



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Second periodic reports of States parties due in 2000

MOROCCO*

[13 October 2000]
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* For the initial report submitted by the Government of Morocco, see CRC/C/28/Add.1, for its consideration by the Committee, see documents CRC/C/SR.317-319 and for the concluding observations, see CRC/C/15/Add.60.

CONTENTS

	<i>Paragraphs</i>	<i>Page</i>
Introduction	1 - 3	6
PART ONE: COUNTRY PROFILE	4 - 58	6
I. GEOGRAPHIC AND DEMOGRAPHIC INFORMATION	4 - 18	6
II. GENERAL POLITICAL STRUCTURE	19 - 28	8
III. GENERAL LEGAL FRAMEWORK OF HUMAN RIGHTS	29 - 58	9
A. Constitutional provisions	29 - 33	9
B. International conventions	34 - 35	10
C. Judicial, administrative and other authorities	36 - 45	10
D. Recourse against human rights violations	46 - 47	12
E. Measures taken in the field of the rights of the child	48 - 58	12
PART TWO: IMPLEMENTATION OF THE CONVENTION	59 - 670	13
I. GENERAL MEASURES OF IMPLEMENTATION	59 - 158	13
A. Measures taken to harmonize national law and policy with the provisions of the Convention (art. 4)	60 - 73	13
B. Measures taken for the collection of data	74 - 80	15
C. Measures taken to guarantee economic, social and cultural rights	81 - 137	16
D. Action taken to make the principles and provisions of the Convention widely known (art. 42)	138 - 157	25
E. Measures adopted to make the national report widely known (art. 44)	158	29

CONTENTS (*continued*)

	<i>Paragraphs</i>	<i>Page</i>
II. DEFINITION OF THE CHILD (art. 1)	159 - 162	29
III. GENERAL PRINCIPLES	163 - 186	30
A. Non-discrimination (art. 2)	163 - 170	30
B. The best interests of the child (art. 3)	171 - 179	32
C. Right to life, survival and development (art. 6)	180 - 185	34
D. Respect for the child's views (art. 12)	186 - 187	35
IV. CIVIL RIGHTS AND FREEDOMS	188 - 235	35
A. Name and nationality (art. 7)	188 - 195	35
B. Preserving the child's identity (art. 8)	196	37
C. Freedom of expression (art. 13)	197 - 204	37
D. Access to information (art. 17)	205 - 214	38
E. Freedom of thought, conscience and religion (art. 14)	215	41
F. Right to freedom of association and to freedom of peaceful assembly (art. 15)	216 - 217	41
G. Protection of private life (art. 16)	218 - 222	41
H. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))	223 - 235	42
V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE	236 - 336	45
A. Parental guidance (art. 5)	236	45
B. Parental responsibilities (art. 18, paras. 1 and 2)	237 - 249	45
C. Separation from parents (art. 9)	250 - 254	48

CONTENTS (*continued*)

	<i>Paragraphs</i>	<i>Page</i>
D. Family reunification (art. 10)	255 - 257	49
E. Illicit transfer and non-return of children abroad (art. 11)	258	50
F. Recovery of maintenance for the child (art. 27, para. 4)	259 - 264	50
G. Children deprived of a family environment (art. 20)	265 - 286	51
H. Adoption (art. 21)	287	55
I. Right to periodic review of placement for purposes of care, protection or treatment of a child's physical or mental health (art. 25)	288 - 291	55
J. Protection of the child against any form of abuse and neglect, including rehabilitation and reintegration (art. 39)	292 - 336	56
VI. HEALTH AND WELFARE	337 - 455	62
A. Child survival and development (art. 6, para. 2)	337 - 352	62
B. Disabled children (art. 23)	353 - 371	65
C. Health and health services (art. 4)	372 - 409	69
D. Social security and childcare services and facilities (art. 26 and art. 18, para. 3)	410 - 431	75
E. Standard of living (art. 27)	432 - 455	79
VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES	456 - 566	82
A. Education and vocational training (art. 28)	456 - 535	82
B. Aims of education (art. 29)	536 - 551	97
C. Leisure, recreation and cultural activities (art. 31)	552 - 566	100

CONTENTS (*continued*)

	<i>Paragraphs</i>	<i>Page</i>
VIII. SPECIAL PROTECTION MEASURES	567 - 670	104
A. Children in situations of emergency (art. 38)	567 - 571	104
B. Children in conflict with the law	572 - 613	105
C. Children in situations of exploitation, including recovery and social reintegration	614 - 667	112
D. Children belonging to a minority or an indigenous group (art. 30)	668 - 670	120
List of annexes		121

Introduction

1. Pursuant to article 44 of the Convention on the Rights of the Child, ratified by the Kingdom of Morocco in June 1993 and published in the *Official Gazette* in December 1996, the Kingdom of Morocco hereby submits the second periodic report on the implementation of the Convention.
2. The Government of Morocco has noted with satisfaction the comments made by the Committee on the Rights of the Child on the measures taken by Morocco on the institutional and legislative levels in order to give effect to the provision of the Convention and to promote the rights of the child.
3. The Moroccan Government has also taken into account all the remarks and recommendations made by the Committee in the course of the latter's consideration of the initial report by the Kingdom of Morocco (CRC/C/28/Add.1) on 24 and 25 September 1996. In response the Government has intensified its efforts to put into effect these recommendations through a number of actions and measures to advance the rights of the child to the required level.

PART ONE: COUNTRY PROFILE

I. GEOGRAPHIC AND DEMOGRAPHIC INFORMATION

4. The Kingdom of Morocco is situated in the northern extremity of Africa between latitudes 61° and 32° north. The total area of Morocco is 710,850 sq km; it is bordered by the Mediterranean and the Atlantic Ocean to the west and shares land borders with Algeria to the east and Mauritania to the south.
5. According to recent statistical data the population of Morocco is estimated at 28.2 million, with a relatively low rate of growth ranging from 2.6 per cent between 1971 and 1982 to 1.7 in the period from 1994 to 2000.
6. The lower rate of growth is due to a decreasing fertility rate from 5.5 children in 1982 to 3.1 children in 1997. This is explained by a higher use of contraceptives, the higher marriage age and the declining rate of illiteracy. Notwithstanding these indications, the population continues to grow, with children under 15 accounting for 33.8 per cent of the total population in 1982.
7. The segment of active population between ages 15 and 59 has moved from 51.5 per cent in 1982 to 59 per cent in 1998.
8. The number of women of childbearing age, i.e. between 15 and 49, went from 47 per cent to 54 per cent in 1998.
9. In Morocco, the rate of urbanization moved faster with urban population representing 54 per cent of total population.

10. Migration was the major reason for this trend, accounting for 47 per cent of the rate of growth of urban population.
11. Positive developments in the areas of health and education led to a decline in mortality rates: the crude rate went down from 10.6 per 1,000 in 1980 to 6.3 per 1,000 in 1998. This decline reflected marked improvements in rural areas where the mortality rate moved down from 12.9 per 1,000 to 7.4 per 1,000 as opposed to a decline in urban areas from 7.5 per 1,000 to 5 per 1,000 in the same period. The decline of infant mortality rates was even more striking, going down from 57.3 per 1,000 in 1988-1992 to 36.6 per 1,000 in 1992-1997.
12. Maternal mortality has also declined, moving from 332 per 100,000 live births in the period 1985-1991 down to 228 per 100,000 live births in the period 1992-1997. This decline is demonstrated by a Survey on Maternal and Child Health (PAPCHILD) undertaken by the Ministry of Public Health in 1997.
13. In urban areas the rate of maternal mortality went down from 284 to 125 per 100,000 live births in the same period. However the rate in rural areas went down by only 15 per cent in this period.
14. The lower mortality rates were reflected in the higher life expectancy rate which moved upward, from 47 years in 1962 to 69.2 years in 1988. In spite of continued efforts to combat adult illiteracy, the rate of illiteracy continues to be high among adult population in the age group of 10 and above. In 1998, this rate stood at about 48.3 per cent.
15. The rural population and women are the more severely affected by this situation. In rural areas illiteracy amounts to 65 per cent against 33.7 per cent in urban areas. Among women the rate of illiteracy on the national level is 61.9 per cent against 33.8 per cent among men. Notwithstanding these difficulties, a significant breakthrough has been registered in 1998/99 with the number of beneficiaries of programmes for literacy and adult education reaching 181,000 people, of whom 62 per cent were women. Following is a breakdown of these beneficiaries by programme:

General campaign	89,500
Sectoral and public institutions	69,000
Business entities	1,500
Associations	21,000

16. In 1995 unemployment reached 16 per cent of the active population. Urban unemployment registered a significant growth with an average annual increase of 8.3 per cent. This brought the rate of unemployment from 15.8 per cent in 1990 to 23.4 per cent in 1999.
17. An important feature of urban unemployment is the significant proportion of females. In the third quarter of 1999 females accounted for 31 per cent of the unemployed against 21 per cent among males in the same period. The 34-45 age group accounts for 45.3 per cent of the unemployed, followed by the 15-21 age group accounting for 39.5 per cent.

18. As for unemployment in rural areas, the number of the unemployed evolved from 291,503 in 1990/91 to 384,186 in 1995 and then to 301,000 in the third quarter of 1999. The corresponding percentages are 5.7, 8.5, and 6.1 respectively. Public authorities have undertaken a set of measures and actions to stimulate employment, including general contracting and creation of projects. Other measures were in the areas of training and integration through the Job Initiative Programme which helped to create more than 23,000 contracting jobs since its introduction in October 1997.

II. GENERAL POLITICAL STRUCTURE

19. Under article 1 of the Constitution, Morocco is a democratic, social and constitutional monarchy. The Constitution further provides that sovereignty shall be vested in the people who exercise it directly or indirectly through constitutional institutions. Political parties, cultural associations, community organizations, and professional chambers strengthen the organization and representation of the population.

20. The King is the supreme representative of the nation and the symbol of the unity thereof. He is the guarantor of the perpetuation and the continuity of the State. He is the defender of the faith and the protector of the Constitution. He is also the protector of the rights and liberties of the citizens, social groups and organizations.

21. The legislative authority is exercised by the Parliament. The Constitution, as revised in 1996, provides that the Parliament shall consist of two chambers: the House of Representatives and the House of Councillors (Senate). Members of the House of Representatives are elected by direct universal suffrage for a term of five years. Three fifths of the House of Councillors shall be constituted by members elected by an electoral college in each of the regions of the Kingdom. This electoral college is comprised of local representatives. The remaining two fifths of the membership shall be constituted by members elected nationally by electoral colleges made up of representatives of trade chambers and wage earners.

22. The Government is composed of the Prime Minister and the ministers. It is answerable to the King and the Parliament. Under the responsibility of the Prime Minister, the Government shall ensure the enforcement of laws. The Prime Minister may delegate some of his powers to the ministers. The Prime Minister is also responsible for the coordination of ministerial activities.

23. The judiciary is independent from both the legislative and the executive branches. Magistrates are appointed by Royal Decree upon a recommendation made by the Supreme Council of Magistracy. Article 86 of the Constitution stipulates that the Supreme Council of Magistracy shall be presided over by the King. The Council consists of nine judges and the Minister of Justice serves as its Vice-President. Members of the judiciary are subject to the rules of the Judiciary Statutes.

24. The Supreme Council of Magistracy ensures the implementation of the guarantees granted to magistrates with respect to promotion and discipline. Magistrates on the bench are not to be removed or transferred except by law.

25. The administrative divisions of the country are regions, provinces, districts and urban and rural communes. Morocco is made up of 16 regions. The law of April 1966 provides for a new legal framework for the regions. Accordingly, regions are now run as local communities with a council that enjoys the power of decision-making, subject to its own deliberations and under the supervision of the executive branch.

26. Regions cover 10 welayehs (governorates) that are made up of 13 provinces and 24 districts, in addition to 31 provinces which are also divided into rural and urban communes.

27. Local communities elect their own councils to administer the affairs of the community democratically in accordance with conditions established by the law. These councils are elected by a simple majority of individual votes cast in one round of universal suffrage. The councils of provinces and districts are elected by the members of the Communal Councils on the basis of lists, and are chosen from those lists proportionately according to the highest numbers of votes obtained by the lists. The remaining seats are filled according to a formula of proportional representation. Only members of the municipal councils are elected. These councils also include one elected representative of each of the professional associations, chambers of commerce and industry, chambers of services and guilds of traditional crafts, agriculture and fishing.

28. Regional councils are composed of representatives elected by local communities and chambers of trades and of wage earners. They also include members of Parliament representing the region concerned. The regional councils also include presidents of the councils of the provinces and communes in the region but they attend meetings only in an advisory capacity.

III. GENERAL LEGAL FRAMEWORK OF HUMAN RIGHTS

A. Constitutional provisions

29. Developments in Morocco since the early 1990s point to the determination of the Kingdom to ensure, safeguard and promote human rights.

30. The Constitution of Morocco stipulates in its preamble that the Kingdom of Morocco, being an active and dynamic member of international organizations, reaffirms its determination to abide by the universally recognized human rights.

31. In April 1998, His Majesty the late King Hassan II appointed for the first time in the political history of Morocco a Government with a majority made up of opposition political parties. In its policy statement to the House of Representatives, this Government declared that the vindication of human rights was one of its principal orientations.

32. In Chapter One (arts. 1-18), the Moroccan Constitution guarantees the basic rights of all citizens, such as equality before the law, equal political rights for both men and women, freedom

of movement through, and of settlement in, all parts of the Kingdom, freedom of opinion and expression in all forms and of public assembly, freedom of association and the freedom to belong to any union or political group of their choice. The Constitution also establishes the rights to work and to hold public office uniformly for all citizens. It further guarantees the right of all citizens to strike and to own private property.

33. In article 10, the Constitution stipulates that no one shall be arrested, taken into custody or penalized except under the circumstances and procedures prescribed by law. It also affirms that homes shall be inviolable and that a search warrant shall be issued and an investigation ordered under the conditions and procedures prescribed by law.

B. International conventions

34. The Kingdom of Morocco has acceded to numerous international instruments related to human rights and has ratified several conventions in this field. These include for example:

- International Covenant on Civil and Political Rights, 1979.
- International Covenant on Economic, Social and Cultural Rights, ratified in 1979.
- Convention on the Elimination of All Forms of Discrimination against Women, 1993.
- International Convention on the Elimination of All Forms of Racial Discrimination, 1970.
- Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, ratified on 21 June 1993.

35. Morocco has also ratified the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Moreover, it has ratified a number of conventions of the International Labour Organization (ILO), the last of which was the Minimum Age Convention, 1973 (No. 138) which was ratified on 19 March 1999.

C. Judicial, administrative and other authorities

36. All Moroccan authorities have, in the exercise of their functions, a mandate in the area of the implementation of internationally recognized human rights. They are bound by both the obligations emanating from international treaties ratified by Morocco and the fundamental rights provided for in the Moroccan Constitution. Moreover, the terms of reference of the judicial branch require the judicial authorities to ensure and oversee respect for human rights.

37. On 8 May 1990 an Advisory Council for Human Rights was established with the task of assisting His Majesty the King in dealing with all matters relating to human rights, and formulating views and suggestions in all human rights cases.

38. In January 1991 a special branch for public liberties was created in the Ministry of the Interior, under the name of Department of Personnel Training, Codification and Public Liberties. The terms of reference of this Department include ensuring the sound implementation of legal provisions relating to public liberties and taking all necessary organizational measures with a view to elucidating and interpreting any ambiguity or uncertainty in the legal texts. The Department is also required to develop full mastery of the legal provisions in the matter of public liberties and to endeavour to provide legal assistance to the various departments of the Ministry to enable them to settle disputes in the field of public liberties.

39. On 8 July 1990 the National Council for Youth and the Future was created as a consultative body seeking to encourage, through dialogue and consensus, economic and social partners and representatives of executive and legislative organs to integrate the youth in active life.

40. The Ministry in Charge of Human Rights was created on 11 November 1993 and was assigned the task of elaborating and developing a government policy for the defence of human rights in coordination with other relevant ministries, and ensuring that domestic law was in conformity with the various international instruments. It also has a role in disseminating human rights culture within the fabric of society. Its function is also to broaden and enhance the ongoing dialogue and consultation with local, national and international bodies directly concerned with the issues of human rights.

41. On 24 November 1994 an Advisory Council was set up to pursue social dialogue. The Council is composed of representatives of the Government and of various economic and social sectors involved in this process. The Advisory Council works with His Majesty the King and is chaired directly by His Majesty. It aims at bringing representatives of various interest groups to maintain liaison among themselves in order to examine social questions and reach consensus on formulas for appropriate solutions.

42. These mechanisms were further consolidated with the creation of government departments within the current Government with functions strongly linked to the field of human rights.

43. The Ministry of State in Charge of Social Care and Family and Child Affairs was created with functions including the advancement of family, women and children and the improvement of the condition of social life of the elderly. It also aims at the development and institutionalization of organizations active in the social field and the promotion of social partnerships between local communities and non-governmental organizations in coordination with the competent ministries.

44. In the same context, a Ministry of State for Solidarity and Humanitarian Action was created in order to educate and sensitize segments of the population who are vulnerable to social risks and to set up appropriate structures for assistance, rehabilitation and shelter in the pursuit of social advancement and combating poverty.

45. One of the very first actions taken by His Majesty King Muhammad VI was the creation of a separate arbitration body under the umbrella of the Advisory Council for Human Rights to decide on compensations to victims of involuntary disappearance and arbitrary detention.

D. Recourse against human rights violations

46. Several avenues of recourse and appeal are in place for the benefit of any citizen who suffers any violation of his/her rights. Legal action may be initiated before courts of first instance and appeal courts. Cassation of a judgement by these courts may also be sought before the Supreme Council.

47. To boost the capacity of the judicial system to ensure respect of legality, rights and laws, administrative courts have been introduced since 1991 whose competence is to settle disputes relating to administrative contracts and to award damages for actions and activities of public persons and for arbitrary decisions made by administrative authorities.

E. Measures taken in the field of the rights of the child

48. Since its ratification of the Convention on the Rights of the Child, Morocco has spared no effort to put the Convention into effect in spite of the many constraints and challenges that are faced by Morocco, as by other developing countries. Of special relevance are the challenges of globalization, burdensome debts and harsh climatic conditions experienced by Morocco, whose economy is especially dependent on agriculture.

49. In the period since the consideration of the initial report of the Kingdom of Morocco, the country has undertaken a variety of efforts to promote the status of the child and to give effect to the provisions of the Convention.

50. On the institutional level, several entities were created, as noted above, to coordinate actions in the area of the rights of the child. We recall in particular the creation of the Ministry of State in charge of Social Care and Family and Child Affairs. This Ministry is responsible for the coordination of the relevant activities of the government departments concerned and civil society institutions active in the field of the rights of the child.

51. The Ministry of State for Solidarity and Humanitarian Action has also made effective contribution to the improvement of the condition of children living in poverty.

52. In this same context, the Office of the Moroccan High Commissioner for Disabled Persons was upgraded to become the Ministry of State in Charge of Disabled Persons.

53. In its policy statement to the Parliament, the Government has declared its commitment to allocating the appropriate priority to children and improve their situation by organizing a number of open-ended workshops. The outcome of these workshops were several programmes in favour of children that were developed according to Royal Guidelines which urged both government and civil society groups to ensure the rights of the child on the basis of an integrated and well-defined framework.

54. Following its ratification of the International Declaration on the Survival, Protection and Development of the Child, a National Plan of Action was established in 1992 to achieve by 2000 the objectives set by the International Declaration. In 1999, several workshops were organized to draft a second National Plan of Action for the new decade. The second plan took into account the new priorities in the area of the rights of the child and a rights-based approach was adopted for its elaboration so as to reflect the perspectives of the Convention on the Rights of the Child.

55. Morocco has also mobilized extensive efforts to translate into actions and measures the recommendations made by the Committee on the Rights of the Child in the context of its consideration of the initial report of Morocco.

56. The Convention itself was published in the *Official Gazette* on 17 December 1996. Efforts were also made to familiarize both adults and children with the rights contained in the Convention. In addition, training courses were organized for human rights officers in general and in particular for those dealing with the rights of the child. More detailed information is given later in this report.

57. Morocco has also enhanced the mechanisms in place for the coordination of actions in the area of the rights of children through partnerships developed with civil society institutions, as noted above.

58. Pursuant to the recommendation of the Committee on the Rights of the Child, Morocco exerted efforts in the area of the realization of economic, social and cultural rights of the child. This is clear from the many measures reviewed below in respect of health, education, recreation, culture and welfare of destitute children and children with special needs.

PART TWO - IMPLEMENTATION OF THE CONVENTION

I. GENERAL MEASURES OF IMPLEMENTATION

59. In addition to measures reviewed in the initial report, the Moroccan Government has taken a number of initiatives to promote the conditions of children and to protect their rights.

A. Measures taken to harmonize national law and policy with the provisions of the Convention (art. 4)

60. The harmonization of national laws with international human rights instruments is an important task that receives particular attention by the Government. In this respect, the Prime Minister has, by circular No. 98138 of 10 September 1998, established a ministerial committee to harmonize Moroccan law with international conventions on human rights ratified by Morocco. The Ministry in Charge of Human Rights serves as secretary of this committee.

