well as the experience it gained through the work of the Independent Arbitration Commission for Compensation and the IER. The responsibility to monitor the implementation of the IER recommendations being collective and shared, the CCDH role here is limited to coordinating the implementation process, ensuring the achievement of the goals sought, and seeing to it that all parties involved assume their responsibility in this connection by urging them, drawing their attention to the still unachieved recommendations and assessing their action.

## 2. Specificities of the Follow-up Process

The essential features that characterized the process of monitoring the implementation of the IER recommendations include in particular:

2.1. **The royal commission to the CCDH**, in its quality as a permanent independent national institution for the protection and promotion of human rights, to monitor the implementation of those recommendations in collaboration and coordination with the concerned legislative, executive and judiciary institutions.

2.2. **The short interval between the end of the IER work and the submission** of its Final Report, and the start of implementing its recommendations, compared with experiences of truth commissions around the world. No sooner had the Commission completed its mission than the CCDH Coordination Committee and then the Follow-up Committee started to take the executive measures and carried on with the investigations. This continuous dynamic process could not have taken place unless there was the political will necessary to support it, make it successful and place it in a general context of democratic transition and reform.

2.3. **The required efficiency is achieved** and continuity is preserved, as is clearly reflected in the composition of the CCDH, made up in part of half the former members of the IER and some staff who worked for it. This has provided the necessary expertise and the adequate knowledge of files.

2.4. **The initiative taken by the CCDH**, once entrusted with the follow-up mission, to adopt an approach of openness and put in place participative processes, with a view to achieving efficiency and promoting large and responsible involvement. Indeed, the CCDH has concluded partnership agreements with several government departments and institutions, and set up working groups, follow-up and supervision commissions covering a wide range of areas, as well as communication commissions.

## 3. Parties involved in Follow-up Process

The CCDH developed a participative approach based on the active involvement of all stakeholders in the implementation of the IER recommendations, including government authorities and institutions, civil society actors, and

experts from universities and research centers inside and outside Morocco. As a consequence, a number of actors now contribute to this process, notably:

**3.1. The Advisory Council on Human Rights**, which is the national human rights institution in charge of following up the implementation of the IER recommendations pursuant to the royal speech of January 6, 2006. For this reason, the CCDH established a committee composed of the members of the Coordination Committee and some former members of the IER from inside and outside the Council.

**3.2. Moroccan Government**, as all ministries and public authorities that are directly or indirectly involved in the implementation of the IER recommendations contribute, either individually, jointly or in concert with the CCDH, to the follow-up process.

**3.3. Civil society actors**, including victims' associations, human rights associations, local economic and social development associations, and the networks set up either during or after the IER mandate. They all contribute to the follow-up process by monitoring, proposing or directly cooperating in the implementation of some recommendations (e.g. in areas of community reparation).

**3.4. Semi-public and private sector**: During its mandate, the IER held consultations with some local and national economic stakeholders, and entered into partnership agreements with some semi-public and private sector institutions as part of their mediation role in certain fields, particularly community reparation and the settlement of some administrative and social problems relating to these two sectors. These partnerships developed in the context of the recommendations implementation. In community reparation for instance, the Foundation of the Caisse de Dépôt et de Gestion -CDG- (Deposit and Management Fund), a financial group, was mandated to implement a number of relevant recommendations. In this connection, a joint committee between the CDG Foundation and the CCDH was set up to energize this process and ensure the active participation of the governmental and non-governmental departments concerned.

**3.5. Other parties** which in some way or other have contributed to the implementation of the IER recommendations include the national genetics laboratories of the Gendarmerie Royale and forensic police, forensic medicine department of Ibn Rochd Hospital, Poste Maroc (Moroccan Post Office) and the National Fund for Social Welfare Agencies (CNOPS).

**3.6. External partners:** In view of the international attention that the Moroccan experience received, a number of countries and international institutions offered their support for the implementation of the IER recommendations, each in its own field. Indeed, specific partnership agreements were signed, particularly with the European Union. Under this agreement, the European Commission has supported the implementation of the recommendations on community reparation, by financing part of the first batch of the projects and programs conceived for this purpose, as well as the activities aimed at promoting archives management and memory preservation. Also, the United Nations Development Fund for Women (UNIFEM) has contributed to financing projects for the implementation of gender-related recommendations.

#### 4. Areas of Implementation

The main areas for monitoring the implementation of the IER recommendations are as follows:

- **Pursuing truth-seeking investigations** about pending cases, especially cases of enforced disappearance and those with unknown fate;
- **Individual reparation** for victims and rightful claimants who submitted demands either to the Independent Arbitration Commission for Compensation or to the IER within the time prescribed. Individual reparation is comprehensive and seeks as much as possible to redress the injuries caused. It therefore includes:
  - Financial compensation;
  - Medical cover and medical treatment in emergency cases;
  - Settlement of administrative and legal problems;
  - Social reinsertion of victims.
- **Community reparation** for regions that suffered the consequent damages of gross human rights violations and the communities that experienced marginalization and exclusion.
- **Legal and institutional reforms**, including in particular:
  - Fighting against impunity by:
    - Promoting the judiciary and strengthening its independence;
    - Reforming the criminal legislation system;

- Rationalizing security governance.
- Completing and developing conventional practice in the field of human rights;
- Institutionalizing archives, exploring contemporary history and preserving memory.

## 5. Action Plan and Methodology

The adopted action plan and methodology consists of a number of elements, tools and mechanisms. The action plan is limited by a specific timeframe and is provided with the necessary mechanisms as well as with working groups and administrative staff with an extensive experience in management and communication.

The mechanisms adopted include:

- **Committee for the Follow-up of the IER Recommendations Implementation**

This committee was set up by the Coordination Committee and benefited from an administrative structure that had acquired wide experience in this field within the CCDH and the IER. The major actions undertaken by the Follow-up Committee include completing the administrative and technical formalities relating to investigations, truth-seeking, compensation decisions, archives management, medical care, and reception and guidance of victims.

- **Joint committees between the Government and the CCDH**

The CCDH held a meeting with the Government on June 16, 2006 at the Prime Minister's office, which was chaired by the then Prime Minister, Mr. Driss Jettou, and the CCDH former President, the late Mr. Driss Benzekri. A second meeting between the two parties took place on June 23, 2006 at the Prime Minister's office. As a result of this dialogue, five joint committees between the Government and the CCDH were set up, namely:

- Investigation Completion Committee;
- Individual Reparation Committee;
- Community Reparation Committee;
- Legal and Institutional Reforms Committee;
- Archives, History and Memory Preservation Committee.

The coordination of these committees was entrusted to the respective secretaries-general of the CCDH and the Office of the Prime Minister.

- **Communication plan**

The CCDH adopted a progressive communication plan according to the follow-up process that makes it possible to assess the actions carried out as part of implementing the recommendations, highlight the achievements made and provide the conditions necessary to safeguard the future and consolidate the comprehensive national choice in the field of human rights and freedoms. Within the framework of this plan, the CCDH organized several information meetings to announce the results of its action in various areas (investigations, compensation, medical care, etc.), in which took part civil society actors, the victims concerned, and sometimes their families and representatives, and the press.





## **CHAPTER TWO**

### **Pursuit of Truth-seeking Investigations**



Considering the significant importance of investigations about persons with unknown fate and victims of enforced disappearance for the victims, their families and society at large, and in view of their role in the truth, reconciliation and equity process as well as in turning the page on the past, this report intends to shed light on the final results and conclusions of the IER and the Follow-up Committee in this field. It seeks to highlight the actions and initiatives they undertook and the proposals and commitments they put forward.

Since the actions undertaken by the Follow-up Committee within the framework of investigations are considered a completion of the work done by the IER, in the sense that the term “completion” means the continuation, development and implementation of conceptions, there is a need, from a methodological point of view, to briefly point to the investigations the IER conducted and the conclusions it reached.

## **1. Investigations conducted until End of IER Mandate**

At the end of its mandate, and therefore its investigations, the IER prepared a final report presenting a thorough listing of the gross human rights violations that occurred between 1956 and 1999. The report also included an analysis of the circumstances and contexts of these violations, in addition to a number of suggestions and recommendations.

The report outlined the findings of the IER investigations that made it possible to elucidate the cases of missing persons and individuals whose fate was unknown. It pointed to the pending files, the cases on which the IER could not reach any positive results, and those where the additional requests of some families could not be fulfilled due to the limited timeframe for the IER’s mandate. The report recommended that investigations on the still unresolved cases be pursued. The work of the Commission resulted in tangible conclusions and produced suggestions and recommendations on cases of enforced disappearance, cases of persons with unknown fate, victims of social riots and former secret detention centers.

## Case classification in the IER Final Report

Classification of cases	Number of cases	Breakdown of cases by group or detention center
Persons who died during detention and whose burial sites were identified	90	Tazmamart: 32 Agdez: 32 Qal'at Mgouna: 16 Tagounit: 8 Gourrama: 1 The Mansour Ad-Dahbi dam: 1
Persons who died during armed clashes and whose burial sites were identified	09	Barkatou and Moulay Chafii Group in 1960: 7 cases
		Sheikh Al Arab Group in 1964: 2 cases
Persons who died during social riots	325	- The events of 1965: 50 - The events of 1981: 114 - The events of 1984: 49 - The events of 1990: 112
Persons who died during arbitrary detention or forced disappearance	172	- Dar Bricha - Dar Al Moqri - Derb Moulay Cherif - Tafnidilt - Anfa Airport in Casablanca
Persons who died during armed clashes in the Southern provinces	144	40 persons died on the battlefield and were buried in known places.
		88 persons died during separate battles between 1975 and 1989.

		<p>12 persons the identities of whom were not identified because their bodies were burned.</p> <p>4 persons who died as a result of injuries incurred during clashes, after having been detained and hospitalized. They were buried in regular graves.</p>
Persons still alive	66	Persons who were captured following armed clashes and handed over to the International Committee of the Red Cross, which transferred them to Tindouf on October 31, 1996.
Persons with unknown fate	66	Cases where the constitutive elements of enforced disappearance were present and require the pursuit of investigations
<b>TOTAL</b>	<b>872</b>	

## 2. Tasks performed by Follow-up Committee

### 2.1. Tasks relating to Pursuit of Investigations as defined by Coordination Committee

The Coordination Committee considered the tasks linked to the pursuit of investigations on the outstanding files an urgent priority, considering their nature and challenges as part of the process of turning the page of the past once and for all. It defined these tasks as follows:

Main files	Tasks to follow-up
<p><b>Social riots</b></p>	<ul style="list-style-type: none"> <li>- Pursue the investigations to identify death circumstances and some possible burial sites;</li> <li>- Facilitate the contact of victims' families with the public prosecutor's office in cases requiring the intervention of the latter to determine the identity of victims;</li> <li>- Inform the families of the conclusions reached;</li> <li>- Assist in the organization of funeral rituals in the event of death;</li> <li>- Assist in the settlement of legal and administrative problems arising from death (death certificates).</li> </ul>
<p><b>Persons with unknown fate</b></p>	<ul style="list-style-type: none"> <li>- Pursue the investigations to identify their fate;</li> <li>- Inform the families of the conclusions reached;</li> <li>- Issue arbitration decisions that include the findings of truth-seeking investigations on persons whose fate is undetermined, and a recommendation on the measures to be taken to settle the legal problems caused by death;</li> <li>- Assist in the organization of funeral rituals in the event of death.</li> </ul>
<p><b>Persons who died in detention centers</b></p>	<ul style="list-style-type: none"> <li>- Continue to identify the still undetermined burial sites;</li> <li>- Inform the families of the conclusions reached;</li> <li>- Assist in the organization of funeral rituals;</li> <li>- Assist in the settlement of legal and administrative problems arising from death (death certificates).</li> </ul>

## 2.2. Pursuing Investigations conducted by IER

### 2.2.1. Complementing administrative and technical aspects of investigation files

When the Follow-up Committee received the files that needed further investigations, according to the schedule previously set by the Coordination Committee, the CCDH staff performed the following tasks:

- Recompiling, classifying and managing investigation archives;
- Reexamining and classifying the investigation files in light of public authorities' answers that the IER received one day before the end of its mandate, concerning some of the 66 outstanding cases included in the IER Final Report;
- Analyzing and classifying requests for truth-seeking investigation that the CCDH received after the end of the IER mandate;
- Preparing summary individual reports on the completed investigations;
- Inserting in the database the conclusions reached and decisions made about each file;
- Referring the files that fall within the jurisdiction of the IER and whose requests for reparation were not settled by the IER to the relevant committee.

### 2.2.2. Continuing and developing IER methodology in the pursuit of investigations

In the tasks relating to the truth-seeking investigations, the Follow-up Committee adopted the same methodology which the IER had followed, and sought to improve it. These tasks were aimed at carrying on with the fact-finding missions that the IER had started and could not finish because of substantive difficulties related to the limited period of the IER's mandate and the lack of information on some cases that date back a long way.

