



# Convention on the Rights of Persons with Disabilities

Distr.: General  
20 April 2017

Original: English  
Arabic, English, French, Russian  
and Spanish only

## Committee on the Rights of Persons with Disabilities

### List of issues in relation to the initial report of Morocco\*

#### A. Purpose and general obligations (arts. 1-4)

1. Please clarify whether the Convention has been incorporated into domestic law and whether it can be invoked before the courts.
2. Please provide information on:
  - (a) The measures taken to fully harmonize laws and policies with the Convention, in particular to ensure that the concept of disability, as stated in Framework Law 97-13 on the promotion and protection of the rights of persons with disabilities, is fully in line with the human rights model of disability;
  - (b) The modalities and time frame for the implementation of the Framework Law and specify if it covers all persons with disabilities.
3. Please provide information on:
  - (a) The resources allocated for the implementation of the integrated public policy for the promotion of the rights of persons with disabilities (2017-2026);
  - (b) Concrete mechanisms for the consultation and participation of persons with disabilities and their representative organizations in legislative and administrative processes and other matters that affect them.

#### B. Specific rights (arts. 5-30)

##### Equality and non-discrimination (art. 5)

4. Please indicate whether the denial of reasonable accommodation is defined as a prohibited ground of discrimination in domestic law.
5. Please provide data on violations reported of the rights to equality and non-discrimination of persons with disabilities, investigations conducted and the nature of resulting sanctions, including the remedies provided to victims.
6. Please provide information on the situation of persons with disabilities belonging to ethnic, religious or linguistic minorities, such as Amazigh, Sahraoui and black people, migrants with disabilities and refugees and asylum seekers with disabilities, and indicate the measures taken to ensure that legislation and policies on disability include and protect them.

\* Adopted by the pre-sessional working group at its seventh session (13-20 March 2017).



**Women with disabilities (art. 6)**

7. Please provide information on the measures taken to mainstream the rights and a positive image of women and girls with disabilities as right-holders into gender equality policies and strategies and combat the discrimination experienced in all areas of life by women and girls with disabilities, especially discrimination arising from traditional and cultural practices. Please provide information on collaboration with organizations representing women and girls with disabilities.

8. In line with target 5.2 of the Sustainable Development Goals to eliminate all forms of violence against women and girls with disabilities in the public and private spheres, including trafficking and sexual and other forms of exploitation, please:

(a) Provide data and information on gender-based violence and any programmes designed to protect and support women and girls with disabilities against violence;

(b) Indicate the steps envisaged to enact a law on combating violence against women to include a disability perspective in the definition of violence and also address specific barriers faced by women and girls with disabilities in accessing justice.

**Children with disabilities (art. 7)**

9. Please provide information on:

(a) How the rights of children with disabilities are taken into consideration in national strategies for children, including in the integrated public policies for the protection of children in Morocco;

(b) The measures taken to protect children with disabilities from all forms of violence in all settings, including in special socioeducational institutions, and the steps taken to protect abandoned children with disabilities.

10. Please also provide data, disaggregated by sex, age and type of impairment, on the number of children with disabilities in the children's parliament and children's congress.

**Awareness-raising (art. 8)**

11. Please provide information on regulated mechanisms for financial support for and consultation and participation of persons with disabilities and their representative organizations in government awareness-raising campaigns, including mass media campaigns aimed at eliminating discrimination faced by persons with disabilities.

**Accessibility (art. 9)**

12. Please provide information on:

(a) The steps taken to monitor and enforce compliance on accessibility, including through the use of punitive sanctions, in accordance with Accessibility Act No. 03-10 of 2003, reinforced by decree No. 2-11-246 of 30 September 2011;

(b) How the integrated public policy for the promotion of the rights of persons with disabilities ensures that various forms of information and communications and related technologies and services provided to the public are fully accessible for persons with disabilities.

**Situations of risk and humanitarian emergencies (art. 11)**

13. Please provide information on:

(a) The measures taken to ensure the accessibility of the humanitarian and emergency services available to migrants, refugees and asylum seekers with disabilities, particularly with respect to assistive devices, shelters, relief and other services and facilities, including social support and health services;

(b) The way in which organizations of persons with disabilities are involved in the national strategy for the management of emergencies and disaster-related risks.

**Equal recognition before the law (art. 12)**

14. Please provide information on measures taken to harmonize the Family Code with the provisions of the Convention in order to repeal and replace substituted decision-making with supported decision-making regimes in the exercise of legal capacity.

**Access to justice (art. 13)**

15. Please indicate:

(a) The measures taken to ensure that persons with disabilities have effective access to justice, on an equal basis with others and, specifically, are not restricted in filing complaints directly before the judiciary;

(b) The steps taken to make accessible the physical environment of judicial premises, such as courts, police stations and prisons, and to provide information in appropriate formats to all persons with disabilities.

**Liberty and security of the person (art. 14)**

16. Please specify the number of persons deprived of their liberty on the grounds of psychosocial disability or perceived danger to themselves and/or society, the measures taken to repeal those provisions and the criteria and protocols that are applied in those cases to ensure judicial oversight to safeguard the liberty and security of persons with disabilities.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

17. Please provide updated information on:

(a) The current status of the bill designed to protect persons from being subjected to medical experimentation and explain how it will benefit persons with disabilities;

(b) The measures taken to adopt legislation to protect women with disabilities from forced sterilization, with particular reference to women with intellectual and psychosocial disabilities;

(c) Whether the National Human Rights Council, as the national monitoring mechanism for the prevention of torture, will be mandated to monitor all settings in which persons with disabilities may be deprived of their liberty.