61. The harmonization of Moroccan laws with the Convention on the Rights of the Child was a focal concern for participants in the fifth and sixth sessions of the National Congress on the Convention on the Rights of the Child, organized by the National Observatory of the Rights of the Child on 25 May 1998 and in 1999, respectively.

62. At an initiative by the National Observatory a draft text was tabled for the harmonization of priority laws, i.e. the Code on Personal Status, the Nationality Code, civil status laws, the Criminal Code and the Royal Decree establishing the Act on Abandoned Children.

63. The Ministry of State in Charge of Social Care and Family and Child Affairs has constituted a committee to prepare a draft law to amend and supplement the Royal Decree establishing Act No. 165 1-93 of 10 September 1993 on Abandoned Children. The proposed draft law shall take into account comments and suggestions submitted by competent government departments and civil society organizations.

64. The Ministry of the Interior has undertaken a comprehensive review of legal texts governing civil status with a view to drafting a new text superseding all others and establishing modernized and updated rules organizing civil status.

65. The Ministry of State for Disabled Persons has been engaged in a process of harmonizing legislation relating to the disabled with relevant international standards in order to provide better protection for disabled children.

66. The Ministry of Justice has completed a draft amendment to the Code of Criminal Procedure.

67. The draft, which is to be submitted shortly to the Parliament, is based on a new approach aimed at providing better protection to children in conflict with the law.

68. Reproducing the Convention in the *Official Gazette* was an effective means of making it widely known. It also entails important legal implications, since the Supreme Council has ruled that in case of a conflict between national law and provisions of international conventions, these latter shall prevail, provided the relevant Convention has been published in the *Gazette* (decision No. 49 of 1 October 1976, decision No. 5 of 3 November 1972 and decision No. 162 of 3 August 1979).

69. The publication of a convention in the *Gazette* makes it enforceable. It may be recalled in this regard that the preamble to the Constitution declares that the Kingdom of Morocco “fully adheres to the principles, rights and obligations emanating from the charters of [international] organizations as it reaffirms its determination to abide by the universally recognized human rights”. By virtue of the provisions of the Moroccan Constitution, a convention published in the *Gazette* becomes part of the domestic law.

70. Since the rights of the child are deemed to be an integral part of human rights, a child shall have access to the same judicial remedies as are open to any citizen in the area of human rights. In view of the age of the child, rules and laws dealing with children in relation to justice provide for their support through the presence of a lawyer and/or those legally responsible for the child.

71. In addition to the governmental departments that were created (see above section on measures in the field of the rights of the child), the National Observatory for Human Rights was created by a decree of His Majesty the Late King Hassan II. He also declared the National Congress on the Child a permanent body to follow up the implementation of the Convention on the Rights of the Child, to evaluate progress and to mobilize all forces and intensify efforts to accomplish the objectives of the Convention and to ensure full and comprehensive realization of the rights of the child.

72. In this context, the National Observatory has been holding the National Congress on the Rights of the Child on an annual basis to coincide with the National Day for Childhood. The Congress examines and evaluates achievements made in the areas of health, education, protection of children in difficult situations, environment and other areas indicated in the Convention. Each session focuses its deliberations on one theme. In collaboration with civil society groups, the Government endeavours to translate the recommendations adopted into policies and national plans of action.

73. In the royal message to the second session of the National Children's Parliament, His Majesty said: "We were gratified to learn that maltreatment and exploitation of children will be one item of the topics to be discussed by this important session, pursuant to recommendations of child parliamentarians. Indeed, this is a serious phenomenon and it commands the utmost attention of official and interested parties."

B. Measures taken for the collection of data

74. Morocco has exerted extensive efforts in the collection of data and statistics in respect of children. In this field, the Ministry of Economic Forecasting and Planning has, through the activities of its Department of Statistics and Centre of Demographic Studies and Researches, prepared a number of researches to cover the requirements of statistical data, particularly in the social area.

75. These surveys have helped to gain more insight into the conditions of children under 18. Over the last 10 years the following studies and surveys were conducted:

Two surveys on the standard of living of families, 1990-1991 and 1998-1999;

The General Population Census, 1994;

Survey on the time-budget of women, 1998-1999;

Annual survey of employment;

A study of children in difficult situations, which is to be incorporated in the ongoing survey of employment;

Research on teenagers in Casablanca, 1999, which is in publication.

76. For its part, the Ministry of Health has undertaken a number of activities in the area of collecting data and statistics. The most significant of these are:

Two surveys on "Population and Health" in 1992 and 1995;

A survey (PAPCHILD) on maternal and child health, 1996-1997.

77. Despite these efforts, shortage of data is to be noted, particularly in respect of abandoned children, children who are victims of maltreatment, exploitation and drug abuse, and similar groups. The data provided by various departments are not adequate to form an overall view of the actual evolution of the numbers of these groups.

78. It is expected, however, that this shortcoming is to be remedied with the prospective establishment of the National Board of Statistical Information, which will centralize data and statistics, including those that may allow a comprehensive assessment of actions taken on behalf of children.

79. In cooperation with UNICEF, a programme was developed to establish social indicators of the situation of children and targets achieved under the National Plan for the Protection, Survival and Development of Children in the 1990s.

80. The main features of this cooperation are:

(a) Training on research techniques and data analysis;

(b) Formulation of indicators needed as inputs for drafting the national report on measures taken to implement the recommendations of the World Summit on Children;

(c) Strengthening national capacity for analysis of data relating to children, with the support of world experts;

(d) Preparation of a report on social indicators in respect of children, scheduled for late December 2000.

C. Measures taken to guarantee economic, social and cultural rights

81. Notwithstanding the various difficulties and constraints faced by Morocco in the development process, major efforts have been expended to guarantee recognized economic, social and cultural rights of the child, as an independent person. These rights cover the rights of health, education, decent standard of living, mental and personality development, acquiring knowledge, and participation in social and cultural life.

82. These efforts are especially manifest on the constitutional level, where mechanisms have been developed to implement constitutional provisions. This preoccupation has been consecrated by His Majesty the Late King Hassan II in his message to the First Meeting of Mediterranean National Human Rights Organizations, held in Marrakesh in April 1998 and attended by the High Commissioner for Human Rights, in which he said: "Safeguarding all

kinds of rights hinges on guaranteeing economic, social and cultural rights.” On the occasion of the Anniversary of the Universal Declaration of Human Rights (10 December 1999), His Majesty King Muhammad VI addressed a message to the Moroccan people in which he affirmed that the course chosen by Morocco in the area of human rights was firm and irreversible. His Majesty further said: “Our perspective is not confined to the legal or institutional aspect, nor is it limited to particular measures and actions, but is also extended to social aspects which lie at the very core of efforts to preserve human dignity. We continue to pay attention to the integration of the have-nots, the disabled and rural women, who suffer under the most acute conditions of marginalization, since this constitutes the essence of human rights.”

83. Outlays for social development rose annually by some 9.0 per cent in the course of the decade, reaching 8.25 billion dirhams, or 42 per cent of total expenditure under the State’s general budget compared to 38.6 per cent in 1995.

84. The Finance Law for 1998-1999 established an increase of 2 percentage points in allocations for social sectors in the State’s general budget, which clearly reflects the political will of the Government to advance these sectors. In 1997 expenditure on the basic social sectors amounted to 2.12 billion dirhams, representing 2.17 per cent of total budgeted expenditures.

85. The sector of basic education accounts for the highest share, i.e. 85 per cent of expenditures on education, whose basic allocations account for 10 per cent of total expenditures.

86. In its policy statement to the Parliament, the Government has declared its commitment to giving priority to social development, encouragement of social dialogue, enhancement of the function of consultation and involvement of groups and associations active in social, economic and cultural spheres.

1. Constitutional gains in the area of economic, social and cultural rights

87. Successive amendments of the Constitutions of 1992 and 1996 produced an institutional development in the field of economic, social and cultural rights by making regions the centres for creating local democracy. This orientation was also given expression in the royal address of His Majesty the Late King Hassan II on the occasion of the inauguration of the first two-chamber Parliament in 1997. In this address His Majesty affirmed that “the House of Councillors (Senate) is above all a grouping of representatives of those who work daily so that Morocco may earn the fruit of its labour, they are the farmers, wage-earners and traders. It is incumbent upon us to honour their work and efforts and their sweat and energy by also giving them a share in deliberating the affairs of the country, enacting legislation and having sometimes and in certain circumstances and under certain conditions, a say in the work of the Government. To all this we have added something that is cherished by us, that is, the regional community, which is an idea that will make the population of Morocco equal in rights, even though their levels of growth and development may not be one and the same”.

88. The Constitution of 1996 has, in article 15, consecrated free initiative as an effective means to liberate the national economy from monopoly. It also stressed the principle of control of public funds by raising the Supreme Council of Accounts to the level of a constitutional institution and restoring the importance of socio-economic development planning, as stipulated in articles 32, 50 and 66.

2. Priority of social development

89. The Government's policy statement stated that the Government gave social development the top priority. Social areas of priority also include combating unemployment and poverty, eliminating social disparities, eradicating illiteracy, improving basic educating, promoting of medical care and reforming the system of social protection.

90. To achieve these targets, the Government stressed the need to reconsider the regional and sectoral distribution of social expenditures in order to accord a higher priority to the poorer regions and provinces and the needier segments of society in the new social solidarity contract.

3. Encouragement of social dialogue and enhancement of the function of consultation

91. In August 1996, the Government and employers concluded an agreement that laid the foundation for a new culture and new method of social dialogue and consultation. The function of consultation has also grown perceptibly over the last few years with the augmentation of the effective contribution of consultative councils in the decision-making process with regard to economic, social, cultural and human rights issues.

92. The role of consultation in the consolidation of social democracy is beyond doubt. For this reason, in addition to the Consultative Council for Human Rights and the National Council on Youth and the Future, the Consultative Council for the Pursuit of Social Dialogue was set up to promote the culture of consultation among all social partners, including the Government, professional bodies, employers and trade unions.

93. Civil society organizations are active and effective partners in the area of development in general. The last decade of the second millennium has been marked by the proliferation of active groups, with their number reaching nearly 30,000. The activities of many of these groups are directed towards the promotion of group interests, such as rights of women and the child, and towards active contribution to the advancement of economic, social, and cultural rights, including literacy campaigns and combating poverty by setting up small-scale projects.

94. Steps were also taken to implement a number of joint projects by the Government and non-governmental organizations in various provinces. These projects are primarily concerned with economic development, provision of drinking water, rural electrification, opening up access to remote areas, etc.

95. Support by the Government to civil society entities takes the form of subsidies and providing all necessary and possible means to enable them to carry out their activities to advance economic, social and cultural rights.

96. Under its obligation to implement the recommendations of the Copenhagen World Summit for Social Development, the Moroccan Government laid down a strategy for integrated social development on the community level. The objectives of this strategy consist of the revitalization and enhancement of community actions and the encouragement of initiatives involving all actors in order to open up remote areas, create jobs and reduce poverty.

97. The Government also intends to formulate a system by which to identify categories of population most in need of assistance to benefit from the free social services offered by the State, especially in the areas of health, housing, nutrition and social assistance. Work began in the mid-1990s to translate this social policy into a programme of social priorities. Particular attention is given to rural areas to improve the access of disadvantaged population to basic social services such as schools, health clinics, literacy programmes and employment opportunities.

98. The programme of priorities addresses three main areas: elementary education, basic health care and national development. It covers 13 provinces with 43 per cent of the national rural population that are considered to be the neediest communities.

99. Programme targets in the area of basic education include:

- improving access to basic education, reducing drop-out rates in rural areas and increasing the number of classrooms;
- reducing discrepancies in access to schools between boys and girls; launching awareness-raising campaigns to increase school attendance of rural girls;
- upgrading the quality of education;
- improving national school curricula;
- supporting school attendance of children by handing out books and other school equipment free of charge to children of poor families;
- supporting programmes of nutrition at schools; and
- Enhancing actions aimed at the improvement of the school environment and the integration of school in the community.

100. Targets in the area of basic health care include:

- Improved access to basic health-care facilities for both prevention and treatment;
- Renewal, restoration and construction of health care centres and clinics in rural areas and regional hospitals;

- Provision of medical supplies and instruments, including medicines, serums, contraceptives, ambulances and motorcycles for itinerant nurses; and
- Consolidation and expansion of the no-risk maternity programme.

101. In the area of national development the targets include strengthening national campaigns in the area of social development, including literacy campaigns. For the purpose of coordination and follow-up of social schemes, the programme of social priorities will extend support to the Committee for the Follow-up of Social Development Policy. This support will be in the form of surveys and appraisal studies to be undertaken under the programme as well as an integrated mechanism for regional information and management.

102. The financial envelope for this programme is on the order of US\$ 226 million. An amount of US\$ 150 million has been funded through a loan from the World Bank and allocated as following: US\$ 54 million for basic education, US\$ 30 million for basic health care and US\$ 228 million for national development.

103. The first programme of social priorities was started in 1996-1997.

4. Role of international cooperation in the social development strategy

104. The last decade witnessed a marked improvement in the identification and exact definition of areas for intervention, the targeted groups and priority actions. This has permitted a more accurate formulation of the required programmes.

105. This improvement is explained by the importance attached by Morocco to the implementation of recommendations and plans of action adopted by the various United Nations conferences which were held in the course of the last decade of the second millennium. Thus, activities under the initial programme of social priorities were supported by several field operations conducted by international partners in many provinces of Morocco.

106. Although the financial resources for these operations were meagre, the activities carried out under these operations contributed to the development of the provinces concerned and the improvement of the situation of children in the provinces concerned.

107. In this context two programmes may be singled out only as examples of others that received 50 per cent of their financing from the UNDP:

(a) A programme designed for the rural areas that was initiated in September 1996 in the areas of Essaouira, Chechaouene, Chechaoueh and Al-Houz;

(b) A programme designed for three urban and semi-urban centres in Casablanca, Marrakesh and Tangiers that was carried out in September 1997 at a cost of US\$ 2 million.

108. The primary objective of these supplementary programmes is to devise new approaches to combat poverty which, if successful, could be extended to other districts.

109. There were other programmes envisaged to achieve similar purposes:

(a) A programme sponsored by USAID to provide elementary education for girls in rural areas, namely in Rachidia, Al-Hoceima, Sidi Kacem and Essaouira;

(b) A programme sponsored by the European Union in the field of elementary education and basic health care at a cost of 70 million ecus over three years. This programme was elaborated in coordination with the programme of Social Priorities.

110. A framework scheme was elaborated for United Nations cooperation in the field of development in the period 1998-2001. The scheme is intended to harmonize outlooks and to coordinate interventions of the United Nations in development efforts within Morocco under an integrated strategy.

5. Mechanisms for promoting social development

111. In the context of the Government's strategy for social development, the following mechanisms have been created:

(a) Social Development Agency

112. This agency is assigned the task of carrying out actions and programmes to improve the living conditions of segments of the population that are socially and economically fragile. It contributes to the direct financing of projects, or supports projects undertaken by associations, community groups or public institutions. It is also concerned with upgrading collective facilities in areas facing difficulties in development.

113. To achieve its targets, the agency was given the following terms of reference:

(a) To contribute to financing social development projects in priority areas, particularly drinking water, rural electrification, literacy programmes, basic education, basic health care services and the development of communications;

(b) To provide material and technical support for the roll-out of individual and collective projects to enhance the resources of fragile population segments and improve their living conditions;

(c) To contribute to the creation of small-scale ventures in order to create employment opportunities for population categories who have difficulties in being integrated in the job market;

(d) To support projects aimed at the protection and preservation of the environment;
and

(e) To promote the institutional capacities of non-governmental organizations, local communities and other entities that pursue objectives similar to those of the agency.

(b) Agency for Regional Economic and Social Development and Revival of Northern Morocco

114. This agency was set up to respond to the specific social, economic and cultural characteristics of northern regions and districts. Its objectives include:

(a) Creation of employment opportunities in the medium term, with wider involvement of the population in development programmes; and

(b) Wider access of the population to basic services and facilities and reinforcement of social assistance schemes for the benefit of underprivileged categories, particularly women and children.

115. In pursuit of these objectives, the agency elaborated a number of social and cultural projects addressed to children. Such projects, to be spread and generalized in various northern regions and districts, include specifically:

(a) Construction of a community youth centre in the Bougaz area, in partnership with the “*Darona* (Our Home) Society for Citizens’ Initiatives”, and a placement and training centre for youth in difficult situations in order to reintegrate them after training. About 50 children, aged 8-16, are to benefit from this initiative;

(b) Construction and equipment of six soccer fields in six rural communities in Al-Hoceima region, in partnership with community councils and the Ministry of Youth and Sports.

116. The agency has also participated in the organization of a Children’s Books Week, sponsored by the Society for Child Care and Family Orientation in March 1999. The agency provided financing for the publication of the Society’s bulletin on the Children’s Books Week.

117. In addition to the creation of the two agencies, the two Houses of Parliament unanimously approved in November 1998 a draft law on small credits, widening the scope for initiatives in the area of small income-generating ventures. The benefits of these ventures, which will raise family standards of living, will reflect positively on guaranteeing the basic rights of the child.

6. Sectoral programmes for the installation of basic utilities in rural areas

118. The Government’s social development strategy opened up three major work areas: programme of rural electrification, programme for the construction of rural access roads and the integrated programme for providing drinking water to rural areas.

119. The importance of these programmes emanate from their contribution to the creation of a normal and healthy social environment for the child. For example, these programmes help

curtail child mortality caused by diarrhoeal and infectious diseases; they also raise the level of school attendance, especially for girls in rural areas, as a result of reducing the burden of tasks required of these girls to cope with the absence of basic utilities.

(a) Programme of Rural Electrification (PEGER)

120. Efforts have been made to introduce electricity in the rural areas but they have not achieved their expected results. Electricity coverage reached only 18.5 per cent of rural households in 1996, even though the pace of extending electricity to villages accelerated from an initial coverage of 577 population centres with a total 70,000 families in 1996 to 1,044 centres in 1997 and 1,127 centres in 1998, and is expected to reach 1,500 centres in 1999.

121. If this pace is maintained, the benefits of the programme may well reach some 43 per cent of the rural population, and the overall electrification coverage may reach 65 per cent and 80 per cent in 2003 and 2006, respectively.

(b) National Programme for Rural Access Roads (PNCRR)

122. Roads play a vital role in the field of communications and can contribute effectively to the economic and social activity within countries. On a regional and local level, a road is considered an important tool of any policy of national territorial development and for facilitating investment projects. Roads are indeed the means for the transportation of people, goods and services and thus ensure an orderly distribution of production activities.

123. Rural access roads aim at bringing remote rural areas out of their isolation to enable their population to communicate, which in turn may lead to a development of economic activity.

124. The National Programme for Rural Access Roads has been given a significant boost since 1995 when 4,261 km of rural roads were built, of which 3,809 km were already opened for traffic.

125. Implications of road building in rural areas reflect positively on the standard of living of the rural population in general, and of children in particular. These implications include higher rates of school enrolment and improving the living conditions of rural women.

126. Studies by the World Bank demonstrate that rural roads have a direct impact on the rate of school enrolment of rural children; when paved roads are built, this rate jumps dramatically from 21 per cent to 76 per cent, especially in the case of girls.

127. A study was carried out by the Ministry of Public Works in 1998 of the implications of two roads built in Beni-Mellal and Tinzit as part of the National Programme for Rural Access Roads. The study demonstrates that with the construction of these two roads, school attendance grew by 12 per cent among boys and 23 per cent among girls.

128. In the area of education, roads also contribute to raising the quality of education. Roads make access to remote villages easier and that in turn reduces the absence of both teachers and children from school.

129. Improvements in transport conditions in the rural areas of the country, as a result of the achievements in implementing the road construction programme for rural areas, have had a positive impact on the status of women, enabling the introduction of health programmes for the mother and the child (see the section on medical services).

(c) Integrated Programme for supplying drinking water to rural areas (PAGER)

130. PAGER was inaugurated in 1995 after the drought that Morocco, and its rural areas in particular, witnessed in 1992, 1993 and 1995. PAGER aims at providing drinking water in the medium term for 31,000 rural villages, with a population of about 11 million, at an investment of 10 million dirhams. From the beginning of the project in 1995 to 1999, 3 million people benefited, for the first time, from access to drinking water. Today, around 4.8 million inhabitants, or 38 per cent of the rural population, have access to drinking water.

131. The programme aims at achieving the following objectives:

- Improving the living and health conditions of the rural population;
- Control of water-related diseases;
- Improving the conditions for rural women by alleviating their burden related to the search for water;
- Control of rural migration;
- Improving school attendance in the rural areas, especially among girls.

132. The programme is being implemented in partnership between the Government, local communities and the beneficiary inhabitants.

133. The National Bureau for Drinking Water participates in the planning and production of drinking water at the national level, and ensures that children are direct beneficiaries both from the point of view of health and prevention, and of improving their living conditions.