The Follow-up Committee adopted the same methodology of the IER that yielded significant results and consisted in pursuing visits to burial sites and secret detention centers and continuing to make contacts with the public authorities, give a hearing to witnesses, identify graves and build tombstones thereon, and visit and receive the families. In addition, the Committee sought the help of the public prosecutor office to instruct the competent authorities to

conduct exhumations in the burial places uncovered by the IER or the Follow-up Committee. The objective was to determine the identity of the victims and confirm or refute the findings reached in this regard, either by examining and comparing the anthropological data on the remains with the victim's pre-death data, or by carrying out DNA analyses. The involvement of the Public Prosecutor's Office in the identification of graves facilitated the exhumation operations and made it possible to benefit from experts in forensic medicine and genetic analysis. Actually, the doctors from the forensic medicine department of Ibn Rochd Hospital in Casablanca and the experts of the national laboratories of the Gendarmerie Royale and forensic police contributed, in a professional manner and with a strong sense of patriotism, to the achievement of very satisfactory results in this area.

In some complex cases that required additional action, the Committee accompanied the families concerned to the detention sites, where exhumation was conducted, and summoned the persons who buried the victims to give their testimony before the family.

It also prepared individual and brief reports on investigations conducted about cases generally categorized as enforced disappearance and persons with unknown fate.

As a consequence, the Committee achieved greater than expected results. For instance, it managed to strengthen the confidence of families in the efforts exerted to uncover the truth, and to raise the awareness of young officials in different state departments during the exhumation operations. Moreover, the participation of Moroccan experts in forensic medicine and genetic analysis highlighted the need to involve and develop these two elements in the truth-seeking process.

This also revealed that forensic medicine and genetic analysis lack the appropriate infrastructure, human resources, material capacities and logistics, not only as regards cases of past human rights violations but also in terms of their role in inquiry and investigation which need to be enhanced to ensure the right to a fair trial.

#### [A. Communication with the parties involved in investigations](#)

##### ● **Communication with the public authorities**

The Committee maintained various and constant contacts with the public authorities, particularly with the Ministry of Justice and the representatives of security apparatuses. These contacts allowed for:



- Hearing or re-hearing a number of former officials and guards of secret detention centers, cemetery custodians, gravediggers and others;
- Obtaining accurate information about the burial places of victims who died during arbitrary detention, in centers most of which the IER identified and became ascertained of the date of death of some victims without being able to precisely identify the graves of most of these victims;
- Hearing former guards in Tazmamart detention center to know about the procedure followed in burying deceased victims in the courtyard adjacent to the detention facility;
- Seeking explanation for public authorities' answers about some outstanding cases among the sixty-six cases categorized by the IER Final Report as of "persons with unknown fate".

- **Involvement of the families of victims and their representatives**

Immediately after its creation, the Committee set up an administrative unit responsible for receiving families of persons whose fate is unknown as well as families of victims who died in social riots or during detention. It informed families about the conclusions of the investigations carried out, and consulted them on a number of decisions on the basis of transparency and participative approach. Families were also informed of the steps to be followed before the closing of files. The Committee paid visits to some families, and held meetings with them or with their representative associations at the CCDH headquarters to discuss the proposals put forward by the families.

- Meetings which the CCDH held with families and their representatives include:
  - An information meeting with representatives of families of persons with unknown fate at the CCDH main offices, in the presence of the Council's president and Follow-up Committee members. During this meeting, the CCDH presented the work that the IER did concerning truth-seeking, the methodology it adopted, the problems it faced and the tasks still to fulfill;
  - Receiving the families concerned with the 66 pending cases, informing families separately of the final conclusions of the Follow-up Committee, and issuing arbitration decisions for the families that were convinced of these conclusions and had never received any arbitration decision;
  - Making home visits to families of victims who died during the June 1981 events, organizing meetings with them at the CCDH headquarters in Rabat and in Casablanca to inform them of the latest developments relating to the

exhumation of bodies from the Civil Protection barracks, delivering the death certificates issued by the Ministry of Justice, and consulting them concerning the arrangement of the cemetery where victims were buried anew;

- Holding regular meetings with the commission representing families of victims of June 1981 events, with the aim of finding solutions for the problems they have, linked to social reinsertion, vocational training and medical care, and rectifying some errors in the previous compensation decisions for a limited number of families;
- Repeated home visits to the families of victims of Nador riots and to local civil society associations once the CCDH receives new information about burial sites, and involving them in gathering anthropological information about victims before their death so as to transfer it to the forensic medicine department of the Casablanca-based Ibn Rochd Hospital for comparison with the data obtained by forensic scientists after an examination of bone samples;
- Holding a meeting with representatives of the Tazmamart Association at the CCDH main offices on the conclusions of investigations about burial places of victims who died at this detention center;
- Making contacts with the sister of M'hamed Ben Ahmed Abbas Marrakechi (also known as Abu Fadi) who died in the detention center of the Mansour Eddahbi Dam, and writing to the Ministry of Foreign Affairs and Cooperation to obtain confirmation about his nationality, believed to be Lebanese or Palestinian, according to testimonies of survivors from the Agdez and Qal'at MGouna centers.

#### B. Visits to burial sites

The Committee made regular visits to confirmed or presumed burial sites on which the IER had worked, the aim being to confirm the IER findings or further verify whether these cemeteries contain persons whose burial place was still unidentified either due to circumstances linked to their death, or because the authorities took corpses to an unknown destination or refused to deliver them to the families. These visits included:

- Yaacoub Al-Mansour cemetery in Rabat where Abdellatif Zeroual was probably buried, according to the information and evidence gathered by the IER;

- Cemeteries of Aboubaker ben Larbi and Bab El-Guissa in Fes to attend the operation of building tombstones for victims of December 14, 1990 events, verify the number of deaths and draw up their list;
- The former military barracks in Tazmamart Fort to verify the closing of the site and determine the method used in burying victims.

### C. Exhumation of some corpses for DNA analysis

The IER, as part of its mandate, had located the burial places of victims the death of whom had been confirmed by investigations. The Follow-up Committee continued the inquiries about victims whose burial place was not identified as well as about unidentified corpses.

In the course of investigations, the Committee found groups of tombs where it was difficult to separately identify the corpses of victims, although their exact number, identities and the groups to which they belonged had already been determined. It was necessary, therefore, to take samples for DNA analysis and comparison with family members' DNA. This operation required the exhumation and reburial of bodies.

The Committee drew on forensic expertise to receive confirmation about the findings pertaining to the identification of victims, particularly in cases where the families insisted on such expertise.

The Committee also involved families in the decision-making process and in the exhumation, sample taking and reburial operations, in total respect for the sanctity of graves and dead bodies and in full compliance with the relevant Islamic religious rituals.

In this regard, the Follow-up Committee, together with the Public Prosecution Office and forensic medicine departments, proceeded with the exhumation of several bodies. The objective of this action was to make forensic anthropological analysis of bones and compare it with the genetic data of the deceased before his death, and conduct DNA analysis on samples of bones and teeth, whenever necessary. These measures were carried out in accordance with the legal provisions and procedures in force, in the presence of representatives of provincial and local authorities, National Security and Gendarmerie Royale officers, officials of the Ministry of Endowments and Islamic Affairs and Civil Protection staff. This concerned the following cases:

- **Victims of social riots buried in mass graves**

- **Exhuming bodies of victims of June 20, 1981 events buried in two mass graves inside the Civil Protection barracks in Casablanca**

Based on the accurate and corroborating information that the IER had received, according to which some victims of the social riots that occurred in Casablanca on June 20, 1981 would be buried in a collective grave inside the Civil Protection barracks in Casablanca, the Public Prosecutor's Office at the Casablanca Court of Appeal, on December 9, 2005, supervised the exhumation of bodies, the taking of samples and the reburial of bodies in individual graves.

A CCDH team followed up the different stages of this operation and informed the families.

The digging was carried out, in the presence of representatives of the various competent authorities, in a soccer field inside the Civil Protection barracks in the Roches Noires district of Casablanca and in the back of its main facility.

At the practical level, the exhumation and sample taking were carried out under the direction of a medical team composed of thirteen medical examiners, in addition to three forensic police officers and two excavation teams of the Civil Protection.

The samples taken were numbered. Upon the approval of the Regional Director of Endowments and Islamic Affairs, bodies were reburied in separate numbered graves in a site located in a corner of the barracks' main courtyard that is adjacent to a public highway and may be separated from the barracks.

- **Exhuming bodies of victims of Nador riots buried in mass graves in the Civil Protection barracks of Nador**

The Final Report of the IER pointed to the conclusions arrived at concerning the victims of Nador incidents whose burial places could not be located. The Follow-up Committee continued to send correspondence to the central authorities, to carry on with the investigations into the burial sites of these victims. Moreover, the arbitration decisions delivered by the IER included a recommendation for the Government to inform the concerned families of all new developments in this issue.

As soon as the local authorities of Nador were informed, in the evening of April 28, 2008, that remains of bodies were found in the Civil Protection barracks of Nador, and the Public Prosecutor's Office-pursuant to the laws in force-ordered the exhumation of bodies, a CCDH delegation travelled in the morning of April 29 to the city of Nador to attend the exhumation process. It was headed by the

CCDH President, and was composed, among others, of a medical examiner from the forensic medicine department of the Casablanca-based Ibn Rochd Hospital.

The Public Prosecutor's Office then issued a press release in which it informed the public opinion of the findings and the measures taken. The CCDH, in turn, published two consecutive communiqués to announce the latest developments, in its capacity as the body responsible for monitoring the implementation of the IER recommendations.

Concerning the identification of victims, and because the preliminary data confirmed the relationship between the exhumed remains and the victims of the tragic events of 1984, the CCDH, in concert with the team of medical examiners and the Public Prosecutor, continued to undertake the measures necessary to find out the identity of those bodies, following the strong evidence that pointed to the relationship between the remains and the 1984 events.

On the same day, a CCDH team made contacts with the families of victims and civil society representatives to inform them of the conclusions arrived at. Also, medical examiners from the forensic medicine department of the Ibn Rochd Hospital in Casablanca separated the corpses according to the applicable scientific techniques and took samples that were later sent to a French genetic laboratory. The results of analyses carried out by the latter confirmed, when compared with the families' DNA saliva tests, the identity of most remains.

- **Victims of enforced disappearance who died in detention centers**

- **Death cases in the Tazmamart secret detention center**

Although the investigations led by the inquiry team and the Follow-up Committee revealed the identity of most of the deceased thanks to the signs placed on each grave, the Committee, in response to the requests of families, decided to carry out further investigations by means of forensic medicine to confirm the identities.

As a consequence, the CCDH sought permission from the Public Prosecutor's Office for the exhumation of the bodies of all the deceased in order to carry out anthropological examinations. The exhumation was undertaken by medical examiners on November 12-13, 2006, upon the order of the Public Prosecutor and in the presence of the competent local authorities.

■ **Death cases in the Agdez and Qal’at Mgouna secret detention centers**

Upon the request of the CCDH and under the direction of the Public Prosecutor’s Office, a commission headed by the Public Prosecutor to the Court of First Instance visited the two former detention centers of Agdez and Qal’at Mgouna, in the presence of local authority representatives, for the exhumation of bodies buried in these sites, the recording of anthropological data related to bones and the taking of samples for DNA tests, if need be.

This operation, which all commission members observed, was carried out by four medical examiners. Civil Protection members unearthed and shrouded the bodies, put them in wooden coffins and reburied them in the same graves.

It is worth to mention that the family of late Ouazzan Belkacem insisted on the necessity to make DNA tests on his body before closing the file. In response, the CCDH and the family of Ouazzan Belkacem, together with the president of the Moroccan Forum for Truth and Justice (FVJ), made a visit on May 27, 2006 to the cemetery of Agdez for the exhumation of bodies and the taking of samples for DNA tests in order to determine the identity, sex and genetic profile of the bodies.

■ **Exhumation of a body buried in the Caïdat of Gourrama for reburial in the regular cemetery**

Following the same legal procedures relating to the exhumation and transfer of bodies, the remains of Nafii El-Bourdissi were unearthed from an old depository located in the back of the Caïdat (local rural district authority) of Gourrama, and transferred to the regular Muslim cemetery in the center of Gourrama.

■ **Exhumation of a body buried in the detention center of the Mansour Eddahbi Dam and its transfer to the Qal’at Mgouna cemetery**

Notwithstanding the fact that the IER had received no request from the family of M’hamed Ben Ahmed Abbas Marrakechi (also known as Abu Fadi according to testimonies of living victims who were detained with him in the Complexe, Agdez and Qal’at Mgouna centers), perusal of the registers of detainees made it possible to obtain the address of his family in Lebanon.

Also, the efforts made by the Ministry of Foreign Affairs and Cooperation, upon the request of the CCDH, helped enter into contact with the members of his family. As a result:

- The Follow-up Committee and the family of the deceased made an initial visit to the detention center of the Mansour Eddahbi Dam on April 13-14-16, 2006. During this visit, a meeting was held with the local public authorities, and the Committee provided the family with the information it had, gave a hearing to a guard of the center, observed the burial site and completed the exhumation and transfer formalities;
- On May 28, 2006 a second visit was made to the Mansour Eddahbi Dam, during which the body of M'hamed Ben Ahmed Abbas Marrakechi was exhumed, put in a coffin and transferred, at the request of the family, to the Qal'at Mgouna cemetery.
  - **Other cases of exhumation for DNA tests due to the following reasons:**
    - Difficulty to determine the identity on the basis of investigations, because of the absence of witnesses to confirm the information contained in the official registers, in the case of Abdelhak Rouissi;
    - Difficulty to determine the identity on the basis of investigations, due to the lack of reliable testimonies about the cases of Abdeslam Taud, Brahim El-Ouazzani, Moulay Slimane Alaoui and Mohamed Bennouna.