**Freedom from exploitation, violence and abuse (art. 16)**

18. Please provide information on:

(a) The prevalence and trends of different forms of violence against persons with disabilities, including data, disaggregated by sex and age, on cases of violence and abuse committed in hospitals, particularly psychiatric hospitals, and places of detention;

(b) The services and programmes in place to ensure the effective recovery, rehabilitation and social reintegration of victims of violence, particularly women and girls with disabilities.

19. Please provide details on any training provided to family members and caregivers of persons with disabilities and to staff within the health and law enforcement systems to help them to recognize all forms of exploitation, violence and abuse, particularly in the case of orphans.

**Living independently and being included in the community (art. 19)**

20. Please:

(a) Specify the number of persons with disabilities who are living in “segregated arrangements” and provide information on their living conditions and on measures to include them in society when they leave such arrangements;

(b) Explain the State party's policy and road map for abolishing segregated arrangements and stepping up independent living arrangements in the community for persons with disabilities, including any measures taken to ensure that such persons, regardless of their place of residence, have access to a range of independent living support services.

**Personal mobility (art. 20)**

21. Please indicate:

(a) The mechanisms in place to support persons with disabilities in obtaining mobility aids, devices and other assistive technologies and forms of life assistance and intermediaries, in order to enhance their personal mobility;

(b) Specifically, the measures taken to address the challenges faced by persons with disabilities, with particular reference to persons with visual impairment and persons with motor disabilities.

**Freedom of expression and opinion and access to information (art. 21)**

22. Please provide information on:

(a) The measures taken to recognize sign languages as official languages of deaf persons;

(b) The adoption of legislation to ensure that private entities which provide services to the general public and mass media outlets which provide information do so in accessible forms and formats for all persons with disabilities.

**Respect for home and the family (art. 23)**

23. Please indicate:

(a) Whether the conditions of marriage for persons with psychosocial and intellectual disabilities, in particular the requirement to obtain prior judicial authorization for such marriages, have been harmonized with the provisions of the Convention;

(b) What support services are available to families of children with disabilities, including early intervention services;

(c) The measures taken to support the right to parenthood of persons with disabilities and to nurture their families.

**Right to education (art. 24)**

24. Please provide updated data on the number of children with disabilities, disaggregated by age, sex, type of impairment and area of residence (rural/urban), who are deprived of education, and the measures taken to remedy that situation.

25. Please inform the Committee about the measures taken to overcome the obstacles for achieving inclusive education for persons with disabilities and the proportion of the State budget allocated to increasing the enrolment and retention of children with disabilities in mainstream schools.

26. Please provide information on "integrated classes" in regular schools, including on their management, the training of teachers, the programmes taught, their inspection by the Ministry of Education, rehabilitation services related to special education and the measures taken to include children with disabilities in ordinary classes after graduating from integrated classes.

**Health (art. 25)**

27. Please provide detailed information on:

(a) The "integrated communication strategy" to raise awareness of the health of persons with disabilities and on the measures taken to increase the quality of and access to

health care for persons with disabilities and to improve the training of medical staff on the rights of persons with disabilities;

(b) Social and medical protection schemes for persons with disabilities and the scope of the care covered by such schemes.

#### **Work and employment (art. 27)**

28. Please provide updated data on the number of unemployed men and women with disabilities in comparison with persons without impairments and information on the measures taken to overcome the lack of access to employment for persons with disabilities, as revealed by the 2016 national survey on disability.

29. Please specify the timetable for the adoption of the implementing decrees of the Framework Law concerning the quota allocated to persons with disabilities in the public and private sector.

30. Please provide:

(a) Details of the mechanisms and procedures in place for persons with disabilities to address discrimination in all matters related to employment and conditions of work, including the provision of reasonable accommodation and equal pay for work of equal value;

(b) Statistical data on the number of complaints made and the remedies provided.

#### **Adequate standard of living and social protection (art. 28)**

31. Please provide:

(a) Details on how specific measures for persons with disabilities are mainstreamed in the national poverty reduction strategy;

(b) Statistical data on persons with disabilities, disaggregated by sex, age and type of impairment, who are benefiting from the “city without slums” programme and explain how inclusive the programme is;

(c) Information on the income available to persons with disabilities as compared to persons without disabilities.

#### **Participation in political and public life (art. 29)**

32. Please inform the Committee of the measures taken to secure and improve the participation of all persons with disabilities in electoral processes, including by repealing all laws that prevent or restrict the right of persons with disabilities to vote on an equal basis with others and providing election-related information in appropriate formats and a conducive and accessible environment for voting with the necessary support services.

### **C. Specific obligations (arts. 31-33)**

#### **Statistics and data collection (art. 31)**

33. Please report on any attempt to update the data-collection system in accordance with the Convention and with the involvement of organizations of persons with disabilities.

#### **International cooperation (art. 32)**

34. Please provide information on the level of consultation and participation of persons with disabilities and their representative organizations in international cooperation agreements, projects and programmes, especially when it affects them.

#### **National implementation and monitoring (art. 33)**

35. Please provide information on:

(a) The mandate of the interministerial commission and the regional focal points;

(b) The role of organizations of persons with disabilities in the implementation and monitoring of the Convention;

(c) The time frame for adoption of the draft law on the composition, organization, competences and operating rules of the National Human Rights Council, which designates the Council as the national mechanism for monitoring the Convention.

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