134. In this regard, special mention should be made of the role of the National Bureau for Drinking Water in improving water conditions in the rural areas. It has organized a number of activities, notably:

Campaigns for the control of trachoma in the areas of Ouarzazate, Taza, Rachidiya, Zakoura, and Figuig;

Awareness campaigns to stimulate and enhance awareness of the importance of maintaining the quality and rational use of water, organized in partnership with other interested parties;

Support for the institutions and non-governmental organizations involved in the well-being of children. Some 20 agreements of support and cooperation have been concluded with non-governmental organizations.

135. The Bureau has concluded a partnership agreement with UNICEF to support the awareness efforts in support of the rights of the child, through utilizing the network of the Bureau.

136. In spite of the efforts made, poverty has increased, with 19 per cent of the population estimated to be living below the poverty threshold nationally in 1998/99, up from 13 per cent in 1990/91. The 1998/99 figure reflects 27.2 per cent in the rural areas and 12 per cent in the urban areas, up from 18 and 6.7 per cent respectively in 1990/91.

137. Reference should be made to the difficult economic context, marked by slow economic growth, within which the social development strategy is being implemented. Annual GDP growth stood at 2.1 per cent during the period 1994-1999. The severe drought that hit Morocco in 1995 has seriously affected the economic and financial situation in the country, causing a 7 per cent drop in the country's GDP.

D. Action taken to make the principles and provisions of the Convention widely known (art. 42)

138. The process of education and wide dissemination of the principles and provisions of the Convention is being carried out by various agencies, including government agencies such as the Ministry in Charge of Human Rights, the Ministry of National Education, and other institutions such as the Advisory Council on Human Rights, the National Observatory for the Rights of the Child, and various organizations working in the field of the rights of the child, notably the National Committee for UNICEF and the Moroccan League for the Protection of Children. Copies of the Convention have been printed in a decorative manner with attractive illustrations and distributed, in Arabic and French, mainly in schools and during a number of functions in support of the child, including the Arab Day for the Child, the Universal Children's Day and the National Day for the Child.

139. Copies of the Convention have also been distributed to, among others, educators, judges, lawyers, social workers, staff of the Ministry of Youth and Sports. This was undertaken in cooperation between the Ministry in Charge of Human Rights, the Ministry of National Education, UNICEF, the National Observatory for the Rights of the Child and UNESCO. The Ministry in Charge of Human Rights places great importance on education and orientation regarding the promotion of the rights of the child and inculcating them as social values of the community. It strives to achieve this objective through its various activities, both in the capacity

of initiator or organizer of such activities and through participation and cooperation with the civil society organizations and other interested parties. Among the various activities of the Ministry in this field, mention may be made of the following:

- (a) Visits arranged by the Ministry to various schools, as part of the activities of the National Solidarity Week for the eradication of poverty. The aim is to educate the children on the right of every child to a decent life with integrity, thus promoting a spirit of responsible citizenship and support for the needy;
- (b) Conducting workshops and study groups at schools and private organizations on the Convention, at urban and suburban centres;
- (c) Participation in the cultural functions related to the Convention by organizing, throughout the duration of the function, workshops on the rights of girls;
- (d) Participation in the First Youth Convention that was organized in the city of Bouznega during the period 8-11 July 1999, by conducting a workshop on "Youth and Citizenship";
- (e) Participation in the Selection Committee for Children's Books, as part of a national initiative organized for 20 selected primary schools in rural and suburban areas on one of the items of the Convention, in cooperation between the Ministry of National Education, UNICEF and the National Observatory for the Rights of the Child;
- (f) Organization of a national drawing competition on the Convention, in cooperation with the Ministry of National Education and UNICEF. The result of the competition was announced during an official ceremony organized on the occasion of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights;
- (g) As part of the efforts for the wide dissemination of the purposes of the Convention, particular attention was given to children with special needs. For example, the Convention was printed in Braille for the benefit of blind children, in cooperation with the National Observatory for the Rights of the Child and the Alawiyya Society for the Protection of the Blind.

140. The Ministry of Justice, in its efforts to safeguard the interests of children and delinquent minors in the prison facilities has prepared, in cooperation with the National Observatory for the Rights of Children, a special directory for delinquent minors in prison facilities, with a view to educating the children about their rights, especially those stipulated in the Convention and United Nations texts regarding the rights of children deprived of their liberty. The directory has been distributed to all prison facilities.

141. The last few years have witnessed intensive activities in the form of symposiums and training courses on the subject of childhood and the rights of the child, both as government and private initiatives or as public-private partnerships. Such activities concentrated on the provisions of the Convention and their implementation, with participation from all concerned, including child parliamentarians.

142. The National Day for the Rights of the Child has been set for 25 May every year. It is considered a landmark that has contributed to enhancing awareness of the Convention and its purposes and objectives, and to conducting an annual assessment of achievements in this regard.

143. The celebration of the tenth anniversary of the ratification of the Convention was another occasion for intensifying initiatives and efforts for making the Convention and its provisions widely known and for popular participation and support for the rights of the child. Celebrations covered all aspects of the rights of the child, stressing the problems of providing assistance to children in difficult situations.

Training and rehabilitation programmes

144. Many actors involved in the subject of the rights of the child conduct training programmes for workers in this field. Training courses have been organized for social workers in the field of child welfare in general, and children with special needs in particular. The aim of such courses is to equip social workers with practical knowledge and know-how in order to ensure the respect of the rights of the child in the course of discharging their professional, administrative or educational duties.

145. The Ministry of Youth and Sports, being an agency involved in human resources development, has been engaged in conducting a number of meetings for those who work with the children directly or indirectly. More than 10,203 officers participated in this process as follows:

- 9,133 in the field of camps;
- 500 in the field of child protection;
- 570 in the field of children's clubs.

146. These courses benefit the staff of a number of public agencies and of non-governmental organizations involved in child welfare. They are conducted in collaboration with UNICEF and the National Association for UNICEF, and some other countries, including Germany, France, Italy and Tunisia, in the context of exchange of experience and the participation of foreign experts.

147. Education in the principles and objectives of the rights of the child is also included in the programmes that are directed at children, at children's clubs, childcare centres, summer camps, and also through education campaigns that are organized for the purpose of improving the conditions of children in rural areas. All activities are conducted in cooperation and coordination with public and private agencies involved in work for the benefit of children.

148. Training and orientation programmes are also directed at workers in the judiciary and the administration of juvenile justice. For the judiciary, human rights is one of the core courses at

the National Institute for Legal Studies, with special reference to international law relating to human rights, especially international regulations and mechanisms relating to human rights and the rights of the child. International humanitarian law is also covered under this course.

149. As for correction facilities, the Ministry of Justice has placed greater emphasis on the training and rehabilitation of prison staff at all levels. Symposiums and training courses conducted for such staff now include instruction in human rights. Since 1994, the Prison and Reintegration Administration has conducted regular courses and training workshops which teach standard rules for the treatment of prisoners and a Code of conduct for officers in charge of detention. Those elements constituted 15 per cent of the total training content.

150. In addition to such courses and workshops, the Ministry of Justice has organized train the trainers courses, which included the sending of some trainers abroad for the purpose of acquiring and exchanging experience.

151. At the academic level, UNESCO chairs have been established at the universities, including the UNESCO Chair for human rights, the UNESCO Chair for the culture of peace, and the UNESCO Chair for the rights of women, all of which focus on the rights of the child both in academic courses and in research work.

152. In that context it is worthwhile mentioning the efforts and intense interest of Moroccan lawyers in propagating human rights. They organize symposiums dedicated to this subject. Human rights is also a standing item on the agenda of their conventions and meetings. The recommendations of their latest convention give considerable prominence to human rights and their implementation and promotion.

153. The Centre for Documentation, Training and Information on human rights, recently established by the Ministry in Charge of Human Rights, focuses on the promotion of a culture of children's rights. The Centre was established in cooperation with UNDP and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

154. The functions of the Centre in the field of documentation and information include the following:

(a) Establishing a data bank and a special section for human rights documents and publications emanating from human rights bodies at the international, regional and national levels, and from universities and research institutes;

(b) Use of modern technology in the field of information and documentation;

(c) Production and dissemination of material that propagates the concepts and principles of human rights;

(d) Maintaining relations with the agencies and organizations dealing with human rights issues at the international and national levels, for the purpose of exchange of information and documentation.

155. In the field of training, the Centre aims at the following:

- (a) Contributing to the training process in the field of human rights through organization of specialized and general courses and workshops for those concerned with human rights;
- (b) Supporting the efforts of non-governmental organizations involved in the field of human rights with a view to upgrading their professional and administrative capabilities;
- (c) Supporting national efforts to promote the concepts and principles of human rights in the education and information fields.

156. Parallel to the Centre, the Moroccan League for the Protection of Children has established a research centre for maternal and child studies. Likewise, the Ministry of State in Charge of Social Care and Family and Child Affairs has also established a research centre for maternal and child studies. The Centre for Human Rights has also been established at the initiative of the Lawyers Association.

157. Seeking to integrate the culture of children's rights in the social fabric, a national programme for education in the rights of the child has been launched in partnership between the Ministry in Charge of Human Rights, the Ministry of National Education and the Ministry in Charge of Secondary and Technical Education, in the context of agreements concluded between those sectors (see below under article 29).

E. Measures adopted to make the national report widely known (art. 44)

158. The initial report was published in Arabic and French and has been widely distributed, together with the conclusions and comments of the Committee on the Rights of the Child, with a view to implementing the recommendations of the Committee. The present report will be treated similarly, in order to publicize information on the situation of the child as well as the comments, proposals and recommendations made by the Committee after its examination of the report. In the course of the preparation of the report, consultations were made with all relevant organizations, associations and civil society entities, as well as United Nations agencies involved in the welfare of the child, especially UNICEF.

II. DEFINITION OF THE CHILD (art. 1)

159. The Moroccan Government refers to the information given in the initial report of the Kingdom of Morocco on the implementation of the Convention on the Rights of the Child (CRC/C/28/Add.1), in which an outline is given of the definition of the child:

- (a) For the purposes of personal status, the legal age of civil majority is 20, as defined in article 16 of the Code on Personal Status;
- (b) For the purposes of criminal responsibility, the age is 16 as defined in articles 138-140 of the Penal Code and article 514 of the Law on the Criminal Procedure Code.

160. The Criminal Code defines a minor in terms of three age groups:

(a) A minor under the age of 12, who cannot be criminally liable because of immaturity, as stipulated in article 138 of the Penal Code;

(b) A minor between the ages of 12 and 16, whose liability is limited because of incomplete maturity and who can be subject only to protection or rehabilitation measures, as defined in article 516 of the Criminal Procedure Code, or to mitigated punishment as defined in article 517 therein;

(c) A delinquent person at or above the age of 16: the law allows for the treatment of a suspect between the ages of 16 and 18 as a minor if the judicial body so decides, with proper justification.

As pointed out in the initial report, the minimum age for employment is 12, and the conscription age is 18.

161. The Government has taken the following measures to adapt the legal age to the requirements of the Convention:

(a) According to a new draft Penal Code and a new Criminal Procedure Code, the age for legal criminal responsibility will be raised to 18;

(b) The Criminal Procedure Code specifies certain measures for treating prisoners under the age of 20;

(c) Under law No. 11 of 1999, which amends and supersedes section 446 of the Penal Code, a child is defined as a person under the age of 18;

(d) The minimum age for employment has been raised to 15, following the ratification by Morocco of ILO Convention No. 138;

(e) The age of conscription has been raised to 20.

162. The above developments reflect the determination of the Kingdom of Morocco to provide adequate protection for the child by aligning its legislation with the advances in the rights of the child at the global scene. Other actions contemplated by the Government, especially in the field of basic education, include raising the compulsory schooling age to the age of 16.

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

163. Non-discrimination and equality are principles that have been embodied in the Moroccan Constitutions since the first Constitution of 1962, and have been reiterated in the last Constitution of 1996. The constitutional provisions stipulate that all Moroccans are equal before

the law (art. 5) and in the enjoyment of political rights (art. 8), of the freedom of movement, freedom of expression in all its forms, freedom of assembly and of association (art. 9), and in the right to work and education (arts. 12 and 13).

164. The principle of non-discrimination has been reinforced by the ratification by Morocco of United Nations and specialized agencies instruments, including:

ILO Conventions Nos. 100 and 111, relating respectively to equal pay for equal work, and non-discrimination in employment;

International Convention on the Elimination of All Forms of Discrimination in Sports;

International Convention on the Elimination of Discrimination in Education;

Convention on the Political Rights of Women;

in addition to the ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

165. Amendments to national legislation consistently reaffirm the principle of non-discrimination. For example, the draft Press Code provides in section 39 bis that “whoever uses any of the means referred to in section 38 to incite discrimination, hatred or violence against any other person or persons on the basis of their origin, sex, colour, or ethnic or religious affiliation shall be punishable by either a prison term of six months to one year or a fine of 3,000 to 30,000 dirhams”.

166. Draft law No. 65 of 1999 on the Labour Code provides in article 9 that “There shall be no discrimination between workers on the basis of descent, colour, disability, marital status, belief, political opinion, professional affiliation, or national or social origin that may endanger or encroach on the principle of equal opportunity, may result in inequality of treatment in employment or in the practice of a profession or trade, especially as related to employment, management of the workplace and assignment of duties, training, wages and benefits, or the enjoyment of social benefits, and to disciplinary measures and separation from work.” Consequently, the following specific rights are guaranteed:

(a) The right of a married woman to enter into an employment contract without the concurrence of her husband;

(b) Protection from any discriminatory measure based on trade union affiliation or activities related to trade unions or wage negotiations;

(c) The right of a woman, married or unmarried, to join any professional or trade union, and to participate in the management or operation of such union.

167. Law No. 35 of 1999 concerning the organization and functioning of the prison facilities provides in article 51 that “there shall be no discrimination in the treatment of detainees on the basis of race, colour, sex, nationality, language, religion, opinion or social status”.

168. Non-discrimination is the rule; any exception to the rule is specified in the law, and is meant to safeguard the best interests of the child. Examples are found in the difference in the mandated minimum age for marriage, which is 15 for females and 18 for males, and the legal age for ending the custody of children (*hadana*), which is 12 for males and 15 for females. These differences, which are based on Islamic law and are specified in the Code on Civil Status, are not intended to differentiate between sexes but to secure the welfare of the child. However, the present orientation of the national legislation is to take into consideration the developments in western society and to take appropriate measures to secure the basic principles of human rights. In this context, the Government has prepared a national plan of action, as part of the follow-up to the Beijing Declaration and Platform for Action, for the integration of women in the development process. The Plan represents a manifestation of the political will expressed in the government declaration on the improvement of the status of women in the economic, cultural, and social fields. Among the priorities adopted as a basis for the Plan of Action are the following:

Enhancement of the legal, economic, social, and political aspects of the development of women. The proposed procedures in relation to non-discrimination include raising the minimum age for marriage to 18 and making the age for the end of custody (*hadana*) uniform for boys and girls, ending at the age of 15;

Education and elimination of illiteracy;

Reproductive health and basic health education;

Employment, training, and alleviation of poverty.

169. A number of measures have been taken at the national level with a view to narrowing disparities between the regions, between the sexes and between social groups. Foremost among them are the elimination of illiteracy and the national programmes for health-care coverage, the solidarity campaigns for the eradication of poverty, and narrowing disparities that exist between different groups of the society.

170. The disparities that exist in school attendance, health services, employment, or basic infrastructure are related to economic and geographic factors, as well as cultural factors that are inherent in the cultural and traditional values of certain communities within the society. Nonetheless, the Government intensifies its efforts in the field of information and orientation in order to change such attitudes and implant the values of universal equality.

B. The best interests of the child (art. 3)

171. In its endeavour to secure the protection of the child, the legislation bases itself on the principle of best interest. The same applies to the legal provisions relating to the protection of the child's person and money in the Code on Personal Status as well as in other laws.

172. The basic institution for the best interests of the child is custody (*hadana*), and the related functions of nursing, financial support and education. Custody is intended for the protection of the child, as far as possible, from any harmful effects, to give the child proper education and to maintain his or her interests (Code on Personal Status, sect. 97). The prescribed conditions for custody (*hadana*) give express priority to the interests of the child. The guardian must be an adult of sound mind and character, who must have the ability to bring up the child and maintain him or her physically and morally. He or she must be free from any communicable disease and from all limitations that inhibit his or her ability to provide adequate care of the child (*ibid.*, sect. 98).

173. The judge decides on the matter of custody (*hadana*) when a marriage is dissolved. Where both parties are eligible, the judge decides on the party that is best suited to undertake the responsibility, in the light of the provisions of article 101 of the Code on Personal Status.

174. In other sections, the Code directly addresses the interests of the child. An example is the provision of article 109, which stipulates that the child sleeps the night with the female guardian unless the judge decides that his or her best interests require a different arrangement. Also, section 111 stipulates the conditions under which visitation may be arranged for a person other than the guardian; such visitation is to be decided by the judge “taking into account the best interests of the child”.

175. The law pertaining to the protection of abandoned children stipulates in article 18 that the decision related to sponsorship or cancellation thereof shall be made “taking into account the best interests of the child”.

176. The regulations relating to the maintenance and management of the minor’s money and property also give priority consideration to the protection and the best interests of the child. For example, article 11 of the Law on Obligations and Contracts provides that a father’s disposal of a minor’s money and property shall be subject to judicial supervision. It stipulates that a father who manages money and property belonging to his minor or handicapped child requires the permission of the judge for any disposal of such money or property

177. Under article 984 of the same law, in the interest of the child, “a father may not enter into contract with a son or a daughter under his care”.

178. Various sections of the regulations expressly specify the objective of keeping in mind the best interests of the child. An example is article 525 relating to the undertaking of all possible investigations in order to uncover relevant facts and ascertain the identity of the child and thereby determine the proper arrangements for ensuring the child’s upbringing. The judge may decide, with proper justification, not to undertake any of the investigations or measures specified in the article in the interest of the child. Under article 539, the juvenile court may waive the requirement for the child to attend the procedures relating to his or her case if, in the view of the court, that would be in the best interests of the child. In this case the child would be represented by a lawyer or other legal representative, and the decision would be considered as if he or she were present.

179. The importance placed by the Government on the promotion of the rights of the child is reflected in the measures it has taken and the training courses it has conducted for workers in the field of childhood welfare, including teachers, social workers, workers at childcare centres, judicial and defence personnel, in addition to the training provided for other categories of personnel, in collaboration with national and international non-governmental organizations and with relevant United Nations agencies, with a view to institutionalizing the respect for the rights of the child as part of daily practice.

C. Right to life, survival, and development (art. 6)

180. The right to life is a basic right recognized for every person. Moroccan legislation has consistently affirmed the protection and respect of this right and its inviolability. The child's right to life enjoys special protection under Moroccan law, right from the foetal stage in the mother's womb. Abortion is prohibited unless the mother's or the child's life is in danger. The Criminal Code provides, in section 1 of chapter 8 on crimes and misdemeanours against the family institution and public morality (arts. 339-358), that any person who has caused the miscarriage of a pregnant woman, or a woman who seemed to be pregnant, with or without her consent, in any manner, shall be punishable by one to five years in prison and a fine of 120 to 500 dirhams; if the mother dies in the process the penalty is raised to 10 to 20 years in prison. If the person performing the abortion is proved to have practised such operations, the penalty shall be doubled in both cases. In addition, he or she shall be deprived of the residency right for a period of 5-15 years, or of one or more of the citizenship or civil rights. The law also punishes physicians who perform abortions. Articles 449 and 450 specify the punishments applicable to physicians, nurses and midwives, and other health workers who perform or assist in abortion. Section 87 of the Penal Code also provides for the suspension of their professional licences.

181. Under the current legislation, a woman who deliberately causes her own abortion or attempts to do so or accepts to be aborted, or uses a means that was shown or given her for abortion is punishable under articles 454 and 455 of the Criminal Code. Any one who encourages abortion is also subject to a punishment of 2-24 months' imprisonment.

182. For the purpose of protecting the child's right to survival, article 397 of the Penal Code provides for the punishment of any person who deliberately kills a newborn by the penalties specified in articles 392 and 393, which are life in prison in ordinary cases and the death penalty in the case of premeditation.

183. The protection measures specified in the Penal Code for protecting the child's right to survival extend to all forms of mistreatment, physical abuse, injury, as well as negligence, that causes a child's death. In that context, article 408 stipulates that "a person who intentionally punishes a child under the age of 12 physically or deprives him or her of nutrition or needed care in a manner that endangers his or her health, or has intentionally exposed a child to violence or injury in any form other than light reproach, shall be punishable by imprisonment for a term of one to three years. If the physical mistreatment, injury, violence or deprivation results in an illness or incapacitation or inability to work for a period of more than 20 days, the penalty is

increased to three to five years in prison under the provisions of article 409 of the same law. In addition, the culprit may be deprived of certain national, civil, or family rights and of residency for 5 to 10 years. If the result of such crime is a loss, amputation or incapacitation of an organ, or any other disability, the penalty shall be 10 to 20 years in prison. If it results in the death of the child, the penalty, in the absence of intention, shall be 20 to 30 years in prison. If it results in incidental death the penalty would be life in prison; if it was intentional, and the criminal intention was proven, the death penalty would be applied in accordance with article 410 of the Penal Code”.