- **Exhumation: qualitative progress in truth-seeking, and scientific capacity-building in this field**

On the back of a participative approach involving the different stakeholders in the pursuit of truth-seeking, and following a methodology aimed at confirming the findings arrived at while acknowledging the impediments to determining the identity of victims in some cases, or approving the conclusions reached while raising the scientific capacities of the competent departments, the CCDH was able to conduct the exhumation of 182 bodies, either to transfer them or to determine the identity of the victims.

To surmount these difficulties, the CCDH organized a workshop on June 29, 2006, in which took part a team of medical examiners from Argentina. They presented the Argentinean experience in the conduct of in-depth investigations to determine the identity of victims of gross human rights violations, through the anthropological examination of the remains. The CCDH also provided support to the National Genetics Laboratory of the Gendarmerie Royale for the participation of some of its staff in a training session abroad in DNA analysis to improve their professional capacities in this field. In the same connection, the CCDH signed a protocol of cooperation, on February 12, 2008, with the Ministry of Justice (Criminal Affairs and Pardon Department), the Ministry of

Interior (the National Laboratory of Forensic Police) and the High Command of the Gendarmerie Royale (the Genetic Laboratory of the Gendarmerie Royale). Following the signing of this protocol, the Genetic Laboratory of the Gendarmerie Royale carried out DNA tests on seven priority cases.

A steering committee composed of the said two laboratories, the Ministry of Justice and the CCDH made a scientific and objective assessment of the conclusions arrived at concerning these seven cases. Then, the committee reclassified the samples taken so that results are obtained within reasonable deadlines to meet families' expectations and reinforce the scientific capacities of the competent departments. This process was conducted according to the scientific data listed in the table below:

Cases	In-depth investigations were conducted to identify the body		Anthropological examination		Utility of DNA analysis	
	Yes	No	Yes	No	Yes	No
Death cases in Tazmamart	✓		✓			✓
Death cases in Tagounit	✓		✓			✓
Death cases in Agdez	✓		✓			✓
Death cases in Mgouna	✓		✓			✓
Death cases in Gourrama			✓			✓
Death cases during Casablanca riots of June 20, 1981		✓		✓		✓
Death cases during Nador riots of January 1984		✓	✓		✓	
Individual separate cases		✓	✓		✓	

Based on these data and new classification, the CCDH drew up the final list of cases requiring identity determination via DNA analysis out of the total cases of exhumed bodies, according to a new working method which consisted in:

- Entering into contact, in close collaboration with the laboratories of the Gendarmerie Royale and forensic police, with an international laboratory



having extensive experience in DNA analysis, which led to the signing of a protocol complementing the initial protocol between the CCDH and a French genetic laboratory on February 17, 2009;

- Transferring the samples requiring DNA tests abroad in two batches, the first on April 20, 2009 and the second on July 5, 2009. This will enable the families concerned to receive the conclusions once they are submitted to the Council.

#### D. Pursuit of investigations on outstanding cases of persons with unknown fate

The IER Final Report concluded that the total number of cases of persons whose fate was unknown, and about which the truth was not completely uncovered, stood at 66. It recommended that investigations to reveal the fate of these persons be pursued.

As part of implementing this recommendation, the Follow-up Committee continued the inquiries and analyzed the information that the IER had received on the eve of the end of its mandate and decided not to adopt because they had not been submitted on time. In analyzing and classifying these cases, the same methodology used by the IER was adopted.

The Follow-up Committee received the families concerned, informed them of the conclusions, involved them in the final decision-taking, and assisted them in the legal procedures relating to the closing of their files.

Also, the Committee asked the public authorities to provide further explanations about cases with incomplete information.

#### E. Opening of new files for relatives of some victims of social riots

Upon perusal of some hospital registers and comparing them with the IER database, the Follow-up Committee identified the addresses of relatives of some victims who had not presented any request to the IER. The CCDH contacted these persons at their homes, and searched for the new addresses of those who changed their place of residence with the help of old neighbors. The Council checked with the families the information included in the registers, and assisted them in submitting their applications in accordance with the recommendation instituting the IER. Other families contacted the Council for the first time when they learnt through the media about the funerals which the CCDH organized to

the benefit of families of March 1965 victims. The Council assisted them in preparing their files and in identifying the graves of their relatives.

When the discovery of mass graves in Casablanca and Nador was broadcast in the media, some families got in touch with the CCDH to present a request for the location of the burial place and apply for reparation.

Therefore, and on the back of the in-depth investigations carried out by the Follow-up Committee, the number of persons who died in social riots and whose fate became known increased from 27 to 46 cases for the victims of 1965 Casablanca riots, from 26 to 76 for 1981 Casablanca riots, and from 11 to 16 for 1984 Nador disturbances.

### **3. The Overall Outcome of the Follow-up Committee Investigations**

The improvement of the working method, the adoption of a participative approach aimed at involving families and informing them of the impediments to the complete uncovering of full truth, and the application of scientific expertise to the identification of several victims, helped achieve significant results and deal with complex, old files that sometimes dated back to the 1960s. These accomplishments are as follows:

#### **3.1. Locating graves of persons whose burial places had been unknown**

The Follow-up Committee was able to locate the graves of a number of persons who were confirmed dead but whose burial sites remained unknown. These cases concern the victims of social riots of Casablanca in 1965 and 1981 and of Nador in 1984, and persons who died during the incidents of March 3, 1973.

##### **3.1.1. Victims of March 1965 riots buried in the Chouhada Cemetery in Casablanca**

The IER had already determined the identity of 27 victims of March 1965 riots in Casablanca, and only received eight requests from the families of victims.

The Follow-up Committee managed to obtain the addresses of the victims' families from the registers of hospitals where they were transported before their inhumation. It searched for relatives of victims who had not submitted their requests to the IER, and assisted the families in processing their files, identifying the graves of their relatives and obtaining death certificates. The Committee also helped families to organize funerals in the presence of civil society associations and local public authorities.

The tables below show the names of victims who died during the riots of March 1965, including names already mentioned in the IER Final Report and those who appear for the first time on the lists thanks to the work of the Follow-up Committee.

**Victims buried in the Casablanca Chouhada Cemetery  
and mentioned in the IER Final Report**

Serial number	Full name	Age at death	Information on the grave		
			Square number	Row	Grave number
1	Brahim Ben Hamou	34	21	1	163
2	Ahmed El Moussaoui	19	21	1	22
3	Driss Abdelqahhar	about 15	21	4	183
4	Jilali Ben Bouchaïb	Unspecified	21	1	9
5	Elmostapha Jelloul Ben Abdelkader	14	21	1	176
6	Mbark Zouaq Ben Abdellah	42	21	1	155
7	Rehhal Sedki	31	21	1	18
8	Slimane El Kermoudi	22	21	2	22
9	Abdellatif Mortada	17	21	2	7
10	Abdellah Qatad	18	21	1	13
11	Ali Ben Bella	34	21	1	168
12	Ali Ben Said	25	21	1	2
13	Lahcen Ben Ahmed	37	21	1	172
14	Mohammed Ben Mohammed	21	21	4	9
15	Fatna Bent Ahmed	40	21	1	159
16	Fatna Bent Abbas	Unspecified	21	2	3
17	Elmostapha Bouhmar Ben Abdelkader	14	21	1	5
18	Hafid Bikri	13	20	1	1
19	Rachida Ben Lhimer Zaid	7	10	4	145

20	Labridi Mohammed	26	Registered in the Casablanca Mortuary register
21	Bouhmal Mostapha	Unspecified	Registered in the Casablanca Mortuary register
22	Karmoudi Mostapha	12	Registered in the Casablanca Mortuary register

**Victims buried in the Casablanca Chouhada Cemetery and whose names are for the first time mentioned by the Follow-up Committee**

Serial number	Full name	Age at death	Information on the grave		
			Square number	Row	Grave number
1	Brahim Loujib	26	20	1	52
2	Ahmed Akрати	24	21	1	156
3	Ahmed Smahi	12	21	4	187
4	Abdessalam Bensoussa	33	21	2	13
5	Abdellah Ben Ahmed	70	21	4	16
6	Ali Ben Abdellah Hama	31	20	1	23
7	Mohammed Dellal	33	21	3	131
8	Mohammed Lahlimi	55	20	3	43
9	Mostapha Hammouchi	30	21	4	18
10	Moussa Ben Ali	25	21	1	160
11	Zahra Bent Mohammed	27	20	1	44
12	Ahmed Zehhar	37	21	3	196

**Victims buried in the Sbata Northern Islamic Cemetery of Casablanca and mentioned in the IER Final Report**

Serial number	Full name	Age at death	Information on the grave		
			Square number	Plot number	Grave number
1	Haj Mohammed Ben Tegmout	50	14	14	411
2	Abderrahmane El Absi	28	14	14	441

**Victims buried in the Sbata Northern Islamic Cemetery of Casablanca and whose names are first mentioned by the Follow-up Committee**

Serial number	Full name	Age at death	Information on the grave		
			Square number	Plot number	Grave number
1	El Mahjoub El Asri	45	14	14	383
2	Mohammed El Hridi	26	14	14	396
3	Rkia Bent Ahmed	23	14	14	378

**Victims listed in the IER Final Report and whose graves are still unidentified**

Serial number	Full name	Age at death	Observations
1	Ayyadi Taloui	40	Registered in Ibn Rochd Hospital under number 524.
2	Fadla Bent Mohamed	70	Registered in the intensive care unit of Ibn Rochd Hospital with no number and a remark that she was shot with bullet.
3	Fatna Bent Allal	65	Registered in the intensive care unit of Ibn Rochd Hospital with no number and a remark that she was shot with bullet.

**Victims listed for the first time by the Follow-up Committee  
and whose graves are still unidentified**

Serial number	Full name	Age at death	Observations
1	Abdelhaq Moumen	19	His name does not appear on any register.
2	Abdelkrim Mbark	Unspecified	Registered in Ibn Hospital under number 741.
3	Mohammed Badaoui	37	Absence of information about him and the circumstances of his disappearance.
4	Ahmed El Anouari	Unspecified	Absence of information about him and the circumstances of his disappearance.

It is worth mentioning that the graves mentioned below, located in the Sbata Northern Islamic Cemetery of Casablanca and where are buried –according to strong and concordant evidence gathered by the Follow-up Committee– the victims of March 23, 1965 incidents, bear no names either because victims buried there were registered in the hospital or in the health service as persons with unknown identity, or because the cemetery burial register does not indicate the authority that transferred them to the cemetery:

**Victims of unknown identity buried in the Sbata Northern  
Islamic Cemetery of Casablanca**

Serial number	Cemetery registration number (concordant with the registration number of the hospitak of the health Service	The service transferring the victim to the cemetery	Information on the grave		
			Square number	Plot number	Grave number
1	L95	Mortuary office	20	1	51
2	L97	Mortuary office	20	1	53
3	L98	Mortuary office	21	3	175
4	L99	Mortuary office	21	3	179
5	L100	Mortuary office	21	3	183
6	L101	Mortuary office	21	3	196
7	L102	Mortuary office	21	4	175
8	L103	Mortuary office	21	4	179
9	L115	Mortuary office	21	4	191
10	L121	Mortuary office	21	4	1
11	447	Ibn Rochd Hospital	21	1	157
12	453	Ibn Rochd Hospital	20	1	63
13	22	Unspecified	21	2	159
14	24	Unspecified	21	1	162
15	444	Unspecified	21	4	20
16	447	Unspecified	21	3	87
17	472	Unspecified	21	2	155
18	479	Unspecified	21	1	161
19	5892	Unspecified	21	4	13

**3.1.2. Victims buried in mass graves**

**● Victims of June 20, 1981 social riots in Casablanca**

When the IER obtained accurate and concordant information that a number of victims who died during the said events were buried in a soccer field inside the Civil Protection barracks in Casablanca, a CCDH delegation observed the exhumation process, the taking of samples and the reburial of bodies in

individual graves, under the supervision of the Public Prosecutor's Office and in the presence of local authorities.

The CCDH has reached an agreement with the families of victims, according to which the reburial site would be transformed into a regular cemetery included in the programs on community reparation and memory preservation.

For this reason, families set up a committee to observe the development of the cemetery together with the CCDH and the coordination body in charge of following up the community reparation program in Hay Mohammadi in Casablanca.

On the back of cooperation with the families committee, the Follow-up Committee met families that had never filed requests with the IER. Moreover, the Committee was able, after the in-depth investigations it conducted, to confirm the death of other victims whose fate was unknown by gunshot wounds.