184. Other guarantees for the child’s survival are provided in the Code on Personal Status as well as the Labour Law and the Civil Service Law. The first regulates personal situations such as custody (*hadana*) nursing, and financial support, both in marriage and separation situations. The Labour Law provides for certain rights for women relating to pregnancy and delivery, for the benefit of the mother and the child; and the Civil Service Law provides for a number of measures for the protection of the mother and the child, including dependency allowances.

185. Other sectoral activities and programmes reflect the attention given by the Government to the child’s right to survival and development. Reference may be made in this context to procedures and measures taken, inter alia, in the fields of health, education, recreation and social protection.

D. Respect for the child’s views (art. 12)

186. Reference is made to the legal requirements embodied in the initial report of the Kingdom of Morocco (CRC/C/28/Add.1) concerning the freedom of expression available to the child and all other citizens under the Constitution. No provision in the law in Morocco stands between the child and the expression of his or her views and, consequently, respect for such views, taking into account the child’s stage of maturity, as mentioned in the Convention. Such rights, when the child is in conflict with the law, are commensurate with the child’s age and interests, as is the case with listening to the child’s views. Article 539 of the Criminal Procedure Code stipulates that “cases shall be decided after listening to the minor and to witnesses”.

187. The Code on Personal Status gives the child at age 13 and 15, for males and females respectively, the right to choose his or her guardian (art. 102). For abandoned children, if the child is 10 years of age or older, his or her views as to the appointment of a guardian shall be taken into consideration (article 10 of the 1993 Royal Decree).

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

188. A Moroccan child enjoys the right to his or her name and nationality according to the laws governing civil status, which provide for the registration of a child within 30 days of the date of birth, as prescribed by the law of 8 March 1950. That law, which is over 50 years old, has never been published, but the requirement for registration of births and deaths has been reiterated in Royal Decree No. 2.63.2369 of 4 December 1963. The Criminal Code provides for punishments for non-registration of births and deaths (art. 468).

189. For children of unknown parents, article 23 of the Royal Decree of 4 September 1915 stipulates that if the parents were not identified, no reference to this fact may be entered in the register.

190. Ministry of the Interior circular No. 352 of 11 December 1987 stipulates that a child of unknown parents must be given a name and a family name upon notification to the civil status officer of his or her birth. The circular considered that entries previously left blank under family names in such cases should be treated as material omissions that should be corrected by the civil status officer without reverting to court.

191. As mentioned earlier, the Ministry of the Interior has prepared a new bill that would supersede the above provisions. (See section on harmonization of legislation.)

192. The Royal Decree of 6 September 1958 specifies the rules governing nationality, which is acquired by descent or by birth in Morocco subject to the conditions spelled out in the nationality law. In all cases, the law ensures the right of the child to nationality. Under section 6 of the nationality law a person is considered Moroccan if:

- (a) His or her father is Moroccan; or
- (b) He or she is born to a Moroccan mother and an unknown father.

193. Under article 7 of the nationality law, a person is considered Moroccan if:

- (a) He or she is born to a Moroccan mother and a stateless father; or
- (b) He or she is born in Morocco to unknown parents, unless it is proved, while he or she is a minor, that he or she is a child of an alien and that he or she has the right to the nationality of his or her parent(s).

194. A child is considered Moroccan if he or she is found in Morocco and assumed to have been born in Morocco, unless subsequently proved otherwise. The Moroccan legislation gives the right to acquire Moroccan nationality to a person who is:

- (a) Born in Morocco to a Moroccan mother and an alien father;
- (b) Born in Morocco to alien parents who were born in Morocco; or
- (c) Born in Morocco to an alien father who was born in Morocco, subject to the conditions specified in the law (art. 9).

195. Since the national legislation guarantees the child the right to a name and nationality, and in order to avoid situations arising from non-registration, a number of activities have been initiated to raise the awareness of the individuals of the need to have their children registered in the civil registry. The media and non-governmental organizations play an important role in this task.

B. Preserving the child's identity (art. 8)

196. Reference is made to the initial report, which explains the penalties specified in the law for a person who attempts to conceal or otherwise obliterate the identity of a child (article 470 of the Criminal Code). The same law punishes for non-registration of children with the Civil Registry (art. 468), and for non-reporting of finding a newly born child (art. 469). In the same context, in the interest of securing the identity of a child against any harm that may be caused as a result of error or omission in the relevant data in the vital register, the legislation provides for procedures to correct any discrepancy in a person's vital data that give an interested person the right to appeal to the court of first instance to order the correction of the vital data, as provided for in the regulations under the Code on Personal Status. Also, any interested person may ask the court of first instance to issue an order to register a birth or death in the Civil Register (article 217 of the Civil Procedure Code). Under article 219 of the same Code, a summary of the court order must be entered in the register for the relevant year, and in any copy thereof pertaining to the vital information that is the object of the court order. An officer who issues a copy of the relevant data without such a proviso shall be liable to payment of compensation. The order issued by the court may be appealed under the provision of article 220 of the said law.

C. Freedom of expression (art. 13)

197. All Moroccan Constitutions have emphasized the principle of freedom of expression in all its forms. No restrictions may be imposed on freedom of expression except under the law (article 9 of the Constitution). Moroccan law guarantees for all children freedom to obtain information and express their views, without any geographic or other restrictions. The law applicable to the press prohibits restrictions on the printing and circulation of books, thus enabling the child to access any kind of information.

198. Scores of public and private dailies and magazines are issued in Morocco. The country is also open to foreign media, both written and televised. In 1998 there were 715 dailies and magazines issued in Arabic, French, English, Spanish, and in the Amazigh language. Their breakdown was as follows: 22 daily papers, 143 weeklies, 238 monthly periodicals, 12 bimonthlies, 88 quarterlies, 33 semi-annuals, 3 annual publications, in addition to 64 non-regular publications.

199. The child enjoys freedom of expression in all forms that are appropriate for his or her age and interests, through various means, including drawings, publishing, writing to the press, or participation in children's programmes. Children's right to expression has also been enhanced through the creation of children's forums, such as a Children's Parliament, at the initiative of the National Observatory for the Rights of the Child and in cooperation with the Ministry of National Education. The initiative aims at enhancing the child's right to participation, in line with the spirit of the Convention on the Rights of the Child, and providing the children with a forum in which they can discuss the major issues affecting them. Another benefit is to instil in the children the spirit of democracy and citizenship.

200. The first session of the Children's Parliament was held on 25 May 1999 at the House of Parliament. HRH Princess Lalla Mariam, President of the National Observatory for the Rights of the Child and the Moroccan Association for UNICEF, chaired the session. All members of the Government were present. The session took the form of a forum where the children were able to address questions and queries to the ministers of the Government about matters of concern to them. The main issues discussed were the right to education, health, safety, children in difficult situations, and other issues of interest to the children.

201. The Children's Parliament is composed of 357 delegate children between the ages of 10 and 18, selected on the basis of academic achievement. Fifty-five per cent of the participants are girls.

202. The Parliament will hold annual regional sessions, an annual session at the beginning of the school year and a national session on 25 May of each year to mark the National Day of the Child.

203. With a view to enhancing the child's right to participation, the Ministry of State in Charge of Social Care and Child and Family Affairs has developed a model for Children's City Councils, in cooperation and coordination with the Urban Association of the City of Rabat. It is intended to promote the experience at the national level. The Councils have provided forums for the children to express themselves and channels of dialogue between the children and the officials at the local level. They have also informed the elected officials of the issues that are of interest to the children and the youth. This should help in creating and operating projects and programmes to improve the living conditions of the children and the youth.

204. The Moroccan League for the Protection of Children has also initiated an interesting and unique undertaking by forming "committees of the cubs", with a view to enhancing and promoting the participation of children in issues of their development and the protection of their rights. The first meetings of the committees took place in the cities of Fez and Tetouan on 17 and 18 November 1999. The discussions focused on the implementation of the Convention on the Rights of the Child, especially as it relates to the protection aspect.

D. Access to information (art. 17)

205. Morocco has witnessed a number of activities that aim at securing the right of the child to information from all national and international sources, and at the same time protect the child from misinformation or information that is detrimental to his or her development and interests. The Ministry of Information and its organs, like the Maghreb Press Agency, the Moroccan Television and the Moroccan Broadcasting Service, undertake various activities in the field of childhood. The Maghreb Press Agency, in the course of preparation and dissemination of news and articles, gives special attention to information relating to the rights of the children and of interest to them. It contributes to raising awareness of those rights through propagation of data and statistics relating to the conditions of the child in different areas. Through its network of regional and provincial offices, it covers the various activities undertaken in rural and urban areas. It also utilizes the information available to it from its foreign offices and from foreign agencies to enhance the awareness of issues relating to the rights of the child.

206. Since the ratification by Morocco of the Convention on the Rights of the Child, the Moroccan Television has undertaken a process of reorientation of its planning of the television programmes in order to give more prominence to the rights of the child, taking into account section 42 of the Convention. Thus, children's programmes have been enhanced both in terms of time and content. In 1988, they represented 7.2 per cent of the total, 2 per cent of which were produced nationally and 5.2 per cent foreign. In the first 10 months of 1999 they represented 5.3 per cent of the total programmes, 1.4 per cent was internal productions and 3.9 per cent foreign. The national content represents 26.7 per cent of the children's programmes on television. One of the main programmes for children is the "Junior Channel", which is based on the provisions of articles 12 through 14 and articles 17 and 23 of the Convention. Some of the main features of the programme include:

(a) Items that introduce the subject of the rights of the child in a simple and interesting manner, prepared in cooperation with UNESCO and presented during December 1998 and January 1999. With the programme cycle that started in October 1998, the television introduced a feature entitled "good morning" that has a duration of 25 to 30 minutes. This gives children the opportunity to discuss, live in the studio and through questions and interaction, matters of interest to them, such as the child and the school, the child and playtime and cooperation and other values;

(b) In February 1999 the station's cameras, in the company of "young journalists", made three separate visits to the Institute of the Blind at Temara, to the House of the Child at Sale (a charity project) and the House of the Child at Akkari, and to the Lalla Asmaa Foundation for the Deaf and Mute in Rabat.

207. Features were prepared about those institutions and their educational and academic programmes. They presented the views, comments and impressions of the residents of the institutions. The Junior Channel also presented in March 1999 complete coverage of all artistic and educational activities presented by the various national and foreign groups during the first International Festival of Children's Theatre, which was organized in Rabat by the Ministry of Culture. Items from the activities of the festival have also been included in the regular programmes of the Channel. Most of the performances, especially the Moroccan and Arab ones, were in line with the spirit of the Convention. In May 1999, the Junior Channel, with its entire staff and the children participating in the programme, participated in the coverage of the first Children's Parliament and its activities, and in the second session that was held in May 2000.

208. The Junior Channel gives special attention to school attendance, especially the attendance of girls, in its programmes presented by the children about how important education is in the life of people and how all children can best benefit from education.

209. The channel also participated in October 1999 in the national immunization campaign by encouraging the children to convince their mothers of the importance of immunization in the protection from serious diseases. As usual, the channel also participated in celebrating the International Day of the Child by presenting short feature films with the children taking the key roles in the scenes. They have received recognition at international festivals and won an Emmy Award in New York in 1996.

210. During 1997, the Junior Channel focused on the child and education, inviting such personalities as the Minister of National Education. In 1998, the International Day of the Child was devoted to the subject of the right of the child to recreation. In addition to its regular programmes of songs and other features, the channel organized interviews and discussions between the children and representatives of different government and non-government sectors and of local organizations and UNICEF.

211. On the occasion of the International Day of Television for the Child in 1999, the channel prepared various activities by the children for the children, including features that aim at increasing the consciousness of the public towards the subject "Children can change the world". That was an opportunity for the children to paint their vision of tomorrow's world. That day, which was celebrated in conjunction with the tenth anniversary of the Convention on the Rights of the Child, was attended by the United Nations Goodwill Ambassador, Mr. Doraid Lahham, and Morocco's Goodwill Ambassadors from the worlds of sports and the arts. The activities included review of the implementation of the Convention as it applies to the Moroccan child in the four areas of action: the right to survival, development, participation and protection, through a programme organized and implemented by the children.

212. As for the broadcasting service, a list of the children's programmes presented during the period 1995-1999 is attached in the annexes.

213. In its efforts to protect the child from any harmful effects that may jeopardize his or her education, growth or manners, legislation has been enacted with a view to banning the promotion of harmful information and material. The law provides for the punishment of any person who produces, holds, imports or exports, or attempts to produce or reproduce for purposes of trading or exhibition, any publication, written material, drawings, advertisements, paintings, photos or any other material that is considered immoral or licentious. The penalty ranges from one to two years in prison and a fine of 300 to 6,000 dirhams, under section 51 of the Press Code. The same penalty is applicable to a person who publicly plays any immoral songs, words, or announcements, if such act affects a minor (articles 60 and 62 of the Press Code). Article 65 of the Press Code provides for punishment with a prison term of one month to one year, and a fine of 500 to 50,000 dirhams for any person who:

(a) Has proposed, offered or sold to a minor of less than 16 years of age any published material, whether or not it is intended for the youth, that would be dangerous for them on account of its lewdness, immorality or criminal content;

(b) Has exhibited such material in public areas, outside or inside stores, or has promoted such material in different places.

214. The Prime Minister or an agency delegated to act on his behalf may prohibit the display of such material that may be immoral or harmful to the youth in public areas or in any open area, and the broadcast of such material in any manner in public areas (article 66 of the Press Code).

E. Freedom of thought, conscience, and religion (art. 14)

215. The Kingdom of Morocco has expressed its reservation on article 14. The religion of the country is Islam, as stipulated in article 6 of the Constitution. The Moroccan legislation has consistently endeavoured to protect the faith from any actions that hurt the religious feelings of Muslims (article 220 of the Criminal Code). The reservation expressed by Morocco does not affect the right of followers of other religions to freedom of thought, conscience, and religion, which is guaranteed under article 6 of the Constitution.

F. Right to freedom of association and to freedom of peaceful assembly (art. 15)

216. Reference is made to the provisions on the laws concerning assemblies and meetings, and relevant information contained in paragraphs 101-114 of the initial report by Morocco (CRC/C/28/Add.1).

217. The environment of freedom in Morocco, which reflects the political will to enhance pluralism and democracy in accordance with the law, has given rise to the establishment of different associations throughout the country. Today there are more than 30,000 associations and non-governmental organizations in different fields of activity. According to the statistics of the Ministry of Youth and Sports, there are 43 national organizations with 1,232 branches in all parts of the country, in addition to 3,720 local associations (see annex). The Ministry encourages children to join clubs that cater for various sports and activities. Such participation represents the foundation for the formation of the youth and for training them to be responsible citizens and to prepare them to join the existing societies or to form new ones. The aim is to encourage the participation of the children and the youth, to train them in the best use of their time, to enable them to select and enrol in the activities and associations of interest to them, and to encourage them to participate and be involved. Collective work is a school that teaches cooperation and democracy. Youth organizations provide ample opportunities for collective work.

G. Protection of private life (art. 16)

218. The Moroccan legislation protects private life. The Constitution provides for guaranteeing the privacy of the home and for confidentiality of correspondence.

219. A minor who is in conflict with the law is accorded special treatment with a view to securing his or her private life. For investigative and judicial bodies that deal with juvenile justice, article 533 of the Criminal Procedure Code provides for confidentiality of the proceedings which are conducted in chambers in the presence of the minor and his/her attorney. Article 533 provides for the court decision to be given in a closed session. It is prohibited to publish the proceedings of juvenile judicial bodies in books, in the press, or by means of broadcasting, cinema, or any other media. It is likewise forbidden to publish through such media any text or picture that reveals the identity of the minor. Contravening the above provisions is punishable by a fine of 20,000 to 200,000 dirhams. In the case of repetition, the violator may be subjected to a punishment of 2-24 months in prison. However, the verdict may be published

without revealing the minor's identity, not even by his initials, as provided for in article 549 of the Code of Criminal Procedure. According to the Code, court decisions in juvenile cases should be recorded in special records held by the court and are not to be available to the public, as provided for in article 561. Decisions involving protection measures are to be recorded in the judicial register, and may be referred to only in series 2 that is presented to the courts and may not be submitted to any Government or public authority.

220. During proceedings of juvenile cases, no member of a criminal or misdemeanour chamber may be a juvenile judge who has been involved in any manner in the decision of the case, otherwise the verdict could be nullified. The proceedings should be conducted in closed chambers, as provided for in article 23 of the regulations.

221. The legislation protects the child from any interference with or attacks on his or her personal circumstances, family, honour, or reputation. Consequently, article 44 of the Press Code protects the child from insult or injury, as it stipulates that:

(a) Any claim or reference to action that may involve the honour or privacy of a person or a body to which such action is related is considered a libel, whether it was published directly or indirectly;

(b) Any expression of insult to the integrity, the honour, or the privacy of a person and any expression of disdain or abuse that does not carry any specific charge is considered a libel.

222. Irrespective of the method of insult or abuse, the violator is punishable by either a term of one month to one year in prison or a fine of 500 to 20,000 dirhams, or both, as provided for in section 47 as amended by Royal Decree of 10 April 1973. An insult in public is punishable by either a term in prison of six days to two months or a fine of 50 to 50,000 dirhams, or both. An insult that is not in public is also punishable by a fine of 200 to 240 dirhams (paragraphs 2 and 3 of section 48 of the Press Code).

H. Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

223. Moroccan laws protect the child from all forms of inhuman or degrading treatment or punishment, and from sentencing a child to life in prison or to death. On 21 June 1993, Morocco ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Its legislation punishes all forms of intentional torture. The legal framework for such protection is laid down in article 10 of the Constitution, on the basis of which the laws governing the legal procedures are based. That article stipulates that no person may be arrested, detained, or punished except in the cases and under the conditions and procedures stipulated in the law. The Code of Criminal Procedure regulates the procedures starting from search and arrest up to the pronouncement of the final verdict. Thus, it provides for both the physical protection of the accused and for the protection of his or her rights. The juvenile court judge informs the parents or guardian of the accused of the procedure. If the minor or his legal

representative does not select a lawyer, the judge shall appoint a lawyer for him or request the Chairman of the Lawyers' Association to appoint one. The judge may request the Department of Social Interests to undertake the social investigation provided for in article 526 of the Criminal Law.

224. No minor may be held in a prison facility without an arrest warrant having been issued by a competent judicial body. A person under the age of 12 may not be placed in prison, even temporarily. A convicted person between ages 12 and 16 may be placed in prison only temporarily if an alternative arrangement is not possible, and only under special circumstances, in which case the minor shall be placed in a separate accommodation and shall, as far as possible, be separated from the rest of the inmates during the night, as provided for in article 528.

225. The Criminal Law punishes any excessive use of force that may infringe on personal liberties or citizens' physical safety.

226. Article 335 of the Penal Code punishes a judge or a public officer, or any of the officers or agents of a public authority or public order (*ordre publique*), who orders or commits an act of coercion that may infringe on the personal liberties or national rights or physical safety of one or more citizens. He may also be deprived of national and civil rights.

227. The law punishes by imprisonment for up to 30 years any person who abducts, arrests, or detains a person or otherwise holds him or her against his or her will without an order from the competent authorities, and in cases not authorized by law (article 436 of the Criminal Law). The perpetrator faces the death penalty if the victim has been exposed to torture (article 438 of the Criminal Law). Article 399 provides for the death penalty for a person who uses any tools for torture or savagery in order to force the victim to act in a certain manner after the crime.

228. Reference is also made to the fact that a general inspection commission within the General Department of National Security, with the mandate of general oversight of the police force, collects data on the way the police force treats the public. It investigates complaints concerning treatment by the police and takes disciplinary measures against police officials and workers who abuse their authority. Where there is a criminal act, it refers the case to the competent court.

229. According to statistics collected by the Ministry of the Interior between 1 January 1997 and 30 April 1998, 35 police officers of different ranks were brought to justice on criminal charges, and disciplinary action was taken against 266 others. During the period 1 January 1994-28 February 1998, 31 public officials and police officers were held on charges of abuse of authority and use of violence in the course of discharging their duties. The procedures were further consolidated by Royal directives on the new concept of authority, which, according to His Majesty King Mohammad VI, "should be in the service of the people and should be sensitive to their concerns and needs, in a relationship that is not driven by intimidation and fear, but rather by mutual respect and cooperation between the authorities and the people. The

relationship is not one of confrontation, but of harmony and complementarity. Any excesses by individuals or groups or by the authorities is governed by the law, according to the relevant rules and regulations”.

230. In the context of its efforts to secure the rights of all people to protection from all forms of torture, violence and inhuman or degrading treatment, the Government is intensifying its awareness-raising and mobilization campaigns with a view to inculcating the values of human rights in all those who deal directly with the public. Human rights education has been integrated in the curricula of schools and specialized institutes such as the National Institute for Legal Studies, which trains judges, the Royal Military Academy, the School for Training and Retraining of Security Forces, and the Ministry of the Interior School for the Formation of Security Cadres.

231. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has been widely publicized, as has the Convention on the Rights of the Child (see annex). Efforts of orientation and training are going on in almost all sectors of the society, in addition to all other initiatives taken by the Kingdom of Morocco in the field of promotion of human rights in general and the rights of the child in particular, through training of those workers in the field of information, which is an effective and efficient tool in promoting such culture.

232. It is anticipated that the new Documentation, Training and Information Centre in the Field of Human Rights will play an important role in this field. The Centre is the product of cooperation between the Ministry in Charge of Human Rights, the United Nations Development Programme and the United Nations Commission on Human Rights. It was inaugurated in April 2000 in the presence of Mrs. Mary Robinson, the United Nations High Commissioner for Human Rights (see section on training and rehabilitation under “General Protection Measures”).

233. Organizations and associations working in the legal field play an important role in monitoring and collecting information, and tracing the cases of the use of violence and torture. The role of the civil society has been reinforced by the creation of the National Observatory for Prisons, the Forum for Truth and Equity, and the Rehabilitation Centre for Victims of Torture (see annex).

234. In the area of protecting the child from severe punishment, the Moroccan legislation has exempted delinquent children from severe sentences such as life in prison and the death penalty. The Penal Code provides for imprisonment of a child only in exceptional cases and only if unusual circumstances so warrant. Article 517 of the Code of Criminal Procedure stipulates that:

“Exceptionally, in the case of juveniles over 12 years of age, and if the circumstances or the delinquent’s character so warrant, the trial court may, in a specially substantiated decision in this regard, replace or supplement the measures set out in the above chapter by a fine or a custodial penalty.

“If the offence is punishable by the death penalty or life imprisonment for an offender of legal age, the juvenile should be sentenced to 10 to 20 years’ imprisonment.

“If the offence is punishable by long-term rigorous imprisonment, the minor should be sentenced to 3 to 10 years’ imprisonment;

“If the offence is punishable by imprisonment, the maximum and minimum penalties stipulated by law should be halved.”

235. It is evident from the above that a minor will not be sentenced to death or life in prison in any circumstances, irrespective of the nature of the crime, in line with the provisions of the first paragraph of article 37 of the Convention. It is also worth mentioning that article 58 of Law No. 35 of 1999 on the Regulation and Operation of the Prison Institutions exempts minors from solitary confinement as a disciplinary measure.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

236. Reference is made to the information contained in the initial report by Morocco (CRC/C/28/Add.1) that highlights the importance attached by Morocco to the role of the parents in the guidance, education and care of the child, considering that the family is the nucleus and the basic foundation of the society. The Moroccan legislation recognizes that the family plays the basic role in the guidance and care of the child, and should be free from any interference from any outside source unless absolutely required by the interests of the child. (See the section on “Protection against any form of abuse and neglect” below.)

B. Parental responsibilities (art. 18, paras. 1 and 2)

237. It is universally recognized that the responsibility for the maintenance of the child and his or her welfare lies with the parents, or, in their absence or disability, the guardian(s). The Moroccan legislation amply provides for the respect of these responsibilities.

238. The Code on Personal Status regulates the relations between individuals relating to family linkage and marriage, and the rights and obligations emanating from such relations. Article 99 of the Code stipulates that custody (*hadana*) is the responsibility of the parents as long as the marriage relation is in place. Article 97 defines custody (*hadana*) as the protection of the child as far as possible from any threat to his or her well-being as well as his or her maintenance and the maintenance of his or her interests. The Code on Personal Status regulates the custody of the child in the case of the separation of the parents, including the responsibility for child maintenance (articles 136 and 139 of the Code on Personal Status).

239. Other laws also deal with the responsibility of the parents: for example, civil responsibility under article 85 of the Royal Decree on obligations and contracts, criminal responsibility for not sending the child to an educational institute under articles 3 and 5 of the Royal Decree of 13 January 1963 on compulsory education, criminal responsibility under section 553 of the Code of Criminal Procedure for negligence of supervision of a delinquent

child who is placed under restricted freedom, which stipulates that "... if there is adequate proof of serious negligence in monitoring the delinquent child by the parents, the guardian or the tutor, or of obstruction of the work of the commissioner, the child's parents, guardian or tutor shall be liable to a civil fine of 1,000 to 50,000 dirhams". In this context, reference is also made to the responsibility of the parents for registering their children in the Registry of Civil Status, which has been dealt with in section 7 above. The Penal Code also provides for penalties against parents who neglect their responsibilities vis-à-vis their children, in view of the parents' overall responsibility towards them. (See below, Protection against any form of abuse or neglect.)

240. In addition to the above, the Government pays compensation under the Labour Law and the Civil Service Code, though the amount of such compensation remains meagre and inadequate to cover the needs of the child.

241. Conscious of its obligation to assist the family in discharging its basic function of providing care for the children, the Government, in its statement to the Parliament, has undertaken to "... promote social coherence through daily administrative actions to protect the family and the child in the context of a new solidarity charter ...". Accordingly, the Ministry of State for Solidarity and Humanitarian Action was established in 1998, thus making solidarity for the benefit of the children in difficult economic and social circumstances one of the main orientations of the sector. The new body focused its attention on the social institutions that are run by philanthropic organizations. There are 384 such institutions that specialize in child care and protecting children from delinquency and homelessness. They accommodate around 33,000 children, mainly from rural areas, mostly orphans or coming from destitute families.

242. Those institutions have benefited from the programmes of the Week of Solidarity against Poverty which was sponsored in 1998 by His Majesty King Mohammad VI. They have been renovated and equipped, and their infrastructure and services have greatly improved.

243. As part of its programme of action, the Ministry of State has assisted in the development of the cadres of such institutions, providing them with professional training for child care workers in dealing with children in difficult situations and avoiding all forms of mistreatment. That effort was part of the training workshops conducted by the Ministry of State in the context of the proceedings of the sixth session of the National Congress on the Convention on the Rights of the Child, 1999, which was organized by the National Observatory for the Rights of the Child. Some 900 employees took part in the training. It was an occasion for strengthening cooperation between philanthropic organizations and other social actors. It was also an opportunity to familiarize the trainees with the requirements of the Convention on the Rights of the Child and the means of implementing its provisions, and how such requirements can be accommodated within the special programmes of their organizations.

244. In the same context, an education day was organized on "The social and educational role of philanthropic organizations". The theme of the day was the impact of financial management and auditing on the rehabilitation and quality of services in philanthropic organizations. Other courses on philanthropic work will be organized to cover monitoring of the problems of children with a view to finding effective solutions through networking, cooperation and coordination between interested organizations.

245. The National Cooperation Agency, which works to provide services to benefit children, has been restructured since 1998 in order to adapt its programmes and institutes to the economic and social environment. A pilot programme has started with four cities: Oujda, Fez, Rabat and Khemisset. The programme aims at upgrading the capacity and capability of social institutions, and improving their means and procedures with a view to targeting the most needy social categories. The Agency provides services for needy children through a wide network of some 1,500 institutions and centres. Its assistance includes food, education, primary training, literacy and social care, and covers special categories of children of school age: orphans; needy and disabled children; children from broken families, etc. The centres and homes are under the supervision of philanthropic associations that receive annual grants from the Agency. In 1998 the centres and homes assisted by the Agency provided assistance to 75,043 beneficiaries in 1,493 centres, broken down as follows:

Islamic charity organizations: 268 organizations with 31,135 beneficiaries;

Social care centres: 305 centres with 8,330 beneficiaries;

Vocational training centres: 54 centres, with 3,678 beneficiaries;

Day care centres: 318 centres, with 6,638 children;

Associations for the blind and visually impaired: 147 associations with 6,638 beneficiaries.

246. In 1999 the Agency allocated an additional grant of 30,140,000 dirhams as a contribution to the rehabilitation of philanthropic institutions and improvement of services provided for the orphaned and needy children assisted by such institutions with a view to assisting them to lead a decent life. The objective is also to improve the productivity in these institutes, and therefore a strategy was developed to restructure the Agency as mentioned earlier. The purpose of the reform strategy is to achieve:

Better identification of the targeted categories;

Expansion of the network of centres and improving their services at the national level, with special reference to rural and suburban communities;

Expansion of the network of beneficiaries with national cooperation;

Developing modern management procedures.

247. There are a number of government ministries involved in special measures for children in difficult situations. There are also civil society institutions which play the leading role in highlighting a number of complex subjects.

248. The Government is doing its utmost to support the social safety net with a view to alleviating some of the problems which face the vulnerable members of the society and assisting

poor and needy families. The social safety net includes such organizations as the Mohammad V Solidarity Foundation, the Agency for National Cooperation and the school cafeteria programme, in addition to the work done by the civil society institutions that are active in the field of child welfare.

249. The Mohammad V Solidarity Foundation was established during the National Week of Solidarity, held from 14 to 26 October 1998 under the auspices of His Majesty King Mohammad VI. Its funds were earmarked for the rehabilitation of facilities that accommodate children from poor families and orphan children.

C. Separation from parents (art. 9)

250. Moroccan legislation prohibits separation of a child from his or her parents unless there are compelling reasons to warrant such separation in the interest of the child. Article 99 of the Code on Personal Status regulates the upbringing and care of the child in his or her family under the supervision of the parents. In the case of separation of the parents, the legislation regulates the system of custody (*hadana*) and visitation rights. According to the amendments to the Code on Personal Status that have been effected since 1993, the father now has first priority to custody after the mother (art. 99). Article 111 of the Code stipulates that if the child is in the custody of one of the parents, the other parent shall not be prevented from visiting the child at least once a week and reassuring himself/herself about the child's conditions, unless the judge, in the interest of the child, decides otherwise. He or she may request and be granted the visit to take place at his or her place of residence.

251. With a view to maintaining family relations, the Criminal Law protects these relations by punishing anybody who causes the severance of the relations between a child and his or her family. Article 467 of the Penal Code punishes a person who has a child under his or her care with one month to one year in prison if he or she fails to hand the child over to a person who has legal claim to his or her custody. If a final judgement or a preliminary judgement with legal force has been issued with the effect of handing the child over to a person who has legal custody, a mother, a father, or anybody else who obstructs the execution of the judgement is punishable by one month to one year in prison and a fine of 200 to 1,000 dirhams. The same penalty applies to a person who, personally or by inciting another person(s), kidnaps or endangers a child, even without fraud or violence, from the legal custody of a guardian or from the place where the child was placed by the legal guardian. If the perpetrator has been banned from parental custody of the child, the penalty shall be three years in prison. A person who intentionally conceals a kidnapped, illegally held or endangered minor, or a minor who has run away from the authority of a guardian, where such action does not constitute participation that is punishable by law, is punishable by one to five years in prison or a fine of 120 to 500 dirhams, or both.

252. The legislation emphasizes the need for the child not to be separated from both parents at the same time. Article 33 of the Penal Code stipulates that if a couple is sentenced to prison terms of less than one year, even for different crimes, and they were not under arrest at the time the sentence was delivered, they shall not serve their term concurrently if they prove that they have the same place of residence and that they have a minor under the age of 16 in their custody who has nobody else, or a proper private or public institution, to provide adequate sustenance for him or her.

253. Article 34 of Law No. 35 of 1999 on the Regulation of Prisons stipulates that, as far as possible within available physical and manpower capacities in prison facilities, a special place shall be assigned for mothers accompanied by young children and for a day-care centre. Article 139 of the same law provides for the possibility of a child's staying with its mother until the age of three. Such a period may be extended to age 5 at the request of the mother, subject to the approval of the Minister of Justice.

254. A child may not be separated from his or her parents unless that would endanger his or her safety, manners and well-being. (See in this regard the initial report submitted by Morocco (CRC/C/28/Add.1).)

D. Family reunification (art. 10)

255. No provision in Moroccan legislation constitutes a violation of the right to family reunification. The Constitution embodies the principle of freedom of movement for all citizens and for foreigners who may enter and leave the country. This right is qualified only by the laws that protect the country's security and public order, which is in conformity with article 10 of the Convention. Morocco endeavours to secure the right of family unification for all: for Moroccan children whose parent(s) live outside the country, and for foreign children whose parent(s) live in Morocco, in accordance with national laws. To this end, Morocco has entered into agreements with a number of foreign, Arab and Islamic countries, some of which are mentioned below:

(a) Agreement on cooperation in the judicial field, signed in Rabat on 11 July 1981 between Morocco and France, in addition to a previous agreement of cooperation between the two countries signed on 11 June 1957. Those agreements contain important provisions relating to custody and visitation rights and alimony. Implementation mechanisms have been put in place, including consultations between the central administrations and the establishment of a joint advisory committee. However, certain difficulties have arisen regarding the implementation of court orders;

(b) Agreement between Morocco and Spain on cooperation in the civil field, and another agreement on the status of persons, families, and on the kidnapping and holding of minors. The two agreements were signed in Madrid on 30 May 1997. The Ministries of Justice in Morocco and Spain represent the central authorities entrusted with the implementation of the agreement;

(c) Agreement between Morocco and Belgium on recognition and implementation of court orders in matters of custody and visitation, signed in 1991;

(d) Agreement between Morocco and Germany on cooperation in the judicial field as related to the Code on Personal Status, signed on 29 October 1985.

256. In addition, Morocco signed agreements with Algeria (15 March 1963), Egypt (22 March 1989), Syria (25 September 1995) and Bahrain (February 1997).

257. All the above agreements are observed subject to the implementation of decisions of the courts.

E. Illicit transfer and non-return of children abroad (art. 11)*

258. Reflecting the Government's concern about the situation of Moroccan emigrants and the difficulties and problems they face as a result of lack of dialogue and consultation between the countries in question, the Ministry in Charge of Human Rights, on the occasion of the fiftieth anniversary of the ratification of the Universal Declaration of Human Rights, organized, in cooperation with the Ministry of Social Development, Solidarity, Employment and Vocational Training and the Hassan II Foundation for Expatriate Moroccans, at the city of Tangiers in November 1998, a symposium on "Human rights and expatriate Moroccans". The participants discussed in depth the problems emanating from the application of laws relating to personal status and from mixed marriages, especially as regards visitation rights and the right of the child to maintain relations with his or her parents without being the victim of expatriation or illegal opposition to his or her return.

F. Recovery of maintenance for the child (art. 27, para. 4)

259. Maintenance for the child is governed by the Code on Personal Status. Section 126 makes maintenance the responsibility of the father, as prescribed by the Islamic doctrine on which the Code is based. The mother shall be responsible only if the father is unable to pay and she has the means to do so (art. 129). Maintenance continues for the girl until she is married, and for the boy until he reaches the age of maturity. If he is still in an educational institution, his maintenance continues until he completes his studies or reaches the age of 21 (art. 126).

260. If the matrimonial relationship is dissolved, the question of maintenance is dealt with as a matter of urgency, and the court order shall be enforced immediately without waiting for the result of any appeal. Pending a decision on maintenance, the judge may order temporary maintenance to be paid to the beneficiaries within one month of the date of the application, taking into consideration the validity of the request and its justifications. Such orders shall be enforced before registration of the case, upon presenting a copy of the decision. Simultaneously with the registration of a divorce, the judge makes a decision on the alimony for the wife during the intervening period (*eddah*), the place of residence for the wife during that period, any restrictions on remarriage, the payment of the deferred part of the dowry, the children's maintenance, and visitation rights of the father. The decision is immediately enforceable and is not subject to appeal, as provided for in article 179 of the Code of Civil Procedure.

261. In deciding on the maintenance and related obligations, the judge takes account of the husband's income, the wife's financial status, and the prevailing cost of living, on average.

262. The judge benefits from expert opinion and makes his decision on a priority basis. Such decision shall be valid until the maintenance expires or is modified by a subsequent ruling.

263. Article 480 of the Criminal Law provides for a penalty of one month to one year in prison or a fine of 200 to 1,000 dirhams, or both, for a person who intentionally fails to pay the maintenance determined by a final or interim court decision to a wife or a dependent child or

* See text under article 10 above.

parent at the prescribed time. In case of repetition, imprisonment becomes mandatory. Unless otherwise determined by the judge, the maintenance decided by the court is payable at the place of residence of the beneficiary. Article 564 of the Code of Criminal Procedure stipulates that in all cases where a minor is handed over, temporarily or definitively, to a person other than his father, mother, guardian or tutor, the court shall determine the fees payable by the family for the care for the child. Such fees are payable to the treasury as revenues derived from the administration of criminal justice. The relevant bodies shall pay any benefits, visitation and assistance payable to the minor directly to the person or institution that takes care of him or her. If the minor is placed in a public institution charged with child assistance, the part of the cost of maintenance not payable by the family shall be borne by the treasury.

264. As for maintenance payable by persons living outside the country, Morocco, in addition to concluding the bilateral agreements referred to above, ratified, in October 1959, the Convention on the Recovery of Maintenance Abroad of June 1956.

G. Children deprived of a family environment (art. 20)

265. Reference is made to the initial report by Morocco (CRC/C/28/Add.1) which refers to the Royal Decree of 10 September 1993 Establishing the Act on the Protection of Abandoned Children.

266. In order to provide better protection for the abandoned child, a revision of the Royal Decree is being considered with a view to:

(a) Streamlining the procedures for establishing that a child is abandoned, in terms of the time required before a declaration of abandonment can be issued, and in terms of accelerating the investigation ordered by the relevant court of first instance;

(b) Regularizing the civil status of the child before conclusion of the *kafala* procedure and entrusting the child to a *kafeel* (sponsor). Thus, a name and a family name are given in the Registry of Civil Status to a child of unknown parents, i.e. spaces for the parents' names are filled in rather than being left blank. The Ministry of *Wakf* and Religious Affairs has concurred with the possibility of giving the child compound names such as Abdel-Razik, Abdel Ghafour and similar names;

(c) Giving a child of unknown parents the name of the family of the *kafeel*, subject to ensuring that such a step does not constitute a violation of religious doctrines;

(d) Giving the judge in charge of minors' affairs a mandate for abandoned children in line with the legal proxy provided for in the Code on Personal Status and the Code of Civil Procedure;

(e) Protecting the minor who is the object of a request for a declaration of abandonment by temporarily placing him or her in a social care institution for childcare;

(f) The decision to award *kafala* being taken by the judge in charge of minors' affairs upon an investigation to be conducted by the prosecutor's office;

(g) The review or cancellation of the *kafala* order being made by the judge in charge of minors' affairs on the basis of reports prepared by the prosecutor's office or by the Social Assistance Services Office, in accordance with the best interest of the child;

(h) Adopting the principle of the right of the *kafeel* and the minor placed in *kafala* to receive the allowances and other social assistance payable by the Government and public and private institutions to parents in respect of dependants.

267. The civil society plays an important role in this field, particularly the Moroccan League for the Protection of Children and similar associations such as Bayti and Gheta Zanbeer.

1. Moroccan League for the Protection of Children

268. The League was established in 1957 with the aim of improving the conditions of the Moroccan child and promoting children's welfare. Since its inception it has made great efforts to safeguard the interests of the child, especially children in difficult situations. The activities of the Moroccan League for the Protection of Children are discussed below.

(a) Care for abandoned children and children living in difficult situations

269. The League runs four childcare centres that receive children abandoned by their families and children without families, including physically and mentally handicapped children, according to age group.

270. From birth to age 3. Four centres receive children less than 3 years of age: the Lalla Mariam Centre in Rabat, a nursery in Marrakesh, the Lalla Amina Home in Tarodante, and a nursery in Ougda. In those centres, children receive good care under continuous supervision, together with social and educational care. A group of multidisciplinary educationalists supervise the centres, securing for the children good educational and health care throughout their stay at the centres. Social workers and teachers work with the families interested in adoption and facilitate all administrative and other procedures required for adoption, in accordance with applicable laws and regulations. These centres hosted more than 2,500 children between 1955 and October 1999.

271. Children 3 years old and older. The Lalla Amina Home in Ibn Soliman receives abandoned children of 3 years of age and older. It provides shelter for children suffering from difficult social conditions because of the death or separation of the parents, or a protracted illness, or the detention of the mother. The children are grouped as follows:

(a) Children under the age of 7 are hosted in the centre under the supervision of professional caregivers and specialists in pre-school education;

(b) Children over the age of 7 are enrolled in the Ministry of National Education public schools.

272. In addition to the educational content, the children engage in sports and related activities, field trips and other recreation activities.

273. The League has provided its services to over 600 children between 1995 and October 1999.

274. The nursery schools of the League also receive non-boarding children in order to provide the boarding children with the opportunity to mix with other children and to facilitate their eventual social integration.

(b) Accommodation of children from poor quarters in its kindergartens

275. As part of its efforts to help the children in poor areas, the Moroccan League for the Protection of Children has established a number of kindergarten schools in different districts and *amalat* of the country. Their number has reached 48, the latest having opened for the 1998/99 school year in the town of Sala. The kindergartens accommodate some 10,000 children every year, mostly children of poor or unstable families. They are provided with health, educational and social services. Health services include:

Vaccinations against serious diseases according to the vaccination programme of the Ministry of Health;

Regular medical check-ups and treatment when needed;

Health guidance and instruction in preventing illnesses and accidents;

Education in good and balanced nutrition;

Educational services: educators supervise the education and classification of the children according to educational achievement, in cooperation with the parents, according to an educational programme that is tailored to the specific cultural and social family environment.

276. Social services include follow-up by the social workers of the social situation of the children in order to help them solve their family and social problems, such as registration with the civil status offices and preparation of relevant administrative papers.

(c) S.O.S. centres

277. The League established two pilot first aid centres for children in the depressed areas of Rabat to provide treatment for groups that have poor access to health facilities. The centres provide first aid services to children and their families by medical staff working outside normal working hours. The more complicated cases are referred to hospitals. The centres provided services for more than 25,520 patients between 1994 and October 1999.

2. Gheta Zanbeer Association

278. This organization cares for children from birth to age 14. In 1999 the number of children cared for by the Association reached 351, including 31 girls. The Association houses neglected children and provides them with health and educational services pending their adoption. The Association is working to establish a children's village, with the capacity to accommodate 400 children or more whom the Association will fully support from birth until they are integrated in practical life.

279. Out of the 809 children cared for by the Association between 1993 and 1999, 338 were adopted, and 38 children were recovered from their original families.

3. Darona Association, Tangiers

280. This Association undertakes a number of activities including: distribution of school supplies with the help of UNESCO, participation in the non-regular school programmes, organization of recreation activities for children in difficult situations, a restaurant for street children with special emphasis on cleanliness, sports and literacy, and organization of cultural events.

4. S.O.S. Children's Villages

281. There are two S.O.S. Children's Villages in Morocco. Apt-Ourir village, which accommodates 115 children and 14 mothers in 14 family houses, was established in 1985. The village has a kindergarten, educational workshops and an educational farm. The other village is Emzouroun, established in September 1988 after the success of Apt-Ourir. It accommodates 93 children, 63 boys and 30 girls; 13 of them are enrolled in kindergarten, 63 in primary schools, and 6 in secondary education.

282. The Association for S.O.S. Children follows up the children until they are actually integrated in normal life. A centre for the children was built in Marrakesh and Casablanca. The third S.O.S. Children's Village will be opened during the current year at Dar Bouazza near Casablanca.

283. There are also other associations that play an important role in assisting children in difficult situations, such as:

Karme Association at the town of Asfe, which initiated hearings to benefit street children;

Ihsan Association, which helps abandoned children and provides them with medical treatment in the context of an educational programme;

Moroccan Society for the Assistance of Child and Family, which implements a programme of sponsorship of orphan children. About 800 children have benefited from the work of the Society, receiving assistance in cash or in the form of medicines and clothing;

Pleasure Time (*Saet el farah*) Association, which provides educational and health services and literacy and vocational training programmes for the integration of children into the school and training institute system;

Moroccan Association for Assisting Children in Unstable Situations, which has three centres in the cities of Rabat and Sala that accommodated 199 children in 1999.

284. Recently, a new institution for girls in difficult situations was established in Rabat as a joint effort between the German Solidarity Association and the Moroccan Association for Youth Education. This institution endeavours to assist in the alleviation of some of the problems faced by neglected girls. It studies their economic, social and personal situation and develops methods for rehabilitation in each case, together with the educational guidance needed.

285. The institution works mainly on consultation and guidance, and runs a centre for specialized prevention. The project serves 130 to 150 girls.

286. In spite of all the above-mentioned initiatives to improve the situation of neglected children, more needs to be done in the fields of institutions, cadres and specialized training in childhood-related fields, especially with regard to children with emotional problems that adversely affect their development and personality.

H. Adoption (art. 21)

287. Morocco is an Islamic country. Islamic law prohibits adoption for various reasons, including the purity of progeny, keeping inheritance among kin, and because it entails the prohibition of marriage between partners that is not prohibited by scripture or *sunnah*. However, the *tanzeel* and patronage are alternatives to the system of adoption. *Tanzeel* is to place the child in a position of a son or daughter, but in terms of inheritance he or she may be granted up to one third of the estate of the father or mother by way of a will (*wasiya*), as provided for in section 212 of the Code on Personal Status. The system of patronage (*kafala*) was introduced as a protective measure in the Convention on Jurisdiction, Applicable Law Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children of 19 October 1996.

I. Right to periodic review of placement for purposes of care, protection or treatment of a child's physical or mental health (art. 25)

288. Moroccan legislation recognizes the need for the review of decisions taken regarding minors placed in childcare institutions for rehabilitation or treatment. Articles 554 to 560 of the Code of Criminal Procedure refer to such cases.

289. The juvenile judge may at any time change or revise the measures taken under section 516 of the Code of Criminal Procedure regardless of which court has taken the original decision. The judge may take such a decision at his own initiative or upon request from the prosecution or on the basis of a report by the commissioner in charge of the supervised liberty of the minor. The parents or the guardian of the minor may also request, after one year of the execution of a court decision, that the minor be placed outside his or her family, or that the minor

be put back under their supervision and custody subject to proving their capacity to take care of the child. The minor may also request to be returned to the care of his parents or guardian if he or she exhibits good conduct. If the request is denied, it cannot be renewed before one year from the date of the rejection, as provided for in article 555 of the Code of Criminal Procedure.

290. Local jurisdiction over all incidental matters and over justification of measures relating to restriction of freedom, custody and placement lies with the juvenile judge or juvenile court that initially took the decision on the matter; jurisdiction over review lies with the original judge or court, the court in whose jurisdiction the parents reside or in which the investigation took place, the institution in which the child has been placed by court order or the judge or court in whose jurisdiction the institution is, upon authorization by the juvenile judge or court that took the initial decision on the matter.

291. Court orders relating to incidental questions or justification for review of restriction of freedom, placement or custody may carry an order of temporary execution irrespective of any appeal. An appeal should be submitted to the juvenile chamber of the appeals court (articles 557 and 560 of the Code of Criminal Procedure).

J. Protection of the child against any form of abuse and neglect, including rehabilitation and reintegration (art. 39)

1. Protecting the child from all forms of violence and negligence

292. Reference is made to the legal provisions referred to in the initial report of Morocco (CRC/C/28/Add.1, paras. 153-159) relating to articles 408-411 of the Criminal Code.

293. In parallel with the legal provisions referred to above, the legislation sets provisions to protect the child from violence and neglect of all types. Considering the responsibility of parents to take care of their children and meet their needs, the law has provided penalties for breaching these duties.

294. A parent who causes any serious harm to one or more of his or her children, through abuse or setting a bad example of alcoholism, or negligence of the necessary health care, safety or moral supervision, is punishable by a term of one month to one year in prison and a fine of 200 to 500 dirhams, whether or not he or she has been deprived of parental authority.

295. In addition, he or she may be deprived of one or more of his or her civil, national or familial rights for a period of up to 10 years, according to article 482 of the Criminal Code.

296. In order to protect the child from all forms of negligence, the legislation provides for penalties for family neglect. Article 479 of the Criminal Code stipulates that either a penalty of imprisonment for a period of one month to one year or a fine of 200-1,000 dirhams or both shall be imposed on:

(a) A father or a mother, if either of them leaves the family home without a compelling reason for a period exceeding two months and abandons all or part of his or her material and moral duties emanating from parental custody or legal custody or guardianship;

(b) A husband who wilfully and for no compelling reason abandons his wife, knowing that she is pregnant.

297. Criminal law also punishes a parent for abandoning children and exposing them to danger with imprisonment for a period of one to three years, if he or she exposes or abandons a child or a handicapped person who is unable to protect him/herself because of his or her physical condition, in a deserted place, or induced another person to do any such act. If such act results in an illness or disability for a period of more than 20 days, the prison term may be increased to two to five years.

298. If the child or the handicapped person is injured by a loss or damage of a limb or is caused a permanent disability, the punishment shall be imprisonment for a period of 5-10 years. If this results in the death of the child or the handicapped person, the punishment shall be 10-20 years in prison, as provided for in article 459 of the Criminal Code.

299. The penalties are increased if the criminal is an ascendant of the child or the handicapped person, or if he or she has authority over him/her or is in charge of him/her and, in extreme cases, could be 20-30 years' imprisonment, as provided for in article 460 of the same law.

300. The legislation stipulates punishments of either one to six months or a fine of 200-2,000 dirhams or both for any person who takes a child under his or her care to a welfare institution if the child is less than 7 years old, unless he or she is not legally bound to provide the child with support, and nobody else has provided such support, according to the requirements of article 465 of the Criminal Code.

301. In addition to the various legal texts embodied in the Moroccan legislation that protect the child from violence and negligence, the issue has been the object of great attention by all actors in the field of child welfare.

302. Reference may be made to the suggestions presented concerning harmonization of national laws with the requirements of the Convention on the Rights of the Child, which attach great importance to these issues at both the preventive and curative levels.

303. In the same context, mention may be made of the amendment to the second paragraph of article 446 of the Criminal Code, referred to above, which aims at securing better protection for a child who is a victim of abuse.

304. Taking into consideration the growing concern for the need to protect children from neglect and abuse, and recognizing the complexity of the problem and the difficulty of collecting data on what actually happens inside families, Morocco has organized many activities which aim at increasing awareness of the problem. These activities have contributed to removing the taboos that previously inhibited the discussion of such matters. The civil society is taking an active role in these efforts. Such efforts included training courses on "The child and the law", which were organized on 18 and 19 April 1994, through an initiative by the Moroccan League for the Protection of Children.

305. The courses focused on the situation of children who live in difficult circumstances and of abused children. The League has also signed an agreement with the Ministry of Justice, by virtue of which the League is appointed as a civil party to defend children who are victims of abuse in the law courts of the Kingdom.

306. The efforts of the League for protecting the child focus on monitoring cases of violence against children, and on follow-up of all complaints and grievances received by Her Royal Highness Princess Lalla Amina, Head of the League, from parents, guardians, educational associations and institutions and other actors of civil society about children who are victims of violence.

307. All these cases are referred to the Ministry of Justice, as the League acts as the representative of civil rights. The League also sponsors some of the children who are victims of violence during the period of investigation and trial, pending the court decision on the situation of the child and his or her future.

308. A centre for hearing, reconciliation and defence of the rights of the child was established by the Moroccan Association for Assisting the Child and the Family as a facility through which the Association receives all complaints directly by phone.

309. To resolve such cases, the Association organizes daily sessions, attended by judges, lawyers, professors and social workers, to receive complaints relating to physical violence, other forms of violence or abuse, and also problems relating to parentage, registration of personal status, non-payment of alimony, protecting handicapped children, and other forms of breaches and abuse. The Association helps the victims to file the complaint with the authorities, taking the necessary procedures; appoints a lawyer from the Association, free of charge, to defend the child's interests before the courts and the administrative and judicial authorities, with the Association acting in the capacity of claimant for civil rights; and informs the Ministry of Justice of these procedures for follow-up.

310. Also at the initiative of Her Royal Highness Princess Lalla Mariam, Head of the National Observatory for the Rights of the Child, a training course was organized on "the phenomenon of abuse of children" on February 1999, with the aim of reaching a precise diagnosis of this phenomenon and preparing a national plan of action to combat child abuse and protect the children who are victims of abuse. Her Royal Highness dedicated the year 1999 as the year for combating child abuse.

311. The subject of child abuse and the exploitation of children was one of the important agenda items of the second session of the Children's Parliament, which coincided with the seventh session of the National Congress on the Rights of the Child.

312. The attention that the Moroccan Government gives to the phenomenon of child abuse at the highest levels, is reflected in the eminent address by His Majesty King Mohammad VI to the Children's Parliament, in which His Majesty said "... We consider this type of behaviour and

abuse a disgrace to any society. We call upon all participants, from the public sector, experts and associations to deal in this session with the different aspects of this issue, in order to analyse the causes, to find solutions capable of fighting all forms of abuse and to develop a comprehensive strategy that would involve in its application the contribution of all concerned, in an integrated framework, using modern work methods in line with our ideals and moral of caring for the child as well as with our religious, legal, social, moral and development vision”.

313. On the occasion of the celebration by Morocco of the tenth anniversary of the Convention on the Rights of the Child, the Ministry in Charge of Human Rights, in cooperation with the Ministry of Youth and Sports and UNICEF, organized a round table on “Children in difficult situations” on 16 November 1999, in which the ministers who supervise the public services that work directly with child welfare, as well as the associations working in the field of children, took part. The subject of child abuse has captured the greatest interest of all those who participated in the meeting.

314. The programmes initiated by the Government, and those which the non-governmental organizations have carefully developed, have played an important role in raising awareness, directly or indirectly, among all actors and employees of the abuse phenomenon and the importance of reporting such incidents and participating in taking precautionary measures, including family education.

315. Likewise, the phenomenon of street children as one form of neglect has been given due attention by the Government. In this context, the Ministry of State in charge of social welfare, family and childhood organized, in cooperation with the local Board of the County of Meknas - Tafelat, a two-day course on 12 and 13 July 1999 on the subject of sponsoring homeless children. Competent government and public institutions, and associations involved in child welfare, heads of district, parliamentary representatives and local elected officials of Meknas - Taflet participated in the course.

316. The participants in the course discussed four items relating to:

- (a) The role of local groups and non-government organizations in reviving social work;
- (b) Facilities for housing and integrating homeless children;
- (c) Human resources in the social field; and
- (d) Ways and means of financing activities for homeless children.

317. One of the major goals of the training course, in addition to information, is to stimulate cooperation between groups, non-governmental organizations and public authorities.

318. The Ministry of State in charge of social welfare, family and childhood has also conducted a study on street children, which included a sample from selected large and mid-size cities of children whose ages ranged from 6 to 18, broken down as follows:

- 29.52 per cent under 10 years of age;
- 39.71 per cent between 10 and 14 years of age;
- 30.77 per cent between 15 and 18 years of age.

319. The study brings to light the fact that the phenomenon of street children is a complex one, as they are not homogeneous, and that the problem requires mobilization of the efforts of all concerned to find appropriate solutions.

320. The study aims at developing elements of a draft plan of action for reintegration of street children (see annex).

321. The Ministry of Justice, for its part, is actively involved in collecting statistical data relating to the phenomenon of violence against children. This is done through public prosecutions offices that send statistics regularly to the central administrations.

2. Measures for social rehabilitation and reintegration

322. Reference is made to the legal aspects that have been dealt with in the initial report of Morocco (CRC/C/28/Add.1, paras. 161-164).

323. In the context of initiatives aiming at the protection of children from neglect and all forms of abuse mentioned above; some of the mechanisms that have been innovated in this field are as follows:

(a) Establishment of a model centre for counselling and protection for children who are victims of abuse, an initiative by the National Observatory for the Rights of the Child;

(b) Developing pilot projects for centres for homeless children to be established in the cities of Casablanca, Tamara, Tetouan and Tangiers with the aim of providing means of assistance and integration to that category of child. These projects are carried out under an initiative by the Ministry of State in Charge of Social Care and Family and Child Affairs and in cooperation with local associations;

(c) Establishment, by the Ministry in Charge of Human Rights, of a network of centres for legal and psychological assistance for the benefit of children in difficult situations. This project aims primarily at involving the leading agencies interested in child welfare in order to assist them in their efforts to provide assistance to that category of child. Such agencies include the Royal Gendarmerie, National Security and elements of civil society working on behalf of children. To this effect, an agreement was signed between the Ministry in Charge of Human Rights and the Lawyers Association in Morocco on 30 December 1999.

324. One of the objectives of the project is to inform institutions and employees working in the field of childhood of the conditions of this category of child, to train supervisors to provide such assistance to the children by direct contact or by telephone, to provide the necessary cadres of governesses, social workers and other workers to provide the necessary services for them.
325. In the field of rehabilitation and reintegration, reference is made to the leading role that the civil society has played. For example, "Bayti" Foundation works for familial, educational and professional reintegration of children in difficult situations such as street children, child victims of economic and sexual exploitation, victims of abuse and maltreatment, delinquent children and others.
326. Thanks to a multidisciplinary group of professionals, governesses, social workers, psychologists, medical doctors, teachers and artists the Foundation was able to create special programmes for social integration that rely on street workshops, educational workshops, scholastic assistance and support, vocational training and family education.
327. There are currently two accommodation centres available at Casablanca, the first for young children and the second for teenagers, and a branch at the city of Meknas.
328. Accommodating children at those centres is only a transitional stage for a limited period, since the main objective of the Foundation is to reintegrate those children in their family surroundings.
329. Out of a total of 560 children received at those centres, 305 children have been reintegrated into their families with follow-up on the part of those working at the Foundation. Also, some 4,970 children have benefited from the street workshops that mainly targeted street children. Forty of them were integrated in schools, 50 in vocational training centres and 15 in practical life.
330. The "Bayti" Foundation also organizes activities for the benefit of abandoned children and children in prison. This is done within the framework of a programme organized in cooperation with the Okasha Civil Prison.
331. The Foundation is also involved in wide-scale awareness activities, specially regarding the homeless, and other categories of children in difficult situations. One advantage is its perseverance in integrating the children enrolled in its programme.
332. Also noteworthy is the role that the United Nations Children Fund (UNICEF) plays for the benefit of children in difficult situations. In cooperation with the Moroccan League for the Protection of Children, four children's clubs were founded in 1995 at the city of Fez for the benefit of 400 children. UNICEF has also participated, within the framework of cooperation with the civil society, in improving the conditions of this group of children in each of the cities of Fez, Tanja, Marrakesh and Casablanca.

333. Among its achievements in this field are:

A study on street children in Fez;

Supporting training courses on the problem of children in difficult situations in cooperation with a local foundation at the city of Tanjiers;

Professional training for the benefit of 122 girls for the purpose of facilitating their integration in the job market;

Organizing campaigns to improve teaching methods and to minimize drop-outs;

Improving means for caring for children in difficult situations, especially in the educational, health care and sports and leisure fields. This project has helped some 1,000 orphan and charity children or children in conflict with the law in Fez and Casablanca;

A study on street children at Tanjiers;

Two studies on the reasons for drop-out from school and failures at schools in both Marrakesh and Tanjiers.

334. Reference may also be made to the details about the achievements of UNICEF within the framework of the cooperation programme with Morocco (see annex).

335. In spite of all the efforts made in this field, there are still serious gaps in the field of protecting, rehabilitating and reintegrating children who are victims of neglect and abuse.

336. The reason for this is the limited financial and human resources and the social difficulties that Morocco experiences, related specially to unemployment, poverty and illiteracy.

VI. HEALTH AND WELFARE

A. Child survival and development (art. 6, para. 2)

337. Indicators of health conditions have improved over the last three decades. Yet, whatever achievements have been made, they are still limited, especially with regard to maternal health and the disparities existing between rural and urban areas.

338. In terms of basic health coverage, the number of basic health-care facilities in 1994 was 2,055, which represented a ratio of one centre for every 13,741 inhabitants. By comparison, the number in 1991 was 1,653, which represented a ratio of one centre for every 14,912 inhabitants. It should be pointed out that these basic health care facilities include urban polyclinics as well as community health centres.

339. In rural areas, basic health-care coverage has also recorded an improvement, with the number of health-care facilities rising from 1,237 in 1991 (a ratio of one centre for every 10,129 inhabitants) to 1,483 in 1999 (a ratio of one centre for every 8,656 inhabitants).

But despite this improvement, about 31 per cent of the population in rural areas live 10 kilometres or more away from the nearest health-care facility. Furthermore, shortages are still noticeable in the number of paramedical staff and the availability of transportation facilities.

340. At the private sector level, there are 3,470 medical clinics, representing a ratio of one clinic for every 7,870 inhabitants. Of these, 96 per cent located in big cities and smaller urban centres.

341. In terms of hospitalization facilities, the progress recorded has been rather modest compared with demographic developments. In 1999, there was one hospital bed for every 1,122 inhabitants, as compared with one hospital bed for every 918 inhabitants in 1990. Hospital bed occupancy in 1999 was 58 per cent.

Health-care personnel: physicians, pharmacists and paramedical staff

342. About 760 physicians and pharmacists graduate every year from the Medicine and Pharmacy Colleges in Rabat and Casablanca. These are further joined annually by more than 300 physicians and pharmacists who receive their education and training abroad. But in spite of these numbers, the availability of health care personnel has not yet reached the desired level. In 1999, the total number of physicians did not exceed 12,082 (of whom 6,204 belonged to the private sector), which represented a ratio of one physician for every 2,300 inhabitants, as compared with the ratio of one physician for every 4,027 inhabitants in 1991. Specialist physicians represent 48 per cent of the total number of physicians, which puts them in the ratio of one specialist for every 4,770 inhabitants.

343. At the level of basic health-care facilities, the availability of qualified medical personnel is still low, especially in rural areas, where in 1998 the ratio stood at 17,755 inhabitants for each rural health-care centre staffed with a doctor.

344. As for pharmacists, their number was 3,700 in 1998, representing a ratio of 1 pharmacist for every 7,500 inhabitants. By comparison, the number in 1991 was 1,802 pharmacists, representing a ratio of 1 pharmacist for every 13,680 inhabitants. But it should be pointed out that pharmacies tend to be more concentrated in urban centres.