**Final list of identified victims of Casablanca 1981 riots,  
buried in the Civil Protection barracks in Casablanca and  
whose names were mentioned in the IER Final Report**

Serial number	Full name
1	El Hachemi Abdelaziz
2	Mohammed Hammaoui
3	Hassib Mostapha
4	Bechar Mohsine
5	Moussaid Driss
6	Ali Belyazid Afkhar
7	Akrouti Said Boujemaa
8	Hilal Said
9	El Meghri Mohammed
10	Abderrahim Bourja
11	Brahim Kindi
12	Hnabou Abderrazak
13	Boukbouche Mhammad Ben El Arabi
14	Rizki Rabia



15	Alilou Mostapha
16	Mahfoud Ben Lehcen
17	Makhfi Mostapha
18	Mohammed Ben M'hamed
19	Abderrahmane Ben Sissani
20	Lazrak Redouane
21	Khadim Abdellah
22	Ben Elould El Arabi
23	Brahim Ben Ahmed
24	Hassan Zeroual Ben Mohammed

**Final list of identified victims of Casablanca 1981 riots, buried in the Civil Protection barracks in Casablanca and whose names are first mentioned by the Follow-up Committee**

Serial number	Full name
1	El Khalili Miloud
2	Bendrif Ahmed
3	Dadi Mohammed
4	El Ani Abdellatif
5	Basli Hassan
6	Bouchaib Bakri
7	Abdellah Chorouk
8	Fakh Abdelouahed
9	Dadi Abdelhaq
10	Fazza Mohammed
11	El Saoudi Saleh
12	Mohammed Hajib El Bouamiri

13	Atif Rehhal Ben Bouchaib
14	Benmat Abdennebi
15	Hantri Hassan
16	Bouairin Zoubida
17	Mezkour Mostapha
18	Rochdi Ahmed
19	Hani Jamal
20	Mehtaj Abdellatif
21	Himdi Fatima
22	Bennar Fatima
23	Jamal Medjou
24	Said Souidi
25	Belhar Ahmed
26	Zghaidi Mostapha
27	Jamal Sghir Laarbi
28	Brahim Bourk
29	Hamdaoui Youssef
30	Jamali Abdellah
31	Mardi El Hussein
32	Kadmi Mostapha
33	Saghrouchni Youssoufi M'hamed
34	Azouagh Hassan
35	Saidi Ahmed
36	Bouhli Abdelaziz
37	Ben Maitallah Mahfoud
38	Bnou Hajr Abdelhadi
39	Sayyadi Bouchaib
40	Assem Abderrahim
41	Assem Mouh

42	El Hassan Bouhssoun
43	Mohammed Salem Sherraf
44	Kaka Driss
45	Zouhir Abdelouahed
46	Meftouh Brahim
47	Abderrahim Oubssidas
48	Ramzi Abderrazak
49	Mofakkir Abderrazak
50	Abdelkader Boukhari

#### **Victims of Casablanca 1981 riots buried in individual graves**

Full name	Cause of death	Remark
Alexander James John	Stoned to death by demonstrators	His name was mentioned in the IER Final Report Stoned
Nadim Lehen	Died in a private clinic of gunshot wounds	His name is first mentioned by the Follow-up Committee

#### **● Victims of January 1984 social riots in Nador**

Following the requests filed by families of victims who died during the tragic events that erupted in Nador and the neighboring areas, and based on the investigations it conducted, the IER was able to determine the identity of ten persons who died during these riots by gunshot wounds, whereas their burial place remained undetermined. After the location of the mass grave where the victims were buried in the Civil Protection barracks of Nador, the Follow-up Committee carried out thorough investigation and managed to identify six new victims who died during the same events and buried in the said site.

The anthropological examination conducted by a team of medical examiners showed that the remains belonged to sixteen bodies, the data of most of which was compatible with the information delivered by families to the Follow-up Committee. To get further confirmation, it was decided to make DNA analysis to identify each body. To this end, bone samples were sent to a French genetic

laboratory, and the initial results showed the relationship between the remains and the said riots.

**Final list of identified victims of Nador 1981 riots, buried in the Nador Civil Protection barracks and whose names were mentioned in the IER Final Report**

Serial number	Full name	Town
1	Aouja Mostapha	Beni Nsar
2	Bouarourou Saleh	Nador
3	Mimoune Lmjahdi	Zghenghen
4	El Tarhib Hakim	Nador
5	Fares Zouhir	Nador
6	Mrabet Najim	Nador
7	Abdelaziz El Jirari	Nador
8	El Fayda Yahya	Nador
9	Abdelkhalek Houari	Nador
10	Loukili Lkhelifa	Nador

**Final list of identified victims of Nador 1981 riots, buried in the Nador Civil Protection barracks and whose names are first mentioned by the Follow-up Committee**

Serial number	Full name	Town
1	Abderrazak El Masoudi	Zghenghen
2	Azed Ahmed Najim	Nador
3	Amer Abdelhamid	Zghenghen
4	Boudouasser Abdellah	Nador
5	Zaiou Karim Ratbi	Zaiou
6	Abdesslama Mostapha	Nador

### 3.1.3. Victims dead in the aftermath of March 1973 riots

The Follow-up Committee continued investigations into victims dead in the aftermath of the riots that erupted in Morocco in March 1973. Having heard many witnesses, including victims of the same events and officials in Errachidia hospital, the Committee was able to confirm the burial of Mohammed Bennouna and Moulay Slimane Alaoui in the Muslim cemetery of Al-Massira district in Errachidia (known as Lehdeb). To check the burial location, the Follow-up Committee, under the direction of the Public Prosecutor's Office and in the presence of local authorities, observed the exhumation of the remains by a medical examiner. The bone samples were first transferred to the Gendarmerie Royale laboratory. Then, it was decided to take new samples that were transferred to the contracting French genetic laboratory.

### 3.2. Unresolved cases in the IER Final Report (66 cases)

In its Final Report, the IER concluded that the cases of enforced disappearance about which it was not able to uncover complete truth totaled 66. It recommended that investigations be pursued to reveal the fate of these victims.

For this reason, the CCDH continued investigations into this issue, and analyzed the information that the IER had received on the eve of the end of its mandate and decided not to consider because they had been submitted at the last moment of the IER mandate.

The Follow-up Committee drew on this information in examining and categorizing these cases. It also sent correspondence to public authorities to obtain additional information concerning some files. Based on this, the Committee categorized these cases as follows:

#### 3.2.1. Cases of disappearance where the follow-up committee concluded that they happened for political reasons

They are 49 cases, including a person still alive, Mr Abrouk El Alami, who was forced to flee to Algeria and then to Yugoslavia. He disappeared in 1964 and his family received no information on his whereabouts throughout this period. A second case is of Mr Mohamed El-Baakili, born in 1931, who was arbitrarily held for one year in the Casablanca-Anfa Airport detention center, known as Courbis, after the March 1973 events, before being transferred to the Casablanca Civil Prison. After his release, he had been suffering from mental illness, because of the torture he underwent. In 1980, he left his home at five

o'clock in the morning and never came back. His fate remained unknown until 1983, when he returned home in a bad health condition. Four months later, he disappeared again because of the mental illness he was suffering.

The other 47 cases are of persons who died in different detention centers, including three girls and two women. They are as follows:

■ **Girls**

- El Moussaoui El Batoul;
- Ezzhou Rkia;
- Tsselem Sellami.

■ **Two women**

- Khayra Talbi;
- Lhmadi Cheikh Ahmed Fatma.

■ **Men**

- Ahmed Ould Sidi Ould Abdelhadi;
- Mohamed Fadel Jed Ahhlou Essayed;
- Makhlof Mohamed Salem Ould Laabid Ould Hmma;
- Babit Sidi El Mehjoub;
- Taleb Ben Mohamed Mouloud;
- Myyara El Mehjoub Ibrahim;
- Mouloud L'hcen Essayda;
- Mohamed Salem Hamdi Abdellah;
- Sidi Ahmed Ibrahim Lmouahed;
- El Cadi El Khalil M'hamed El Moussaoui;
- El Hifd Ould Hmma Ould M'barek;
- Najem Ould Ibrahim Ould Ahmed Salem;
- Radi Mohamed M'barek Ben Louled Ben Abdellah;
- Ibrahim Salem Ould Ahmed O H'mida;
- Ouhmman Nafae Ben Mmillid Hmma;
- Mohamed Lamine Ould Sidi Ould Laabid Ould Hmma;

- Mohssine Amrani;
- Jamil Mohamed El Haj Amrou;
- Salem Abdellatif;
- El Jawhari Hammou;
- Ait Nacer Sidi Mohamed;
- Hebbaz Boujmaa;
- Oufkir Ali Ben Dehhan;
- Abdellah Ould Massoud Ould Abdelkader;
- Hassna Ould Bichri Ould Sidi;
- Abdeselam Herrafi;
- Omar Abdelouahed Ben Abdelkader;
- H'mmadi Ould Bichri Ould Sidi;
- Mohamed Salem Ould Ahmed Elabd Ould Yehdih;
- Widadi Ibrahim Saleh;
- Bennouna Ahmed Ben Abderrahmane;
- Chemlal Amrou;
- El Khalil Ben Diddi;
- Hassan Ammar Sknna Blaoue;
- Bounane L'hib;
- Ezzhou Mohamed;
- Mohamed El Kouri El Moussaoui;
- Essa'di M'barek;
- Aba Mohamed salem;
- Chouikh Ould Ali;
- Mohamed Ould Ali;
- Mohamed Boufousse.

The appendix of the cases of persons with unknown fate provides summary information on each case.

### 3.2.2. Cases wherein there is no political motivation behind the disappearance of the persons concerned

They are nine cases, including two persons who sank to death, namely Mustapha Amrani and Ahl Sayyed Sid Ahmed. However, on the basis of information analysis, the Follow-up Committee came to the conclusion that there was no political motivation behind the disappearance of the other seven cases, namely:

- Nejmi El Mokhtar;
- Bouzraa Ahmed;
- Kejjari Hassan;
- Idrissi Moulay Hamid;
- Mouloud Bouleh;
- El Fakir Abdelaziz;
- Derched L'habib Ben Mahmoud.

### 3.2.3. Cases wherein neither the IER nor the Follow-up Committee could uncover the fate of the victims or establish full truth about them

These include, according to the year of disappearance, the following cases:

#### ■ **Abdelhak Rouissi**

- Born on October 10, 1939, he was an employee of Bank Al-Maghrib and member of a trade union;
- He was abducted on October 4, 1964 from his home, located close to Café Oliveri in Casablanca;
- On the basis of the investigations the IER conducted, mainly the examination of the way of burial at the Ben M'ssik Cemetery and the perusal of the burial register of this cemetery, it found two graves of unknown persons buried in October 1964. The IER was convinced that Abdelhak Rouissi was buried in one of them;
- The Follow-up Committee exhumed the body and took a sample of the remains to a national genetic laboratory at first and then to a French laboratory;



- The CCDH is still waiting for the outcomes of the genetic analysis of this case to inform the family of the findings arrived at.

#### ■ **Mehdi Benbarka**

Regarding the case of Mehdi Benbarka, the IER Final Report states the following conclusions and recommendations: “Relying on the data which the IER has analyzed and studied, it believes that the Moroccan State is under obligation to assist in uncovering the truth about Mehdi Benbarka’s case, as a concerned party, in view of the implication of one of its security apparatuses in the abduction. It is further required, by virtue of its obligations in terms of judicial cooperation, to facilitate all efforts made with regard to Letters Rogatory for the purpose of uncovering the truth about the case. The Commission recommends further inquiries to help elucidate his fate”.

After the end of the IER mandate, the CCDH continued to look into this case through the following actions:

- Completing the compilation and reading of the writings and texts released and the reports developed on this case;
- Contacting the central authorities to provide the Committee with the data and archives on this issue;
- Holding a meeting with the lawyer of the Benbarka family at the CCDH headquarters;
- Hearing witnesses who were contemporary with Mehdi Benbarka;
- Hearing a former official of Cap 1.

It also held meetings with a relative of Mehdi Benbarka and his family lawyer, and perused relevant archives held by foreign parties.

Despite the efforts made, it transpired that the results which the CCDH may achieve by the means it has, namely the means of transitional justice, will be undoubtedly limited, especially as the collaboration of the parties concerned did not live up to the expectations and the French justice resumed its work in this regard. The CCDH will monitor any developments in this case and intercede, whenever possible, with the parties concerned to uncover the truth about this affair.

#### ■ **Houcine Elmanouzi**

- He was born on March 11, 1943 in Tafraout;
- The IER and Follow-up Committee were able to retrace the history of his

detention since he was abducted in Tunisia on October 29, 1972 until being kidnapped anew from PF4 Center in August 1975;

- Although there is conviction that he died during his enforced disappearance, the Follow-up Committee was unable to determine the identity of the kidnapers, the circumstances of his death and the place of his burial.