345. The number of paramedical staff (nurses, technicians, etc.) increased by 12 per cent from 22,925 in 1990 to reach 25,641 in 1999. But despite this increase, a considerable shortage in paramedical staff is still experienced. It should be mentioned in this connection that the Ministry of Health has 19 training institutes which produce annually a total of 200 nursing staff, 100 midwives and 150 medical technicians.

Status of health services

346. Basic health-care centres provide a number of health services for mothers and children. Child immunization against the six target diseases (tuberculosis, poliomyelitis, diphtheria, tetanus, measles and whooping cough) recorded a marked increase in coverage from 66 per cent in 1987 to 87 per cent in 1997. The coverage rate was 93 per cent in urban areas and 85 per cent in rural areas.

347. In 1997, the use of family planning methods reached an overall level of 58.5 per cent, with a coverage rate of 65.8 per cent in urban areas and 50.7 per cent in rural areas.

348. Child delivery under professional medical supervision represents an overall average of 42.4 per cent. But the coverage tends to be far more biased in favour of urban areas, where the rate goes up to 70 per cent, as opposed to rural areas where the coverage rate does not exceed 20 per cent.

349. According to data taken from the National Survey on Maternal and Child Health, the rate of infant mortality in Morocco was 36.6 per 1,000 live births in 1997, as compared with 50 per 1,000 in 1992.

350. But in spite of all the efforts undertaken and the improvements recorded, there are numerous deficiencies still persisting in the field of health-care coverage. For example, with regard to maternal and child health, infant mortality, especially the incidence of mortality at birth, remains high at the national level, with almost 70 per cent of mortality cases attributed to child delivery without specialized medical supervision.

351. On the whole, health-care indicators and statistics show that there are considerable disparities between urban and rural areas. The only exception is the fertility rate, which recorded a marked decrease by 26 per cent in rural areas, as compared with a decrease by only 9.4 per cent in urban areas, during the period 1992-1997.

352. In contrast to fertility, infant mortality between the ages of 1 and 5 recorded a substantial 83 per cent decline in urban areas during the same period, as compared with a decrease by 57 per cent in rural areas. But in addition to the aforementioned factors, i.e. the shortages in the number of medical personnel and the overall deficiency in the material and human resources available to the health sector in general, infant mortality may be attributed to a number of other factors. These include the family standard of living, availability of good drinking water, environmental conditions, access to medical and health-care services and, not the least, illiteracy, which is still widespread in rural areas.

Some child-health indicators

<u>Indicator</u>	<u>1992</u>	<u>1995</u>	<u>1997</u>
Overall mortality rate (per 1,000)	8	-	-
Neonatal mortality rate (per 1,000)	31	37	20
Mortality rate for babies aged less than 1 year (per 1,000)	57	61	37
Mortality rate for babies aged 1-5 years (per 1,000)	20	20	10
Maternal mortality due to pregnancy and delivery (per 100,000 live births)	332	-	228

Sources: The National Survey on Maternal and Child Health, 1997; The National Population and Health Survey, 1992; The National Population and Health Survey, 1995.

Rates of child immunization coverage

<u>Type of vaccination</u>	<u>1994</u>	<u>1999</u>
Tuberculosis	93%	88%
Poliomyelitis (1st oral dose)	91%	93%
Poliomyelitis (2nd oral dose)	89%	92%
Poliomyelitis (3rd oral dose)	87%	91%
Diphtheria, whooping cough and tetanus(1st dose)	91%	93%
Diphtheria, whooping cough and tetanus(2nd dose)	89%	92%
Diphtheria, whooping cough and tetanus(3rd dose)	87%	91%
Measles	87%	90%
Tetanus for pregnant women (2nd dose)	81%	84%

Source: The National Immunization Programme, Population Department.

B. Disabled Children (art. 23)

353. Disabled children enjoy all the rights provided for in national legislation, foremost of which are the constitutional safeguards that establish the principle, in addition to provisions contained in other legislation and organizational codes.

354. Inconsideration of the special status and the special needs of disabled persons, and in a bid to improve legal provisions pertaining to the rights and welfare of this group of people, two legal instruments have been issued for the benefit of disabled persons. The first is Act 05-82 on the social protection of disabled persons. The second is Act 07-92, which provides the legal framework for the implementation of these provisions.

355. Furthermore, the Office of the High Commissioner for Disabled Persons has been upgraded, within the framework of the present Government, to what is now the State Secretariat for Disabled Persons, with the mandate of integrating this group of people into the overall fabric of the society, in collaboration and coordination with other concerned agencies and bodies.

356. Disabled persons are vulnerable to difficulties in the areas of education and rehabilitation, which are the first two steps in the ongoing process of integrating disabled individuals, promoting their personalities, and enabling them to acquire the knowledge and

know-how which they need for social integration. It is noted that disabled persons, especially the females amongst them, suffer from higher levels of illiteracy. This increase in illiteracy levels among disabled persons may be attributed to a number of reasons among which are the following:

- (a) Lack of school facilities which are necessary to address the special needs of disabled groups;
- (b) The long distance that a disabled person has to travel between home and the nearest educational facility, especially in rural areas;
- (c) Educational services provided by the national educational system are not suited to the requirements of the disabled child, both in terms of curricula and specialized personnel;
- (d) Poor and lower-income families find it difficult to afford the cost of providing the proper education for a disabled child, such as the cost of textbooks, hearing aids, wheelchairs, writing and teaching materials, etc;
- (e) Lack of transportation.

357. The aforementioned legal instruments on the social protection of disabled persons provide, though in varying degrees, for the right to education. For example, Act 05-82 on the social protection of the blind and partially sighted deals with the right to education only when spelling out some of the privileges recognized for this group of people. Paragraph 1 under section IV of this Act calls for assigning special public institutions to undertake the task of providing education and rehabilitation for this group, with a view to preparing them to practise some of the jobs and skills that suit their condition. In this Act, the paragraph referred to is the only provision that deals with education.

358. The other instrument, that is, Act 07-92 on the social protection of disabled persons, which constitutes the legal framework covering all types of disability, provides in four of its articles for the right of disabled persons to education. Article 12 stipulates that disabled persons should be enabled to receive, to the extent that it can be made possible, education and vocational training at ordinary educational institutions. At the same time, the concerned government authority is directed, within the capabilities and resources available, to establish special vocational training institutions for disabled persons.

359. This article also calls for special consideration to be given to the special needs and circumstances of disabled persons, providing them with the means to ensure their ability to benefit from the services of educational and training institutions. It also calls for providing them with the facilities needed to enable them to take the required exams in the manner that suits their health conditions.

360. Article 14 enjoins the concerned government authority to encourage the establishment, expansion and supervision of private institutions dedicated to providing education, training and rehabilitation for disabled persons.

361. It should be noted, though, that only a limited number of disabled children have been able to benefit from educational, rehabilitation and training services. This situation may be attributed to a number of reasons, most importantly the following:

- (a) Lack of facilities available to training and rehabilitation institutions;
- (b) The equipment, furnishings and training programmes are not suited to meet the requirements imposed by the special health conditions of disabled persons;
- (c) The long distance that a disabled person has to travel between home and the nearest training and rehabilitation centre.

362. The Ministry of State for Disabled Persons, in the light of the tasks and functions entrusted to it, is expected to develop a comprehensive and general strategy for improving the conditions of disabled persons and ensuring that coordination for that purpose is maintained between the various concerned sectors. However, this body has been facing some difficulties in carrying out its work. Among these difficulties are the following:

- (a) The lack of accurate, reliable statistics on disabled children and the nature of their disabilities;
- (b) Weak social coverage for low-income groups. In some cases, especially in rural areas, such social coverage does not even exist at all;
- (c) The low standard of education and training facilities. More often than not, such facilities do not exist.

363. In confronting this situation, and in the quest to comply with its own terms of reference, the Ministry of State for Disabled Persons has been working hard to design a national programme for improving the conditions of disabled persons. The focus of the programme is to identify priority areas for immediate action. In the field of education, for example, the programme identifies a package of measures aimed at providing education for all. Among other things, these measures include the setting up of integrated sections at ordinary educational institutions for the benefit of disabled students, preparing qualified and specialized instructors and trainers, establishing a number of audio-visual libraries, printing textbooks in Braille, etc.

364. In the areas of training and employment, the programme has identified a number of approaches and measures to ensure that disabled persons have the opportunity to benefit from the facilities available in these two areas.

365. To enhance the effectiveness of these measures, the Ministry of State for Disabled Persons has allocated financial grants for institutions which are potentially capable of engaging disabled persons, with a view to encouraging such institutions to provide training and employment opportunities for the disabled. Also, the Secretariat has organized a series of

educational, informational and awareness promotion one-day functions at Settat, Sale and Khemisset, with a view to promoting the awareness of both the public and private sectors with regard to the importance and benefits of integrating disabled persons in the employment market. The Secretariat, in collaboration with the International Labour Organization (ILO), has been active in organizing tripartite discussions at the national level - involving employers, national labour unions and government agencies concerned with employment - aimed at identifying the ways and means of facilitating labour market access for the benefit of disabled persons and removing the obstacles that hamper their vocational integration.

366. Parallel with these efforts, the State Secretariat for Disabled Persons continues to implement a rehabilitation programme at the level of local communities, which was initiated in 1995 by the former Office of the High Commissioner for Disabled Persons. In implementing this programme, the State Secretariat cooperates with a number of international organizations, such as the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

367. This programme constitutes an important strategy for promoting the social development of disabled persons and securing their essential needs within, and at the level of, their own local communities. It reflects a consolidated approach in dealing with disabled persons which guarantees their rights and reaffirms the principles of equal opportunity and social justice, through the mobilization of all human and financial resources available. It aims at rendering rehabilitation services at the local community level more effective and more coordinated, in the areas of education, training, health care, etc., and facilitating access to all these services. In seeking to achieve its aims, the programme envisages the full utilization of already existing structures, both governmental and non-governmental, to secure such services. The programme is set to be put into implementation in most of the regions throughout the Kingdom over the next few years, in the light of the results obtained from evaluating the experience of the first three years of implementation.

368. In the area of improving the legal framework, the State Secretariat is currently engaged in a process of reviewing all the legal and organizational codes and provisions relating to disabled persons, with a view to improving and adapting them to the ongoing developments within the Moroccan society. The ultimate objective of this process is to ensure better protection for disabled children.

369. Civil society institutions contribute in improving the conditions of children with disabilities. For example, and at the initiative of the Moroccan League for the Protection of Children, a vocational training centre for persons with mental disabilities has been established. The centre has developed a work programme to train the students to manufacture footballs that fulfil the requisite technical specifications, under the supervision of competent trainers. Together with this training, the students also receive functional literacy lessons as part of the strategy of the League, which is designed to provide the rehabilitation needed for disabled persons and enhance their capabilities and knowledge.

370. Among the institutions dedicated to the rehabilitation and training of persons with disabilities are the following:

Ibn Al-Bitar Foundation at Khemisset, which accommodates about 76 males and 33 females;

The Training and Rehabilitation Centre for Children with Poliomyelitis, Casablanca. This centre provides its services to 17 male children and 102 females;

The Lalla Hasna Foundation for Disabled Persons at Elayoun, which accommodates 34 male children and 11 females;

Darul Hana at Tangiers, which accommodates 27 males and 13 females;

The Hanan Foundation at Tetouan, which accommodates 157 male children and 78 females.

371. In addition to these institutions, the Alawiyya Society provides high-grade services for the benefit of blind persons.

C. Health and health services (art. 4)

372. Health programmes for children are designed with a view to achieving a number of goals, the most important of which are the prevention of communicable and incommunicable diseases, iodine-deficiency disorders, cardio-vascular diseases, diabetes, asthma, allergies and diarrhoeal diseases, in addition to intensifying the vaccination effort and encouraging breastfeeding.

Prevention of iodine-deficiency disorders

373. Field studies conducted in 1993 have shown that 22 per cent of children between 6 and 12 years old suffer from thyroid gland enlargement. The rate is shown to be much higher in mountainous areas, where it ranges between 50 per cent and 78 per cent.

374. The National Strategy adopted by the National Programme for the Prevention of Iodine-Deficiency Disorders is designed to ensure regular and sufficient intakes of iodine by children and mothers. The Strategy is also designed to ensure the general long-term availability of iodized salt, in addition to the supply of iodine supplements for severe cases of iodine deficiency.

375. In 1994, a National Educational Day was organized for students in the fifth and sixth grades of primary education, with a view to promoting public awareness of the importance of using iodized salt and the protective measures that can be used to prevent iodine-deficiency disorders in children. Considering that only 42 per cent of Moroccan families use iodized salt, the National Educational Day was also an occasion to evaluate the whole consciousness-raising effort and set a new target of encouraging 90 per cent of Moroccan families to use iodized salt by the year 2001.

Nutritional services

376. The health sector has been contributing in improving the dietary and health conditions of the population through a number of programmes which cover a variety of areas, including protection against malnutrition, prevention of hypo-ferric anaemia, prevention of vitamins A and D deficiencies, promotion of breastfeeding, prevention of diarrhoeal diseases, and supporting and enhancing activities related to the promotion of nutritional awareness.

Breastfeeding

377. Breastfeeding indicators for infants less than 4 months old recorded a downward trend from 65 per cent in 1992 to 31 per cent in 1995. Statistics also show that during the same period, 2.3 per cent of children less than 5 years old were suffering from malnutrition.

378. The Ministry of Public Health is continuing the consciousness-raising efforts addressed to mothers on the importance of breastfeeding and prevention of diarrhoeal diseases. In this connection, the Ministry is supporting an initiative known as "Child-Friendly Hospitals", which involves a host of educational and training activities for workers in 11 regions: Agadir, Al Hoceima, El Saouira, Kenitra, Khemisset, Khenifra, Meknes, Sefrou, Settat, Oujda and Tetouan.

379. In connection with the International Code of Marketing of Breast Milk Substitutes, a national awareness day was organized throughout the Kingdom with a view to disseminating information on the various aspects, provisions and implications of the Code.

380. On the occasion of marking both International Breastfeeding Week (1-7 August 1995) and International Breastfeeding Day (16 October 1995), various activities were organized for the promotion of breastfeeding. Those activities included the airing of television programmes at the Bin Messik Hospital in Casablanca, publishing a number of newspaper articles on breastfeeding, participation in talks and round-table discussions on the subject, and presenting an award of distinction offered by the World Food Programme (WFP) in recognition of noteworthy achievements and efforts in the area of maternal and child health.

Prevention of diarrhoeal diseases

381. In fighting and treating diarrhoea, the policy adopted employs the intensive use of oral rehydration salts. In 1995, of the entire number of cases of diarrhoea-stricken children, oral rehydration salts were administered to an overall average of only 28.2 per cent which, if broken down, represented 30.4 per cent for cities and urban areas and 27.5 per cent for rural areas. By comparison with 1992, oral rehydration salts were administered to an overall average of 14 per cent, which represented 15.9 per cent for urban areas and 13.9 per cent for rural areas.

Prevention of malnutrition

382. A strategy has been developed to deal with the various disorders resulting from the deficiencies of some nutritional elements such as iron, vitamin A, vitamin D and iodine. This strategy employs the following approaches:

- (a) Supplying health centres and clinics with sufficient quantities of the needed nutritional supplements;
- (b) Enriching staple food items (for example, flour, milk, butter, edible oils, salt, etc.) with the needed nutritional elements;
- (c) Distributing one 120 mg nutritional supplement pill per woman per week;
- (d) Launching awareness promotion campaigns for women on health and nutrition.

383. In 1998, a total of 4,087 cases of nutritional deficiency were recorded in urban areas and 12,970 cases in rural areas. In the same year, the first dose of vitamin D was administered to 30,144 children, whereas the second dose was administered to 98,365 children. Also in 1998, a dose of vitamin A was administered to a total of 33,411 children.

384. The immunization programmes and the national occasion days were instrumental in the success of immunization coverage for children less than 1 year old. Out of a total number of 633,721 children in that age group, the coverage rate for the six target diseases was more than 90 per cent. As a result of this effort, the incidence of these six diseases has been successfully reduced. Particular success has been achieved in the fight against poliomyelitis, no case of which has been reported since 1996.

385. In 1999, and within the framework of the partnership with the United States of America, children throughout the Kingdom benefited from a massive vaccination campaign against hepatitis B.

Integrated Management of Childhood Illness (IMCI)

386. The Ministry of Public Health has embarked on the implementation of a programme for Integrated Management of Childhood Illness. With this, Morocco becomes one of the first countries to adopt this new approach which was developed by the World Health Organization (WHO) in collaboration with other bodies, including UNICEF and the BASICS Project.

387. The main features of IMCI are:

- (a) Adopting a new integrated approach to child health that focuses on the well-being of the whole child;
- (b) Promotion of accurate identification of childhood illnesses and ensuring appropriate and speedy referral of severely ill children;

(c) Disease prevention through regular immunization and enhancing awareness of the importance of improved nutrition;

(d) Promoting improved growth and development of children.

388. The main components of this approach are the following:

(a) Upgrading the skills of health-care staff through the organization of workshops and training courses for them, especially those who are involved in activities relating to child and maternal health;

(b) Making upgraded care possible within the health centres by ensuring that sufficient supplies of medicines and necessary medical equipment are available and improving the outpatient settings, such as the communication and information systems;

(c) Involvement of civil society institutions in promoting activities relating to child and maternal health.

389. Meknes and Agadir have been chosen as pilot areas for the implementation of the ICMI programme. Accordingly, several meetings and workshops have been organized with the participation of health-care staff, researchers, university teachers, and the heads of the Child and Maternal Health Departments in the two cities.

390. Furthermore, some of the health-care and other officials involved in the implementation of this programme were given the opportunity to participate in relevant international forums, including a workshop on IMCI which was organized in Zambia in May 1979, and the International Conference on Integrated Management of Childhood Illness, which was convened in the Dominican Republic in September 1997.

Reproductive health and safe motherhood

391. Enormous efforts have been made since the 1960s in the field of reproductive health. Naturally, the specialized medical management of pregnancies and deliveries is a basic requirement for sound reproductive health.

392. In 1994, the ratio of obstetricians to women of childbearing age was 1:17,308. In 1997, the ratio improved to become 1:14,000.

393. Use of contraceptives increased from an overall average of 42 per cent in 1992 (which represented 55 per cent for urban areas and 32 per cent for rural areas) to 58.5 per cent in 1997 (which represented 65.8 per cent for urban areas and 50.7 per cent for rural areas).

394. It may be noted in this connection that the percentage gap which used to exist between urban and rural areas has been shrinking steadily during the period from 1987 to 1997.

395. This gap, which was more than 21 percentage points in 1987 was reduced to almost 13 percentage points in 1997.

396. Another interesting observation may be made with regard to the increasing use of modern contraceptives from 68 per cent in 1992 to 70 per cent in 1997, whereas the use of conventional contraceptives went down from 14 per cent in 1992 to 12 per cent in 1997.

397. With regard to the management of pregnancy and delivery under specialized medical supervision (see the subsection on "Status of health services" above), and despite the improvement made in this area, considerable disparities still persist between urban and rural areas. As can be observed from the conclusions of the National Survey on Maternal and Child Health (1997), only 20 per cent of rural women benefited from specialized medical supervision at delivery as compared with 70 per cent of urban women.

398. In 1992, the overall rate of pregnancy management under medical supervision was 32.3 per cent at the national level, which represented a rate of 60.6 per cent for urban areas and 17.6 per cent for rural areas. In 1997, the overall rate of pregnancy management under medical supervision did not exceed 25 per cent at the national level.

399. Considerable improvement has been recorded in recent years in terms of maternal mortality due to pregnancy and delivery. From 332 deaths per 100,000 live births in 1992, the rate went down to 228 in 1997. But this overall rate at the national level hides a significant disparity in favour of urban areas, where maternal mortality decreased by more than one half, from 284 to 125 deaths per 100,000 live births.

400. In its efforts to control the problem of maternal mortality, the Ministry of Public Health has, as part of its basic objectives, underscored the need for continued and more coordinated improvements in the services and agencies related to family planning. The Ministry foresees achieving such improvements by drawing on the resources of the National Family Planning Programme.

International cooperation in the area of child and maternal health

401. Within the framework of the cooperation programme with UNICEF, cooperation in the health sector features as one important component of the programme and covers a number of projects, including the National Immunization Programme, the National Programme for the Prevention of Acute Respiratory Infections and the Programme for the Prevention of Iodine-Deficiency Disorders. (For more details, see the annex on "The Achievements of the United Nations Children's Fund (UNICEF) During the Period 1995-1999, within the framework of cooperation between Morocco and UNICEF".)

The financial aspects of health-care coverage

402. Budget allocations for the health sector represent 5 per cent of total budget allocations and 1.1 per cent of the national income. But health sector expenditures on the whole remain low, at only about 4 per cent of the gross domestic product (GDP). Families contribute some 45 per cent of health expenditures, but this share is partially associated with health

insurance coverage which remains low, with only 15 per cent of the population enjoying such coverage. Health insurance money represents about 19 per cent of the total health sector expenditures.

403. The financial constraints due to low budget allocations have their impact on public hospitals. But in addition to the financial difficulties, the health sector suffers also from low subscription to optional insurance and the absence of institutional mechanisms to provide medical care for low-income groups.