#### ■ **Atkou Ahmed Ben Ali**

- He was a ninth-grade student at Le Prince Héritier boarding high school in Ouarzazate in 1974;
- He had connections with students from the southern regions who also disappeared in 1975;
- He disappeared at the end of the 1974 academic year;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

#### ■ **Agoudar El Yazid**

- He worked as a technical assistant in the regional administration of the Ministry of Agriculture in Agadir;
- He disappeared on March 26, 1980 when he was on his way to work;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

#### ■ **Omar El-Ouassouli**

- He was born in 1955 in El Jorf, Errachidia;
- The IER carried out in-depth investigations and concluded that he had been out of the country till 1994;
- Neither the IER nor the Follow-up Committee could prove or invalidate the 2004 news that he was seen on the streets of Errachidia and Arfoud;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

#### ■ **Salhi El Madani**

- He was arrested in 1974 for 15 days when he was student;
- When he got his BA, he was appointed a trainee Caid (head of an urban or rural district) at the Interior Ministry Executives' Training School in Kenitra;

- He tendered his resignation on May 30, 1983, and became a lawyer in 1986;
- He disappeared on May 15, 1986;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

#### ■ **Esslami Mohamed**

- He was born on November 1, 1970 in Touissit, Oujda;
- He disappeared from his sister's home in l'Océan district in Rabat on November 29, 1997 at 9:00 p.m.;
- He defended his doctorate thesis two days before his disappearance;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

#### ■ **Abderrahman Derouich**

- He was a migrant worker in Germany;
- He returned with his family to Morocco on July 4, 1999 for holidays;
- He was seen in his car with three unidentified persons on July 20, 1999;
- His Mercedes 250 also disappeared;
- The IER and the Follow-up Committee believe that there is strong evidence that he was abducted;
- The efforts exerted by the IER and the Follow-up Committee did not result in uncovering the truth about his fate.

## 4. Proposals and Recommendations

In addition to the implementation of recommendations relating to the archives, history and memory preservation, as laid out in the final chapter of this report, the CCDH makes the following proposals and recommendations:

### 4.1. Set up a mechanism to support families whose cases are unresolved or require further efforts to settle some legal problems

As part of pursuing the truth-seeking process, the CCDH has continued to investigate into issues and cases on which the IER was unable to finish work and reach final results. As a result, it was able to resolve many outstanding cases

which were considered complicated either because they are old or in view of the nature of the gross violation to which the victims concerned were subjected and the effects of which were effaced by the perpetrators. This helped end the pains of the long-suffering families, who could not have an official reply acknowledging their pains and the violations against their relatives. This achievement was made thanks to the participatory approach adopted by the CCDH, which mostly consists in providing the families with all information available and involving them in the final decision-taking concerning the closing of their file, while highlighting the state's responsibility for providing information on the place of burial if available.

This approach was marked by gradual sharing of the data available with the families and by the fact that individual arbitration decisions include, in addition to the results arrived at, a recommendation to the government to inform the families of the place of burial. It enabled many families to settle legal problems attendant on the non registration of death in the family record book.

Besides, during the work of the Follow-up Committee, 89 families of the victims of the Casablanca and Nador social riots were able to find out the burial places of their relatives.

The CCDH believes that it is necessary to set up a mechanism with all scientific means and expertise in order to support the families whose cases are unresolved or require further efforts to settle some legal problems, and assist them in closing the file once and for all in such a way as to guarantee their rights.

#### 4.2. Organize a symposium with experts from the forensic medicine department and the national genetic laboratories of the Gendarmerie Royale and forensic police

In this approach, scientific expertise was used to reach the truth and determine the identity of the deceased. Therefore, the CCDH, in collaboration with the Ministry of Justice, intends to organize a one-day symposium with the participation of experts from the forensic medicine department and the national genetic laboratories of the Gendarmerie Royale and forensic police. This event will be an opportunity to pinpoint the difficulties facing medical examiners and to highlight the importance of raising the capacity of forensic medicine departments, strengthening their human resources, increasing their budget and reviewing their hierarchical relation with the ministry concerned with the expertise they conduct. It will also help make proposals to plug legal loopholes

found by the Committee concerning the role of science and expertise in inquiries and investigations, as well as the transfer of bones for analysis.

#### 4.3. Promote the management of cemeteries by involving all parties concerned

As investigations came to an end, the CCDH took note of the deteriorated situation of cemeteries. In most of them, including those in Rabat, the burial does not rest on a well-defined system. Moreover, many cemeteries are provided with neither burial registers nor a watch system, which requires that all stakeholders be involved, including elected community councils, local authorities and the Ministry of Endowments and Islamic Affairs, in order to consider this issue, identify standards to preserve cemeteries and promote their management.

## **CHAPTER THREE**

### **Implementation Follow-up concerning Individual and Community Reparations**



The Equity and Reconciliation Commission contributed to deep-rooting the Moroccan experience of transitional justice through strategic bases and goals which it sought to achieve. It adopted a special philosophy and a comprehensive approach to individual and community reparations based on financial compensation, health and psychological rehabilitation, social reinsertion, settlement of administrative and financial issues, and rehabilitation of the regions that saw gross violations and suffered from marginalization and exclusion.

## **I. Individual Reparations**

It is worth mentioning that in the Moroccan experience in individual reparations and compensations to victims of gross human rights violations, the IER managed to examine all the files submitted to it, render final decisions about them during its mandate and issue relevant arbitration decisions providing for compensation to victims and to their rightful claimants and containing recommendations on other forms of reparations other than financial compensation. The IER had already recommended that health cover be provided to all victims of gross human rights violations and their families who do not benefit from any similar health cover system.

As part of following up the implementation of these recommendations and enforcing the said arbitration decisions, the Follow-up Committee developed an integrated conception for its action plan according to a timeframe set by the CCDH President as late 2008. For this purpose, the CCDH President held meetings with the members of the Committee and the staff of the CCDH Protection Department and some of the CCDH staff. He urged that the process of implementing the IER recommendations should be speeded up.

### **1. Tasks Subject to Follow-up**

The main tasks subject to follow-up in the field of individual reparations are as follows:

- Complete technical and administrative aspects related to arbitration decisions and take all measures to implement them, including in particular the collaboration with the Prime Minister's Office, the Ministry of Finance and Poste Maroc;
- Update the database;

- Process the health cover files, refer them to the National Fund for Social Welfare Agencies (CNOPS) and deliver membership cards to the beneficiaries;
- Draw up the list of those who benefit from the IER recommendations on social reinsertion, coordinate with the relevant government departments and implement the convention signed with the Ministry of Employment and Vocational Training in this regard;
- Define the cases of persons concerned with recommendations on the settlement of administrative and financial situations, and complete relevant data;
- Receive and provide guidance and assistance to the victims and beneficiaries of IER decisions and recommendations.

## 2. Work Outcome

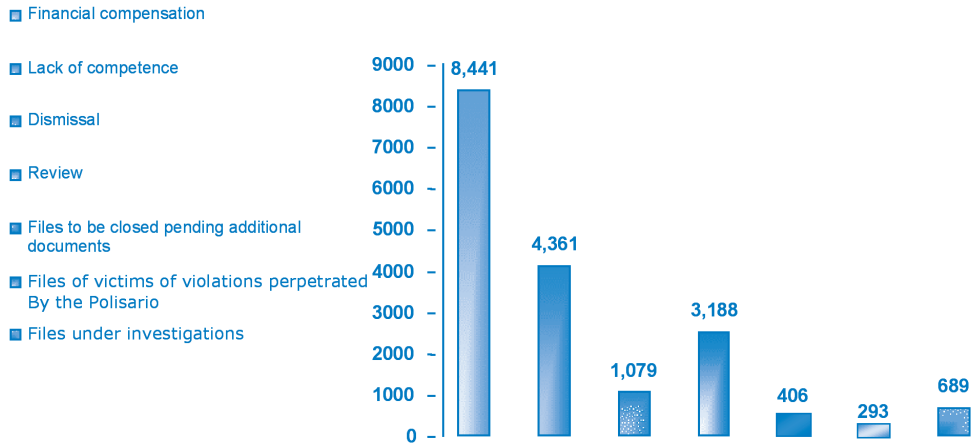
### 2.1. Concerning the completion of files and finalization of technical and administrative aspects of arbitration decisions

The total number of the files on which a final decision was issued by the IER and the implementation of which has been monitored by the Follow-up Committee amounts to 18,457. They are broken down as follows:

- Financial compensation: 8,441
- Lack of competence: 4,361
- Dismissal: 1,079
- Review of arbitration decisions issued by the Independent Arbitration Commission for Compensation: 3,188
- Victims of violations perpetrated by the Polisario: 293
- Files to be closed pending additional documents: 406
- Files under investigations: 689



### Total files under follow-up



The number of files under follow-up amounted to 9,968 in 2008. They were discussed in 90 meetings the last of which was held on December 31, 2008. It was devoted to the examination of the remaining 2,700 files, on which various decisions were issued according to the nature of the file.

The administrative staff assisting the Follow-up Committee is in charge of reviewing all decisions by numbering, signing and stamping them to be true to the original, as well as drafting attached correspondences, taking the necessary administrative measures, notifying these decisions to the persons concerned and copies to the Office of the Prime Minister.

#### 2.1.1. Files on which arbitration decisions of financial compensation were issued

The total files in this regard amount to 8,847, including 406 files on which final decisions have not been issued, as they lack essential documents for the determination of the compensation due to the victim or his rightful claimants.

It is worth noting that the total files on which decisions of financial compensation were issued by the IER amounted to 8,441. They were referred to the Office of Prime Minister in order to provide the sums allocated in installments from 2006 to 2009, after the end of the IER work.

### 2.1.2. Lack of competence

The Follow-up Committee ended the work on files concerning which the IER had decided that they did not fall within its mandate. Their number amounts to 4,361. The relevant decisions were sent to the persons concerned.

### 2.1.3. Files dismissed

The work on all these 1,079 files ended and the relevant decisions were sent to the persons concerned.

### 2.1.4. Files of review

These are files on which the Independent Arbitration Commission for the Compensation of Victims of Enforced Disappearance and Arbitrary Detention issued arbitration decisions either to provide financial compensation to direct victims or rightful claimants, or to dismiss the application. New applications were submitted to the IER to review these decisions or to benefit from other forms of reparations other than financial compensation. The total files are 3,188, which were examined and decisions on which were issued. The CCDH is currently completing the necessary formalities to notify these decisions to the persons concerned.

### 2.1.5. Implementation of the recommendation on victims of violations perpetrated by the Polisario

The IER made a special recommendation concerning the victims of the gross human rights violations perpetrated by the Polisario. To implement this recommendation, necessary measures were taken to apply the proposal reached within the framework of an amicable settlement between the government and the Diwan al-Madalim (ombudsman) to compensate this group of victims. The files, including those submitted previously to the IER or received from Diwan al-Madalim, totaled 280. The technical and administrative measures regarding the relevant decisions are being completed.

### 2.1.6. Implementation of the recommendation on victims of Tagounite detention center

Considering the gravity of the violations suffered by the victims concerned and even though these violations do not fall within the mandate of the IER, the latter decided that a special recommendation should be made to redress their injuries

“in view of the deprivation of their rights as citizens and human beings, and in view of the pains they endured under the conditions of detention and the resulting physical and mental injuries they and their families had suffered”.

In implementation of this recommendation, the Follow-up Committee ended the file processing with regard to victims and issued decisions of financial compensation and health cover. The number of files now reaches 90, including 74 on which decisions were issued, while the remaining still lacks the documents required.

## 2.2. Other reparations

### 2.2.1 Health reparation

#### A. Recap on healthcare for victims until the end of the IER term

The Moroccan experience was characterized by the fact that the IER at its term intervened in the field of healthcare for victims. The IER set this issue among its priorities, allocated resources and made the necessary efforts in this regard. Hence, a medical unit was established at the IER headquarters, staffed with doctors, a social worker and specialists. The tasks of this unit were as follows:

- Receive and provide care for the ill victims, and refer victims in need of special care to hospitals and clinics;
- Move to some provinces to provide health services and undertake the necessary checkups in collaboration with the Ministry of Health;
- Conduct a comprehensive study on the health situation of victims, which gave a general idea about the distribution of diseases, which were classified according to the World Health Organization standards.

On the basis of the findings of this study and the assessment of what was done for victims at the IER mandate in this field, the following two recommendations were made:

- Ensure medical support in specialized healthcare centers for victims in need of urgent medical intervention;
- Enable all victims and their relatives to benefit from the health cover system, while the state should be in charge of paying the necessary fees to the parties concerned with health cover.

## B. Implementation of the recommendation on victims' integration into the health cover system

In implementation of the IER recommendation on the integration of victims into the basic health cover system, cooperation between the CCDH and the government resulted in the adoption of the proposal that victims should benefit from the best available health cover system, namely the AMO-CNOPS, and that the state should pay the membership fees to the CNOPS, the body responsible for managing and implementing this health cover. To this end, an agreement was signed between the parties concerned, and significant progress has been made in its application. The victims and their rightful claimants were registered and the operation of medical cards delivery was organized throughout the country.

The CCDH Department of Protection and Victim Assistance communicates with the beneficiaries from this health cover pursuant to this agreement to process and send their files to the CNOPS.

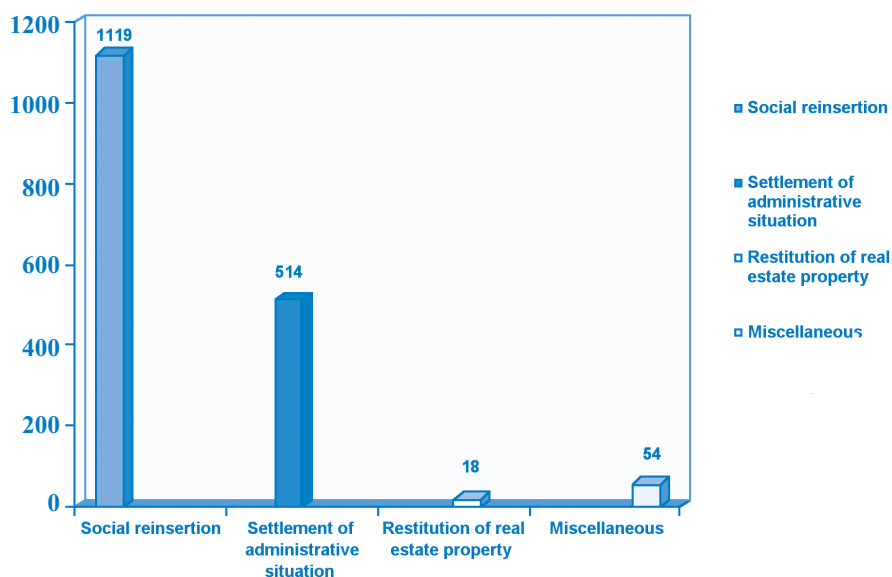
The CCDH received 5,011 files related to the implementation of the health cover agreement, all of which were processed. CNOPS cards are being delivered by the CCDH either at its headquarters or at its regional sections. To facilitate card delivery, cooperation has been established with some human rights associations, such as the Moroccan Forum for Truth and Justice (FVJ) and the Casablanca-based medical association for the rehabilitation of victims of torture.

### 2.2.2. Recommendations on other forms of reparation

The arbitration decisions issued by the IER contained many recommendations on individual reparations. These are:

- Recommendations on the settlement of administrative and financial situations of 514 cases. They were sent to the Office of Prime Minister and the departments concerned. 152 cases were settled;
- Recommendations on social reinsertion concerning 1,119 cases; they were submitted to the Office of Prime Minister; they are now under study in order to find the suitable relevant solutions taking into account the dignity, age and skills of victims, as well as proximity;
- Recommendations on the restitution of real estate property as regards 18 cases;
- Other recommendations: 54 cases concerning delivery of passport or death certificate, notification of rightful claimants about the findings of investigations or retaining the right to compensation pending additional documents.

## Recommendations Issued



### A. Settlement of administrative and financial situations

The CCDH checked the data relating to all cases on which the IER made recommendations to settle the administrative and financial situations. The lists of these cases were submitted to the Office of Prime Minister and the relevant government departments were contacted. The CCDH examined the replies it received from these departments and sent them the documents required.

In coordination with the Office of Prime Minister, the CCDH held a number of meetings with the government departments concerned with these recommendations, in light of what was agreed upon at the meeting held at the Office of Prime Minister on June 16, 2009. As a result, technical joint committees between the CCDH and the relevant government departments were set up to examine the outstanding cases and search for solutions thereto. The numerous meetings which were held to examine these cases made it possible to reach the following conclusions:

- Some cases on which new data emerged were settled and the CCDH notified the department concerned;
- Some cases were difficult to settle, as applicants did not prove their relation to the department they allegedly had worked for, because they were arrested before their graduation or before joining their work;

- The remaining cases are being examined and the parties concerned have been contacted.

Within the same framework, a meeting was held at the Office of Prime Minister on July 28, 2009, attended by representatives of the CCDH and the government departments concerned with the settlement of administrative and financial situations. At this meeting, the findings arrived at within the framework of the bilateral committees between the CCDH and all the departments concerned were presented, and the need to continue their work was highlighted.

## B. Social reinsertion

In implementation of the IER recommendations on social reinsertion of victims and rightful claimants, the CCDH examined this issue with the government. The lists of persons concerned were referred to the Office of Prime Minister and to some government departments to find the best solutions for their reinsertion.

The number of beneficiaries from the IER recommendations on social reinsertion is 1,119 victims and rightful claimants. The files differ from one beneficiary to another in terms of geographic distribution, age and skills.

The CCDH continues to conduct contacts and consultations with the government, given that this recommendation is part of other forms of reparation and will contribute to rehabilitating victims and their relatives. Also, the CCDH is working to make proposals aiming at taking measures likely to guarantee sustainable effects for victims.

In this regard, the CCDH ensured the implementation of the partnership and cooperation agreement with the Ministry of Employment and Vocational Training on June 2, 2008. Therefore, meetings to examine the implementation of work methodology were held, which resulted in drawing up an early list of 372 cases, as a first experience. 70 persons desirous to benefit from vocational training programs and the services of the National Agency for the Promotion of Labor and Skills (ANAPEC), were identified, with the aim of generalizing this experience to other victims and their rightful claimants.

The CCDH also held meetings with the Office of Prime Minister, the last of which on October 28, 2009 at the Prime Minister's Office. This meeting resulted in the following conclusions:

- Finalize a conception together with the government on this issue;
- Implement the recommendation on social reinsertion as a whole, while taking into account urgent and difficult cases;

- Draw up and update the lists of the beneficiaries from the recommendation according to age and skills;
- Identify ways and options that go with the said classification, while taking into account the elements of proximity and equality in social reinsertion;
- Speed up the implementation of these proposals by involving the government departments and some business operators.

## **II. Follow-up of Implementation of Community Reparation Recommendations**

### **1. Recap on General Context**

The IER adopted a comprehensive and full concept of reparation covering the regions and communities who suffered from systematic and extensive gross violations.

Thus, the IER, at its mandate, proposed that concrete measures be taken to ensure community reparations for the regions which saw gross violations, suffered from marginalization and did not have opportunities of development projects, and whose image was marred as they hosted illegal detention centers. Thus, the IER sought to rehabilitate the victim in the broad sense -collective. It suggested that attention be devoted to the economic, social, cultural and environmental rights of the regions concerned, and that some places of detention be converted into complexes of memory preservation and socio-economic and cultural projects, as part of a positive approach to memory preservation.

The CCDH, as an institution entrusted with following up the implementation of the IER recommendations, started the follow-up process by adopting a methodology in which all parties concerned are involved, including civil society, government and other partners.

The Community Reparation Program (CRP), which covers the provinces of Figuig, Errachidia, Ouarzazate, Zagora, Tan Tan, Azilal, Khemisset, Al-Hoceima, Nador, Khenifra and Hay Mohammadi (Casablanca), seeks to achieve a number of projects aiming at contributing to the development of these regions and to the positive preservation of memory. These projects also aim to entrench the spirit of community reparation by reinstating confidence between the state and local communities in the regions concerned through achieving local governance, empowering and reinforcing the capacities of local stakeholders, and achieving economic and social projects to improve the living of communities.

## 2. Work Outcome

### 2.1. Institutional building

Since the launch of the CRP in 2007 and with support from its national and international partners, the CCDH started to develop the institutional framework adequate for the follow-up of the implementation of the CRP, through the setting up of a national steering committee, management units and local coordination bodies.

On July 9, 2007, the National Steering Committee was created to ensure that the CRP responds to the IER recommendations, and to guarantee the strategic dimension, financial transparency and external advocacy. Besides, two management units were established. The first was set up in coordination with the Foundation of the Deposit and Management Fund (CDG Foundation) to be responsible for the project of supporting the IER recommendations toward the regions where gross human rights violations occurred and caused community damage. The second was established in coordination with the United Nations Development Fund for Women (UNIFEM), and tasked with the management of the project for promoting women's rights and their role in the transitional justice process in Morocco. Also, the CCDH set up CRP local coordination bodies in 11 provinces. The CRP institutional building was complete on July 8, 2008, when the Board of Local Coordination Bodies was set up, with the aim of facilitating coordination between the steering committee and local coordination bodies.

### 2.2. Developing local plans

During the period extending from April to July 2008 and in collaboration with the European Union (EU) and the CDG Foundation, the CCDH organized workshops with the local coordination bodies, on the basis of what had been achieved at the IER mandate. This was developed to elaborate local plans in Figuig, Errachidia, Ouarzazate, Zagora, Al-Hoceima, Nador, Ain Sebaa-Hay Mohammadi, Khenifra, Azilal, Tan Tan and Khemisset.

In general, the local plans focus on the following four areas:

- Reinforcing the capacity of local stakeholders;
- Positive preservation of memory;
- Improving the living conditions of the communities (improved services, opening up regions concerned, developing alternative income-generating activities, and environmental protection);
- Improving the situation of women and children.



### 2.3. Mobilizing partners

The CCDH mobilized a number of partners to support the CRP. Accordingly, many agreements were signed in various areas as shown in the table below:

**Table on partnerships signed as part of the CRP**

Date	Institution	Goals
Dec. 2008	UNIFEM	<ul style="list-style-type: none"> <li>- Improve the situation of women as part of the transitional justice process in Morocco;</li> <li>- Document and increase awareness on political violence against women in the past gross human rights violations.</li> </ul>
July 5, 2007	Ministry of the Interior	<ul style="list-style-type: none"> <li>- Contribute, alongside local communes, to rehabilitating the regions covered by the CRP;</li> <li>- Support the settlement of the real estate situation of the former centers of enforced disappearance, contribute to their restoration and convert them into social, cultural and economic complexes in coordination with local stakeholders.</li> </ul>
	EU delegation and CDG Foundation	<ul style="list-style-type: none"> <li>- Ensure that the State is committed to the reparation process and gradual positive discrimination for the regions which were negatively affected by gross human rights violations;</li> <li>- Launch a renewed local dynamic in which engage civil society actors and state services based on consultation and involvement of targeted communities.</li> </ul>

Oct. 01, 2007	State Secretariat in charge of the Youth	- Support programs for youth, children, women and their organizations, and rehabilitate the facilities designated for their activities;
		- Organize summer camps for children from the regions covered by the CPR.
Dec. 18, 2007	Agency for Developing the Eastern Region	- Finance income-generating projects in Figuig and Nador.
June 02, 2008	Ministry of Employment and Vocational Training	<ul style="list-style-type: none"> <li>- Strengthen vocational training in the provinces covered by the CRP;</li> <li>- Set up sections and branches for the ANAPEC in the provinces which lack these services;</li> <li>- Contribute to achieving joint projects to promote work and skills in the provinces covered by the CRP.</li> </ul>
Nov. 03, 2008	Royal Institute for Amazigh Culture (IRCAM)	<ul style="list-style-type: none"> <li>- Help support the associations involved in the CRP at the institutional and organizational level;</li> <li>- Support the programs of collective memory preservation, and economic, social and cultural rights.</li> </ul>
Nov. 20, 2008	Belgian Technical Cooperation	- Organize training sessions for the local coordination bodies in Azilal, Tan Tan and Khemisset.
Nov. 25, 2008	Ministry of Housing and Town Planning	<ul style="list-style-type: none"> <li>- Contribute to promoting housing in the regions under the CRP;</li> <li>- Restore the former centers of enforced disappearance and convert them into memory preservation spaces and into social, cultural and economic complexes in coordination with local stakeholders.</li> </ul>

Dec. 23, 2008	Ministry of National education, Higher Education, Scientific Research and Staff Training	<ul style="list-style-type: none"> <li>- Reinforce educational infrastructure and human resources, support the education for all program and preschool education, combat school dropout and enhance literacy programs;</li> <li>- Help preserve collective memory by naming some schools after emblematic figures.</li> </ul>
Feb 18, 2009	Khemisset Provincial Council	<ul style="list-style-type: none"> <li>- Enhance involvement in the CRP in Khemisset.</li> </ul>
Feb. 19, 2009	Agency for Developing Southern Regions and National Office of Drinkable Water (ONEP)	<ul style="list-style-type: none"> <li>- Support the CRP in the province of Tan Tan;</li> <li>- Upgrade the infrastructure of L'mssid Center and supply it with drinkable water.</li> </ul>
	Tan Tan Provincial Council	<ul style="list-style-type: none"> <li>- Enhance involvement in the CRP in Tan Tan.</li> </ul>
March 12. 2009	Ministry of Agriculture and Fisheries	<ul style="list-style-type: none"> <li>- Support desert and mountain-related agriculture and develop new forms of agriculture in adequacy with the characteristics of the regions covered by CRP;</li> <li>- Reform pastures and equip them with water points;</li> <li>- Contribute to developing and studying the feasibility of business projects in agriculture or semi-agriculture activities in rural areas;</li> <li>- Ensure technical and management training for entrepreneurs as regards the proposed projects;</li> <li>- Provide assistance to project promoters by the Ministry's branches and provide technical advice necessary for the implementation of the CRP.</li> </ul>

March 27, 2009	Azilal Provincial Council	- Enhance involvement in the CRP in the province of Azilal.
April 27, 2009	National Mutual Aid Department	<ul style="list-style-type: none"> <li>- Implement social programs and projects to integrate vulnerability-prone social groups;</li> <li>- Contribute to supporting, creating and expanding social care centers, education, training and integration centers for rural girls and children who drop out, multi-disciplinary social complexes, and productive cooperatives for vulnerable women.</li> </ul>
May 05, 2009	Ministry of Social Development, Family and Solidarity	<ul style="list-style-type: none"> <li>- Support social projects and programs meant for women, children, the elderly and persons with disabilities;</li> <li>- Contribute to promoting civil society associations and reinforce the capacity of social stakeholders in the regions covered by the CRP;</li> <li>- Contribute to preserving collective memory by naming some of the Ministry's institutions in these regions after emblematic figures;</li> <li>- Support the projects of local coordination bodies and conclude partnerships with local social stakeholders.</li> </ul>

#### 2.4. Positive preservation of memory

The dimension of memory preservation was a key element in the international experiences of transitional justice, given its importance in the reconciliation process in any country. Memory preservation is considered, publicly and officially, an aspect of the will to draw lessons from the past, overcome its tragedies and ensure that they do not reoccur. Therefore, the question of memory

aroused a special interest in the Moroccan experience of transitional justice, either at the IER mandate or during the CCDH work to implement the IER recommendations in this regard.

Within the framework of the community reparation program local coordination bodies, the CCDH organized many workshops to develop a primary conception of the proposals likely to convert the former secret detention centers in Ouarzazate, Zagora, Errachidia and Hay Mohammadi into projects of memory preservation. This operation made it possible to identify the vision of local stakeholders to this subject, which aims to achieve:

- A reconciliation with the history by recounting the history of detention with its various effects on individuals and groups;
- A reconciliation with the place by reintegrating secret detention centers into their social, political and cultural environment as spaces of memory preservation, and entrenchment of the human rights culture and citizenship;
- A reconciliation among various components of society by involving them in managing the process of common memory preservation.

In order to finalize the final conception and in partnership with the International Center for Transitional Justice (ICTJ) and the groups of victims in the Agdez and Tazmamart detention centers, the CCDH organized two workshops to develop a future approach in order to convert the Agdez and Tazmamart detention centers. The two workshops resulted in proposing projects taking into account the views of the parties concerned, including administrative services, human rights organizations and associations of victims, in partnership with interested international organizations.

In order to develop the institutional framework adequate for implementing the recommendation on the former detention centers, the CCDH signed two conventions with the Ministry of the Interior and the Ministry of Housing and Town Planning, to settle the real estate status of some former centers of enforced disappearance and contribute to restoring and converting them into centers of memory positive preservation as well as into social, cultural and economic complexes.

The CCDH also mobilized additional financial resources from the European Union, a partner supporting the CRP, in order to contribute to the memory preservation process in the secret detention centers.

Concerning the regions where social riots led to gross human rights violations, namely Al-Hoceima, Nador, Figuig, Khemisset, Khenifra, Tan Tan and Azilal,

the CCDH organized a workshop on these regions to present and develop the findings of the local workshops. The latter indeed were rich in proposals, were based on a local vision and drew inspiration from former international experiences across the world. Among the main conclusions proposed in this regard:

- Build spaces for memory preservation, such as social and cultural complexes, and documentation and citizenship centers;
- Classify symbolic places as historical monuments (Abdelkrim Khettabi's house, barracks of Moulay Bouazza, etc.);
- Analyze and document the history of secret detention at the level of regions and its repercussions on local communities;
- Raise awareness on the history of gross human rights violations with a community character.

The work achieved by local coordination bodies led to a proposal that a memory national day will be commemorated as one of the main recommendations made at all local workshops. The belief was that this day would have symbolic significance to break up with the past of gross human rights violations and so that the various components of the nation can recall a phase of their history in such a way as to help build a common understanding of memory that goes beyond the official narratives of facts and events and sets the stage for formulating them collectively. Also, the commemoration of this day would not aim to ruminate about the past, but to be an opportunity to reinforce the gains in democracy-building and entrench human rights.

In implementation of these proposals, a first batch of projects began to be applied with an amount of DH 4,400,000.00. It is about:

- Two projects to preserve the memory of Hay Mohammadi, Casablanca, in order to identify the historical and archeological landmarks of this district;
- A project to set up Fadma Ouherfou Center for Training, Referral and Information in commemoration of a victim of enforced disappearance in Agdez;
- A project to preserve memory in Figuig;
- A documentary on the 1984 riots in Nador;
- A project to establish the Rif Center for Collective Memory Preservation in Nador;

- A project to release a magazine on memory and establish citizenship clubs in Tagounite and Agdez;
- A project to set up a citizenship and democracy center in Tinghir;
- A project to restore a place of collective memory in Qal'at Mgouna, Ouarzazate.

In coordination with the CRP Management Unit, the CCDH is currently in the process of selecting the second batch of projects.

### 2.5. Capacity building

To ensure better involvement of the CRP stakeholders and in collaboration with the EU, CDG Foundation, the UNIFEM and Belgian Technical Cooperation, the CCDH organized cross-cutting training sessions in all coordination bodies with a budget of DH 1,085,000.00. These workshops revolved around participative approach, empowerment, conflict positive management, good governance, gender approach and project architecture.

As part of the first batch of projects, nine space-centered projects, which meet special needs, have been launched with a budget of DH 2,900,000.00. They will be achieved by associations and financed by the EU. These projects, seeking to strengthen the capacity of local stakeholders, are as follows:

- A project to reinforce the capacity of local civil society actors with regard to the approach to local governance in the province of Errachidia;
- A project to reinforce the capacity of local stakeholders on approaches to development in Figuig;
- A project to reinforce the capacity of local stakeholders concerning local development in Khenifra;
- A project to reinforce technical capacity of young executives in Nador;
- A project to promote management capacity of local stakeholders in Qal'at Mgouna, Ouarzazate;
- A project to set up a cultural training center in Tinghir;
- A project on craft training for women in Tagounite, Zagora;
- A project to reinforce the capacity of community associations in the province of Zagora;

- A project to strengthen youth capacity in the field of citizenship and human rights culture in Agdez.

The CCDH is about to launch the second batch of projects under this convention.

## 2.6. Income-generating projects

The CCDH integrated income-generating projects in its field activities, by involving a number of social stakeholders, including the Ministry of Social Development, Family and Solidarity, Ministry of Agriculture, National Mutual Aid Department and Agency for Development of Eastern Regions. This was done through a number of projects and activities aimed at combating vulnerability and reinforcing economic potentials of communities covered by the CRP.

Within this framework, the first batch of projects has been carried out. It includes 13 projects with a budget of DH 4,900,000.00, under the convention signed with the EU delegation, which are as follows:

- A project on aviculture in Al-Hoceima;
- A project to support income-generating activities on food-processing in Figuig;
- A project to support the craft industry sector in Figuig;
- A project to promote apiculture in Amellagou, Errachidia;
- A project to support tourist income-generating activities in Figuig;
- A project to promote apiculture in Nador;
- A project to promote dates and improve the living conditions of women in Ouarzazate;
- A project to use irrigation drip system in farming in Tinghir;
- A project to promote environmental, solidarity and cultural tourism in Qal'at Mgouna;
- A project to create a women's space in Tinghir;
- Projects to involve women in civil society in Qal'at Mgouna;
- A project on well digging and use of well water in irrigation in Sekkoura;
- A project on Deraa goat breeding in Tagounite, Zagora.



## 2.7. Promoting Women's Rights

With support from UNIFEM, the CCDH launched a project to promote women's rights and their role in the transitional justice process with a budget of DH 2,800,000.00. This was done by carrying out the following actions:

- Organizing a national forum on gender and social justice with support from UNIFEM on November 25, 2008, in Rabat;
- Organizing a workshop on obstacles to gender mainstreaming and ways to overcome them for local stakeholders who hail from the regions covered by the CRP in February 2008;
- Launching a project in Zagora to create a space for women and set up a network of women associations;
- Launching a project in Errachidia in commemoration of Fadma Ouherfou in Imilchil;
- Launching a project in Figuig to set up a social and economic center for the promotion of women;
- Holding a national workshop on September 28, 2009 to share the findings of the project on promoting women's rights and their role in the transitional justice process in Morocco;
- Publishing several written and video works (see the section on Documentation and experience sharing).

## 2.8. Assessment and monitoring

The launch and implementation of the CRP were accompanied by parallel meetings of the organizational structures, set up to monitor implementation. Hence, the National Steering Committee and the local coordination bodies held numerous meetings on the progress of the CRP, including the ratification of the operationalization practical guide, the by-laws and the house rules of the local coordination bodies and the steering committee, the presentation of the 2008 annual plan, the presentation of the assessment of the CRP, and finally the ratification of the primary projects.

One year after the launch of the CRP in the regions concerned, meetings were held to assess the CRP in the local coordination bodies. Also, a one-day national event was organized for internal assessment, attended by all stakeholders and partners to measure the involvement of the local coordination bodies in the CRP

in accordance with their commitments, and to identify the gains achieved and the constraints likely to confront the application of the CRP. Besides, an expertise study was carried out in the first week of May 2009 to monitor the CRP management and assess the main achievements.

### 2.9. Documentation and experience sharing

While implementing the CRP, the CCDH supported the documentation process, in view of its paramount importance in capitalizing the achievements and sharing experiences with others, through many written and visual works:

- English and Arabic summary of a study on political violence against women;
- Narratives of some women who suffered from gross human rights violations in the past;
- Study on income-generating activities for women in Figuig;
- Analysis study on gender mainstreaming and women's rights in the process of transitional justice in Morocco;
- Short film on CD about the highlights of public hearings of women victims of violence in the period known in Morocco as the Years of Lead;
- Short film on CD about the memory of Fadma Ouherfou as part of the Imilchil project in addition to many other media;
- Documentary on gender mainstreaming in the process of transitional justice in the Moroccan experience;
- Report on the proceedings of the National Forum on Reparations in four languages;
- Many publications and documentaries on local memory are being produced by associations benefiting from the CRP.

### 3. Future Work

The major activities that will be undertaken in the next phases as part of the CRP will focus on the following areas:

#### ● Government programs

In coordination with the government partners, the CCDH will ensure the implementation of the partnership agreements signed with the government departments to ensure the participation of all, each in its own field of

competence, and achieve the projects expected from the plans of local coordination bodies.

- **Projects of associations**

Following the call for proposals regarding the second batch of projects meant for associations, the Program Management Unit received approximately 240 applications from local associations in different local coordination bodies. After examination, about 90 projects were selected as they met the required standards. They cover memory preservation, capacity building, income-generating projects, opening up of distant regions, gender, and environmental protection. These projects will be submitted to the National Steering Committee to be ratified and will be launched by February 2010. The budget of the second batch of projects amounts to about DH 20,500,000.00.

- **Memory preservation**

Within the next few days, work will start to restore the secret detention centers of Agdez, Qal'at Mgouna and Derb Moulay Cherif, in implementation of the partnership agreement signed with the Ministry of the Interior and the Ministry of Housing and Town Planning. Also, local projects on memory, to be achieved by many local associations, will be supported.

## **CHAPTER FOUR**

### **Follow-up of Implementation of Recommendations on Institutional and Legal Reforms**



At the end of its mission, the IER issued a final report in which it made proposals and recommendations to ensure non-repetition of the gross human rights violations and impunity. These recommendations and proposals call for, inter alia, continuing to adhere to the conventions of international human rights law, particularly the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, and the withdrawal of the reservations made by Morocco on some provisions of the said convention.

The IER also recommended that legal and judicial protection of human rights be strengthened by enhancing individual and collective rights and freedoms, harmonizing national criminal legislation with our country's commitments to international standards, upgrading criminal policy and legislation, and developing criminal justice mechanisms within the framework of a comprehensive judicial reform aiming particularly at promoting the judiciary and reinforcing its independence.

In its recommendations, the IER addressed the rationalization of security governance through the government liability in security and control, parliament investigation in security-related issues, organization of security apparatuses and definition of the legal framework governing them, national control of security policies and practices, provincial and local control of security operation and order maintaining, development of standards and limits to the use of force, continuous training for authority and security agents in human rights, and promotion of human rights through education and awareness-raising.

In addition, the IER recommended that the conclusions laid down in the CCDH thematic report on prisons be implemented, while focusing on the adoption of an institutional option adequate for their management, and that the CCDH jurisdiction in the prevention of violations be strengthened.

## **1. Continuing to Adhere to International Conventions on Human Rights**

### **1.1. Following up IER recommendation on death penalty**

As part of implementing the IER recommendation on the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights,

Aiming at the Abolition of the Death Penalty and its methodological proposals to restrict this penalty and adopt gradation to abolition, the CCDH, in cooperation with the Ensemble contre la peine de mort association -ECPM- (Together against death penalty), organized a seminar which was an opportunity for in-depth and serene debate on the subject. The proceedings of this seminar were published by the CCDH and ECPM in 2009. The seminar helped identify the main directions and options of the stakeholders participating in this societal dialogue. On this basis, the CCDH is working to make an opinion on the subject while considering the proposals presented during the discussion of the study on the harmonization of the penal code with human rights rules, principles and norms.

### 1.2. Urging the government to ratify International Convention for the Protection of All Persons from Enforced Disappearance

In accordance with the IER recommendation calling for criminalizing enforced disappearance; considering that Morocco was among the states which contributed to drawing up the draft convention on the prevention of enforced disappearance as well as the application of the provisions of Universal Declaration on the Protection of All Persons from Enforced Disappearance and the provisions of the said convention in the Moroccan experience of transitional justice, in harmony with the new philosophy that the draft penal code is seeking to achieve; and as part of exercising the mission of encouraging the government to continue to adhere to the international human rights system, the CCDH, during the discussion that took place within the framework of an ad hoc committee, decided to submit a memorandum to His Majesty to urge the government to take the measures necessary for Morocco's ratification of the Convention for the Protection of All Persons from Enforced Disappearance.

### 1.3. Withdrawing reservations on CEDAW

The CCDH took pride in the Royal Message following the 60th anniversary of the Universal Declaration of Human Rights, in which he announced that reservations on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) be withdrawn, as they became old-fashioned in comparison to national legislations. Also, the CCDH included this issue in the agenda of the newly-established Working Group on Gender, to

present clear conceptions regarding the status of women and to ensure that all reservations are withdrawn.

#### 1.4. Ratifying the Convention on the Rights of Persons with Disabilities

In addition, the CCDH took pride in the Royal decision, included in the same message, to ratify the Convention on the Rights of Persons with Disabilities. In this context, the CCDH held, on May 14, 2009, an international seminar on the implementation of the said convention and its Optional Protocol, attended by official and civil society actors, national and foreign experts, including in particular the members of the UN treaty body in charge of monitoring the implementation of the provisions of this convention and its protocol. The seminar mainly aimed at broadening the debate on the provisions of this convention and its protocol in terms of the normative and institutional aspects, in order to set the scene for an effective application of its provisions.

#### 1.5. Reflecting on a national mechanism to implement the Optional Protocol to the Convention Against Torture

In application of the IER recommendations against torture, the CCDH organized an international seminar on the implementation of the Optional Protocol to the Convention Against Torture, on February 3-4, 2009, to get acquainted with the international experiences in the field and draw inspiration for a national model on the basis of Morocco's accumulated experiences, specificities and challenges, which shall be in line with our country's commitments in this regard and shall prove that Morocco continues to be engaged in the international human rights system.

## 2. Following up IER Recommendations on Promoting the Judiciary and Strengthening its Independence

In implementation of the IER recommendations on promoting the judiciary and strengthening its independence, the CCDH opened an internal debate, in which participated experts outside the CCDH, on the ways to implement such recommendations. This helped elaborate a memorandum containing proposals on the reinforcement of constitutional guarantees for the independence of the judiciary, the reorganization of the High Council of the Judiciary (CSM), and

the reform of laws pertaining to the statute of judges, the judicial organization of Morocco, the decree governing the prerogatives of the Ministry of Justice and the law governing the High Institute of the Judiciary. It also included more proposals on the training and in-service training of judges and court officials, reinforcement of financial and human resources in the courts and adoption of good governance in their administrative management. The CCDH also proposed that this reform process be enhanced through rehabilitation; the restoration of confidence by drawing up a code of conduct for judges; activation of the role of professional bodies representing judges and court officials in the fields of moralization and dissemination of legal culture; and revision of the statutes of court officials in such a way as to achieve credibility, transparency and restoration of citizens' confidence in justice.

### **3. Upgrading Criminal Policy and Legislation: Reform of the Criminal Law**

The year 2004 was a turning point in this regard. Following the proceedings of its 22nd session, the CCDH filed to His Majesty an advisory opinion on the harmonization of the Moroccan Criminal Law to combat hatred, discrimination and violence. This opinion contained many proposals aiming at strengthening and modernizing the Moroccan Criminal Law, and launching an in-depth communication and education action to immunize the country against discrimination, hatred and violence.

The CCDH noticed that the government has been working toward developing a criminal policy. For example, a national symposium on the subject was organized in order to draw lessons from the application of the 42-year-old Moroccan Criminal Law to develop an integrated criminal policy in line with the current needs of the country.

Having supported the elaboration of the draft criminal law by a government committee under the supervision of the Ministry of Justice; as part of the CCDH interaction with the reform projects; and considering the IER recommendations on upgrading criminal policy and legislation, and on criminalizing the gross human rights violations in accordance with the international norms in the field, the CCDH had worked from October 2008 to March 2009 on a study on the harmonization of the draft criminal law with the international human rights



standards. This study was based on the three pillars of the criminal law: criminalization, sanction and liability, as well as a clear and accurate application of the following principles: No one shall be criminalized or sanctioned in the absence of a legal text; the non-retroactivity of laws; equality, legality, equity and personal responsibility in the criminal field.

#### **4. Making Opinion on Draft Law of Press and Professional Journalists**

As part of monitoring the exercise of rights and freedoms, particularly the freedom of expression and opinion, and as a completion of the IER findings and conclusions concerning press and edition, the CCDH continued to follow-up this issue. The Prime Minister referred to the CCDH the draft Law of Press and Professional Journalists in 2007 to make an opinion from a human rights perspective. The draft was reviewed by the CCDH and the professionals and those who are interested were given a hearing. The CCDH, eventually, drew up a preliminary memorandum on March 07, 2007, in which it highlighted the importance of the government's initiative to refer the press law to the CCDH, especially as the latter expressed concerns in its previous annual reports over the freedom of expression and the effects of sanctions on the freedom of press and the development of the press professional institutions. The CCDH suggested many amendments and guiding lines to review the draft in order to broaden the debate on the subject. Furthermore, it discussed this question at its 31st session, by hearing the presentation delivered by the Minister of Communication and a draft conception developed by a CCDH member. It is worth mentioning that the CCDH had previously opened a national debate on the subject by organizing a relevant seminar attended by the stakeholders concerned and experts in the field. The CCDH continues to follow-up the issue in coordination with the government authorities and those concerned in order to develop a comprehensive and integrated vision to reform the public communication system in accordance with a forward-looking approach.

#### **5. Implementing IER Recommendations on Security Governance**

The CCDH is currently working to elaborate an opinion on implementing the IER recommendations on security governance, taking into account complementarity between all IER recommendations on legal and institutional reforms, the promotion of the human rights culture, the investment of all gains in human rights

in the process of rationalization, and the development of public policies based on the involvement of political and civil stakeholders, national institutions, experts and scientific researchers. This should be done while focusing on accountability and transparency, on the complementarity between national security and economic security and social stability, as well as on the integration of security governance rationalization within a gradual reform process.

In its early conception, the CCDH sets the following main goals of rationalization:

- Change all past negative representations among society as regards the role of security apparatuses;
- Work toward the promotion of the right to access to information on security operations and public order maintaining;
- Ensure political, legal and administrative control over all security authorities while upgrading their performance;
- Develop standards to measure the proportionality between the use of force in case of a breach of security and public order on the one hand, and the protection of fundamental rights and freedoms on the other;
- Achieve qualitative progress in dealing with security issues by implementing the new concept of authority in such a way as to lay the foundations for a transition from a mere security action of apparatuses and intervention public forces to services contributing to the development and promotion of values of modern citizenship and accountability.

## **6. Archives and Memory Preservation**

In implementation of the IER recommendations on archives and memory preservation, the CCDH set up a working group composed of experts and university researchers in order to deepen reflection on this issue and follow-up the project of the national archive modernization.

After the promulgation of Law 69.99 on archives on November 30, 2007 governing the conditions to keep archives, the deadlines to open them to the public, the terms to have access to them and the resulting sanctions if spoilt, the CCDH organized consultations with the services of the Office of Prime Minister

and the Ministry of Culture in order to speed up the adoption of executive decrees for this law.

The CCDH is now working on the launch of a program of cooperation with the EU, which supports the IER recommendations in the fields of archive, history and memory. In the field of archive in particular, the program will help support activities on the preservation of the IER archives and support the modernization of the national archives.

The consultation between the CCDH and various national stakeholders in the fields of archives, history and memory resulted in identifying the main areas of action relating to archives, which consist in:

- Assessing the current situation of national archives;
- Supporting the elaboration of the draft application decrees for the archives law;
- Supporting the preservation of the IER archives;
- Supporting the establishment of a national institution for archives in Morocco;
- Developing a national strategy to preserve the archives;
- Encouraging the training of archivists.

Regarding the IER archives, the CCDH is taking stock of them and is developing a conception of an information system to manage them as an important first phase before the phase of structuring, processing and preserving archives as well as managing access to them.

## **7. Promoting Human Rights Culture**

In implementation of the IER recommendations on the promotion of the human rights culture, the CCDH officially launched the Citizenship Platform for the Promotion of the Human Rights Culture on April 20, 2006, with the contribution of all parties concerned, governmental and non-governmental, within the framework of a national independent steering committee in charge of drawing up this platform.

After more than 10 months of steady and continuous work, the drawing up process ended. The platform won the approval of all participating parties and

obtained satisfaction from all stakeholders to whom it was submitted and on which they were consulted. It is worth mentioning that this platform adopted three main interrelated and interdependent areas, namely education, training of professionals and awareness.

The CCDH also held consultations with the various stakeholders concerned with the platform implementation, which led to the setting up of a steering committee composed of government departments, national institutions, universities, the media and civil society. The goal of the committee is to ensure the coordination of the implementation of the provisions of the platform, the identification of relevant means of work and the follow-up of the aspects related to supervision, management, achievement and assessment. The CCDH Center for Documentation, Information and Training in Human Rights (CDIFDH) is in charge of monitoring the implementation.

As regards in-service training for the authority and security agents in the field of human rights, the CCDH is now working to implement the partnership convention in the field in collaboration with the Ministry of the Interior.

## **8. Strengthening Respect for Rights and Interests of Moroccan Communities Abroad**

As part of the follow-up of the implementation of the IER recommendations on taking care of the Moroccan communities abroad and following the commission by His Majesty King Mohamed VI, the CCDH made an advisory opinion on the setting up of a council for the Moroccan communities abroad. The opinion was ratified at the 28th session on October 20, 2007, and won the approval of His Majesty, which was followed by the inception of the president, secretary general and members of the council.

## **9. Scientific Research on Past and Contemporary History of Morocco**

The CCDH took note of the continuation of the institutional reforms proposed by the IER, including the creation of the Royal Institute of Research in Morocco's History on November 22, 2006, by virtue of Sherifian Dahir (royal decree) 1.06.222, as a national institution of research into Morocco's history and promotion of knowledge inherent in the near and distant past of Morocco in

order to entrench the Moroccan identity and document the collective memory. The CCDH is intending to be strongly involved in the field of current research within the scope of the program of archives, history and memory preservation.

## **10. Broadening CCDH Jurisdiction in the Prevention of Violations**

As part of the implementation of the IER relevant recommendations, the CCDH opened a debate among its members on this subject during its sessions and the meetings of the Working Group on the Protection of Human Rights and Prevention of Violations. Therefore, it amended its house rules, restructured its administration, opened regional sections and created numerous momentums through many projects and activities. The CCDH is now reflecting on the broadening of its jurisdiction as regards the prevention of human rights violations, by reviewing and assessing its experience, and making the proposals likely to enhance its role in this field.

## **11. Other Structuring Projects Supporting IER Recommendations**

### **11.1. Drawing up National Action Plan in Democracy and Human Rights**

The CCDH has launched important projects, including the action to draw up a national action plan to promote democracy and human rights in our country. Thus, the CCDH held a meeting at which the National Steering Committee in charge of drawing up this plan under the aegis of the Prime Minister was set up. It should be noted that the CCDH announced the launch of this important project in last April, followed by a series of regional dialogues and consultations, through organizing consultative workshops attended by all those concerned. This helped set up the National Steering Committee according to a participatory approach to ensure that all the parties concerned are represented in this highly important project, including the government, civil society, national institutions, professional bodies and the media.

The plan aims at ensuring the coordination of the intervention of all stakeholders and the coordination among the sector-based programs, particularly the sector-based plans which cover group and thematic rights within a participatory process to which contribute government departments, national institutions, the media, and representatives of civil society with all its

components while taking into account gender. It should be noted that the plan is being developed with support from the EU. The CCDH is invested with two tasks through the CDIFDH, as an executive body, and through its contribution to the strategic framing and support of the plan.

### 11.2. Drawing up Charter for Citizen's Rights and Obligations

As an implementation of the Royal commission on the occasion of the 2003 Throne Speech, which calls on the CCDH to work out a charter for citizen's rights and obligations, the CCDH has been involved in this project under the supervision of an expanded committee composed of the chairmen of the CCDH working groups and some other members. The project will be presented at the CCDH 33rd session, with a view to drafting a final version that will be submitted to His Majesty Mohamed VI.







**Publications of the Advisory Council on Human Rights**

**2010**

Copyright Deposit : 2010 MO 0581

ISBN : 978-9954-1-0029-5

Imprimerie El Maarif Al Jadida - Rabat