404. To overcome these obstacles, the health sector, within the framework of the five-year Socio-economic Development Plan (2000-2004), has adopted a strategy aimed at ensuring social justice in the area of health-care services. The strategy encompasses several components, including the following:

(a) Intensifying activities aimed at improving the health conditions of the population and strengthening curative and preventive facilities;

(b) Promoting health education and disease control through integrated programmes of information, education and communication for the benefit of women and the youth, with a view to upgrading child and maternal health through the upgrading of preventive health services, especially in rural areas;

(c) Providing health-care facilities and services in an integrated and balanced manner throughout the whole country;

(d) Enhancing human resources capabilities.

405. The Five-Year Plan (2000-2004) aims to achieve the following objectives in the health sector:

(a) Strengthening programmes of preventive health and disease control measures, with a view to reducing the mortality rate for infants less than 1 year old from 37 to 30 deaths per 1,000 live births, and reducing maternal mortality in rural areas from 307 to 270 deaths per 100,000 live births;

(b) Improving basic health-care coverage in rural areas from the rate of one centre for every 9,054 inhabitants in 1998 to one centre for every 6,500 inhabitants by the year 2004;

(c) Improving basic health-care coverage in urban areas from the rate of one centre for every 26,925 inhabitants in 1998 to one centre for every 23,000 inhabitants by the year 2004;

(d) Developing a system for the financing of health-care services through the expanding of health insurance coverage to include all wage-earning workers as well as all the retirees countrywide, so as to increase the health insurance coverage rate from 15 per cent to 30 per cent by the year 2004.

406. The strategy adopted by the Ministry of Public Health within the framework of the Five-Year Plan aims at developing an institutional mechanism to extend health-care coverage to low-income patients.

407. To provide the legal support needed to achieve these objectives, two laws will be enacted, one concerning compulsory health insurance and the other concerning health-care coverage for low-income people. A policy with a social dimension will be developed in order to ensure that medicines are made available to all income levels of the population, with due regard to cost control and optimal utilization of human resources through upgraded training for health-care personnel. At the provincial and regional levels, health-care facilities will be supported with qualified medical, paramedical and administrative personnel. Scientific research will be further promoted for the benefit of the health sector. Decentralization of health-care services will be continued and enhanced, through the consolidation of health authorities and health-care structures at the provincial level.

408. To enhance the effectiveness of these programmes, special attention is given to the role of information, education and overall consciousness-raising on health-related matters. Similar attention is also given to the optimal utilization of existing health facilities and structures, taking into account that priority is given to remote areas and marginalized population groups, especially in rural and semi-urban areas.

409. As regards the legal support required to enhance the efforts related to child protection, the following legal instruments are expected to be formulated:

- (a) A draft law-decree concerning compulsory immunization;
- (b) A draft law concerning the encouragement and promotion of breastfeeding;
- (c) A variety of draft legal provisions on the protection of child and maternal health.

D. Social security and childcare services and facilities (art. 26 and art. 18, para. 3)

1. Social security and childcare services

410. Morocco has a national social security scheme based on compulsory and optional funds.

Compulsory funds

411. These include the National Social Security Fund, the Moroccan Pension Fund and the Mutual Pension Scheme. The National Social Security Fund, which is the main arm providing social protection for wage-earners in the private sector, offers three types of allowances: family allowances, short-term allowances and long-term benefits. The Fund draws its resources from workers' subscriptions and employers' contributions.

412. Subscription to the Social Security Scheme is compulsory by law for all industrial and commercial private sector institutions and their employees and self-employed craftsmen. In July 1982, the Scheme was expanded to cover the agricultural sector, and in June 1994 the Scheme's coverage was expanded to include the traditional crafts sector.

413. Any wage-earner not covered by the compulsory Social Security Scheme can subscribe to the Scheme and secure the long-term benefits, such as disability and old-age allowances and dependency benefits. A subscriber may also opt to join the Scheme only to the extent entitling him/her to secure short-term benefits, such as medical care reimbursements, maternity allowances and death benefits.

414. The number of institutions subscribing to the National Social Security Fund increased from 19,821 in 1961 to 67,544 in 1996 and then to 84,197 in 1999. Likewise, the number of wage-earning beneficiaries increased from 284,782 in 1961 to 1,004,214 in 1996 and 1,085,723 in 1999.

415. Within the framework of this fund, the Social Security Department monitors children's conditions in terms of social coverage, and takes the legal and organizational measures required to upgrade these conditions. The Department's achievements include the following:

(a) Starting in July 1996, increasing the family allowance for the first three children to 150 dirhams. By 1998, the number of beneficiaries of this raised allowance reached 1,746,369 children;

(b) Setting a minimum of 500 dirhams per month for old-age allowance and the same for death benefits paid to the spouse and children of the beneficiary;

(c) Establishing the right of disabled children to benefit from family and death allowances without any age limit, as provided for in the provisions of the law concerning the social protection of disabled children, which was passed on 10 September 1993 pursuant to Royal Decree No. 30-92-1;

(d) Reviewing the wage level used as a benchmark in determining salaries.

416. Children covered by family allowances benefit from health-care assistance in the form of reimbursement of medical expenses. In 1998, some 24,977 children benefited from these reimbursements.

417. The Moroccan Pension Fund manages the retirement schemes which cover civil servants in government agencies, military personnel, local government officers and employees of public enterprises. The Fund draws its resources from employees' subscriptions and employers' contributions.

Optional funds

418. Optional funds, together with mutual aid societies, manage health services according to the provisions of a special law. The Moroccan Vocational Retirement Fund pays a supplementary pension to wage-earning employees in the private sector. It should be noted in this connection that insurance companies have been increasingly participating in providing supplementary coverage. Employers are required to bear the direct cost of some services or family allowances within the framework of social insurance. Furthermore, some public institutions have their own social security funds.

419. Royal Decree No. 187-7-5-1 issued in November 1996, concerning the Mutual Aid Scheme, establishes the right of all employees, apprentice workers and their dependents to benefit from the National Fund of Social Security Institutions. In 1997, this Fund extended its services to 3,051,000 beneficiaries. The number of children benefiting from the services extended by the Fund in that same year reached 1,447,088.

420. However, numerous problems have emerged as a result of the optional nature of the Fund. For example, some employees may fail to subscribe to the system at the right time, which entails serious negative social implications if they or some of their dependents happen to suffer from illnesses requiring high-cost medical care. To avoid such problems, Law No. 31-99 was issued on 1 October 1999 requiring universal participation in mutual aid societies by all employees, apprentice workers and retirees from service with the State and local government authorities.

421. With this law in force, the number of beneficiaries is projected to reach 4.2 million over the next five years, which will in turn increase the number of beneficiary children and other dependents to 2,892,000.

422. With regard to children with disabilities, article 5 of the Statute of the National Fund of Social Security Institutions provides for the right of children with special entitlements to benefit from the services extended by mutual aid societies, irrespective of any age limit, if they are proven to suffer from disabilities or permanent illnesses that prevent them from gainful work.

2. Childcare facilities

423. The Moroccan Government encourages the opening of nurseries and kindergartens. Kindergartens are mostly under the direction of the Ministry of Youth and Sports, the Ministry of National Education, and the Ministry of Employment and Vocational Training.

424. The number of kindergartens under the direction of the Ministry of Youth and Sports increased from 249 in 1995/96 to 308 in 1998/99. Out of these, 108 kindergartens are in rural areas and provide their services to 14,291 children.

425. Within the framework of a strategy to increase and strengthen childcare facilities, the Ministry of Youth and Sports is giving priority to upgrading childcare institutions in rural areas

and expanding the kindergarten network by opening new facilities in rural and remote areas in collaboration with local communities. In the area of training kindergarten teachers and developing curricula, the Ministry of Youth and Sports is modernizing the curricula and circulating them to kindergartens throughout the kingdom, with due recognition of, and catering to, local requirements through the organization of locally-tailored training courses; encouraging parental participation in the educational process, through the initiation of parents' schools, and familiarizing parents with the curricula and educational programmes and the provisions contained in the Convention on the Rights of the Child; providing remote areas with educational programmes for small children by means of dispatching itinerant units to such areas for purposes of training, consciousness-raising, conducting literacy and educational programmes and encouraging the enrolment of children in schools.

426. The Ministry of Youth and Sports gives due attention to the integration of children with special needs at kindergartens. In the framework of cooperation with the Ministry of State for Disabled Persons, integrated sections have been opened at kindergartens, with a view to integrating disabled children and preparing them for formal schooling.

427. In this connection, three training courses have been organized for kindergarten personnel concerned with the activity of integrating disabled children. The pilot kindergartens selected for this integration experiment have been supplied with the educational and medical facilities needed for this purpose.

428. The Ministry of National Education and the Ministry of Employment and Vocational Training are also concerned with kindergartens and nurseries. Other sectors, through their respective social work societies, provide nurseries for the benefit of their own employees. For example, 343 children benefited from nurseries established by the Post and Information Technology Sector during the period 1995-1999.

429. The National Cooperation Institution and a number of other societies provide places in their nurseries for children of poor families. In 1998, the National Cooperation Institution had 218 kindergartens with a total enrolment of 6,638 children. Special nurseries are also provided for abandoned and poor children. In addition to the above-mentioned childcare facilities, the Moroccan League for the Protection of Children, within the framework of efforts mobilized to provide care for the children of poor districts, has established 48 kindergartens throughout the country with a total enrolment of more than 1,000 children every year.

430. The Moroccan Society for Assistance to Children and Families has also established a number of kindergartens for children of poor families in Casablanca, Safi and Midelt.

431. However, despite these efforts, the number of nurseries and kindergartens run by the State is still low. The private sector is covering part of the deficit. But the cost of services provided by the private sector in relation to the purchasing power of the average family at the national level means that such services are not available to all.

E. Standard of living (art. 27)

432. The Moroccan Government has been exerting continuous efforts towards raising the standard of living of the citizens. In this connection, it should be noted that the minimum wage level was increased by 10 per cent starting on 1 July 1996. Following the Social Dialogue Round in April 2000, minimum wage levels were also increased for the industry, trade and services sectors. The minimum wage level is determined on the basis of the cost of living index and the financial ability of the concerned institutions within each sector, with due consideration given to the requirements of labour organizations and employers. The minimum wage level is raised in the light of consultations and discussions with all the concerned parties within the framework of social dialogue (see Part I).

433. Salaries and family allowances for the employees of government agencies, local administration authorities and public institutions were increased by 2.3 billion dirhams. The allocation for this increase was covered from the State budget and spread over two years starting in July 1996.

434. It should be noted that the Government subsidizes staple food items (edible oils, flour, sugar, etc.) through funding from the budget. The Government has also been absorbing recent increases in oil prices, so as to prevent these increases from reverberating throughout the prices of consumer goods and thereby causing a negative impact on the standard of living.

1. The right to adequate nutrition

435. The right to adequate nutrition is accorded high attention by the Government as one of the basic human rights. Numerous measures have been taken to ensure this right through improved food production. Accordingly, Morocco has achieved a reasonable level of self-sufficiency in food.

436. The agricultural sector faces considerable challenges, especially with regard to severe climate fluctuations. This has prompted the Government to adopt a national strategy aimed at addressing and overcoming the problems of the agricultural sector. This strategy revolves around the rationalization of water consumption, the mobilization of national capabilities in the field of agricultural research in barren areas, the implementation of a well-conceived policy with regard to storage facilities for the purpose of achieving food security, and the implementation of an insurance scheme to cover various types of risk. Measures have also been taken to assist small farmers. These measures include, more particularly, tax exemptions and debt rescheduling.

437. However, despite all the efforts undertaken in this connection, there are considerable disparities between urban and rural areas, as can be noted from the following statistical indicators:

(a) In urban areas, the proportion of the population supplied with drinking water increased from 78 per cent in 1992 to 85 per cent in 1999;

(b) The production of drinking water reached a level of 820 million cubic metres in 1999. Eighty per cent of this production was attributed to the National Bureau for Drinking Water;

(c) Water supply connections increased from 1.25 million to 2.3 million during the period 1992-1999, which reflects an annual growth rate of 5.7 per cent.

438. In rural areas, on the other hand, the growth of the drinking water sector has been far behind that of urban areas. One of the reasons is that population in rural areas is usually scattered over widely dispersed locations. But there are other reasons as well, most importantly the small size of public investments channelled to the drinking water sector and the weakness of the sector's institutional structure.

439. Thanks to the National Water Supply Programme for the Rural Population which was launched in 1995, the proportion of the rural population supplied with good drinking water went up from 14.3 per cent in 1992 to 38 per cent in 1999 (see the section on sectoral programmes for rural areas, under "General measures of implementation").

440. Cognizant of the magnitude of the problems involved in achieving food security and supplying urban and rural areas with drinking water, the Moroccan Government has formulated a strategy for implementing a network of water storage projects. The strategy provides for the construction of one major dam every year up to the year 2000, and thenceforth the construction of two large dams every year, together with medium-sized dams specially designed for supplying rural areas with water for drinking and irrigation. The construction of small dams will be undertaken if and when required.

441. Efforts deployed for the development of water resources led to the construction of 96 dams in the period from 1929 to 1999.

442. During the period 1993-1999, four major dams were completed, and work was also under way to implement a major hydraulic complex. Preparations were being made to implement a number of medium-sized and small dams.

443. The country is intent on continuing all efforts to deal with the rapidly increasing demand for water and adjusting itself structurally to the possibility of drought, which is a basic feature of the country's climate. Additionally, the Government is preparing a national plan for protecting water resources from pollution, taking appropriate measures for protecting drinking water outlets, identifying and controlling possible sources of water pollution, and developing water quality standards.

444. With regard to drinking water, the strategy adopted within the framework of the National Five-Year Plan for Socio-Economic Development aims at increasing water supply connections to cover 89 per cent of households in urban areas by the year 2004. For rural areas, the target is to increase drinking water supply from 38 per cent of rural population in 1999 to 62 per cent in the year 2000, and then to 80 per cent by the year 2004. This target is to be achieved within the framework of the National Water Supply Programme for Rural Population.

445. The Government has also taken several measures to upgrade the road network, with a view to ending the isolation of remote areas of the country. The National Programme for Rural Roads, which was launched in 1995, has produced considerable positive effects on rural areas, both at the social and economic levels (see the section on sectoral programmes under “General measures of implementation”).

2. The right to decent housing

446. The Moroccan effort in the area of housing has succeeded in achieving noteworthy improvements in the overall housing and health conditions in urban areas. The State has been focusing attention over the last two decades on addressing the problem of substandard housing and curbing the negative effects resulting from fast-paced urbanization. Several programmes have been accomplished, including the resettling of inhabitants of tin-sheet huts, replanning and developing squatter settlement areas, and the production of special building materials for low-cost housing.

447. A sub-standard dwelling may be one of three types: tin-sheet hut, squatter settlement, or shack. In urban areas, inhabitants of tin-sheet huts decreased from 12.8 per cent in 1982 to 9.2 per cent in 1994. According to data taken from the General Population and Housing Census of 1994 - subsequently updated in January 1999 - the housing deficit is estimated at about 750,000 units in urban areas. To keep up with the demographic changes and the need for replacing ramshackle dwellings, an estimated 130,000 new housing units are needed every year.

448. During the period 1991-1998, considerable achievements were made in the housing sector, in terms of combating inadequate housing, developing land sites for housing construction in urban areas, upgrading rural housing, implementing social housing projects, and establishing the framework needed for reviving the real estate sector.

449. In 1999, a large-scale programme for combating substandard housing was put together, which consolidated the Government’s efforts to eliminate tin-sheet huts and replan the districts that had no infrastructure. Some 127,679 families benefited from the massive programme, which was designed to cover the whole country.

450. The total cost of the programme amounts to 6 billion dirhams. Until 1998, a total of 55,249 families had benefited from the programme. Of these beneficiaries, 19,728 families used to live in tin-sheet huts and 35,521 families used to live in squatter settlements. Another 31,560 families are due to benefit from projects, which are still under implementation.

451. With regard to the promotion of adequate housing, reference may be made to the national programme for building 200,000 housing units, which was announced in 1994. The first phase of the programme, involving the construction of 105,000 units, has been undertaken at a cost of 17.5 billion dirhams.

452. Government efforts have contributed considerably in improving the overall housing conditions, as can be seen from statistics on housing. The General Census of 1994 reflects an increase in the rate of water supply-connected households in urban areas from 62.9 per cent in 1982 to 74 per cent in 1994.

453. Likewise, the rate of electricity-connected households increased from 74.2 per cent in 1982 to 80.7 per cent in 1994. Homeownership also increased from 40.9 per cent to 48 per cent during the same period. In rural areas, mud-brick houses and huts are the most prevalent forms of shelter where 78 per cent of rural families live, as shown by the 1994 Census. But recent years have seen an increasing trend in building limestone houses. The number of rural families living in such houses increased from 14 per cent in 1985 to 22 per cent in 1994. The 1994 Census shows also that improvements have been made with regard to the availability of basic utilities in rural houses, such as water and electricity (see the part on “General measures of implementation”).

454. To augment the housing sector’s efforts to cover the housing deficit, especially in urban areas, a strategy has been adopted with a focus on the following:

(a) Redefining the role of the State, so as to lay more emphasis on the preparation of manpower and energizing the housing sector as a whole;

(b) Augmenting the State and public sector roles in combating substandard housing by securing the active involvement of local communities, district councils/municipalities and all other concerned partners in the formulation of local housing plans;

(c) Enhancing the participation of the private sector in the implementation of social housing projects;

(d) Upgrading rural housing and encouraging active intervention by financing institutions in the form of increased lending in favour of rural housing;

(e) Restructuring public institutions with a view to securing their intervention in the housing sector in a more effective, integrated and comprehensive way.

455. Finally, it should be noted that in developing and implementing housing policies, the Government places due emphasis on the interests of children, by ensuring that green areas, playgrounds and day-care facilities are provided for, and in good proportion to the population size, as basic components in all housing projects.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education and vocational training (art. 28)

1. Education and training

456. The education policy is based on well-established legal and constitutional principles as follows:

- The right of everyone to education (art. 13 of the Constitution);
- The obligation of the State to provide education for every Moroccan child from age 7 to 13 (Royal Decree of November 1963 on Compulsory Education);

- Increasing the period of compulsory education to nine years (Education Reform Decrees of 1985);
- Providing public education facilities for all educational levels.

457. The Moroccan education system aims at achieving the following objectives:

- Implanting the national culture in younger generations while at the same helping them to be open to other cultures and civilizations worldwide;
- Implanting Islamic values and morals, with due respect to other religions and creeds;
- Contributing to the progress of the society;
- Contributing to the economic development of the country and enhancing national productivity, through the development of qualified and skilled human resources.

(a) Pre-school education

458. Progress has been recorded at the level of pre-school education, with the number of enrolled children increasing from 778,776 in 1990/91 to 813,273 in 1999/2000. This increase represents an annual growth rate of 0.5 per cent. Koranic schools account for about 68.5 per cent of the total number of pre-school children. Girls make up 29.3 per cent of all the children in Koranic schools, as compared to 46.8 per cent in non-Koranic pre-school education.

459. The pre-school phase is significantly important in the process of shaping the child's mind and opening up his/her personality. In order to enhance the effectiveness of this phase, efforts have focused on securing the material and human resources needed at the central and local levels and the issuance of reference guidelines for pre-school education. Special attention is also given to the preparation and training of Koranic school administrators, who contribute in providing continued training for Koranic schoolteachers and monitor the educational and teaching performance in their schools.

460. The measures planned for promoting pre-school education envisage the expansion of pre-school education coverage, with a view to catering more especially to the needs of the rural population. These measures also include the provision of pedagogical support for pre-school education personnel, with a view to upgrading their capabilities in undertaking the first social upbringing of the child outside the realm of his/her family, enabling them to contribute in promoting pre-school education and reduce the drop-out rate.

461. Partnership agreements are envisaged to be concluded between the education sector on the one hand, and local communities, societies and organizations interested in promoting pre-school education, on the other hand.

462. Efforts are being coordinated to expand the pre-school education base and achieve gradual universal coverage of all 4 to 5 year-old-children. It is projected that the number of

children enrolled in pre-school education will increase from 813,273 in 1999/2000 to 1,130,000 in 2004/05. Likewise, the number of qualified pre-school teachers is expected to rise during the same period from 35,000 to 50,000.

463. The purpose of the pre-school education phase, which covers two years, is to ensure the development of the child's personality through:

- Development of sensory, motor, elucidative and expressive skills;
- Emphasizing basic religious, moral and national values;
- Developing scientific and artistic skills (drawing, colouring, music, etc.);
- Developing pre-reading and pre-writing skills.

464. To further consolidate the pre-schooling sector, several reforms and measures will be undertaken, with emphasis on the following:

(a) Enacting a basic law for pre-school education and another one to encourage investment in this sector;

(b) Preparing and updating basic documents and directives relating to the promotion of pre-school education and making them available to all parties concerned;

(c) Setting up a committee to undertake the task of coordinating the preparation of curricula and textbook contents for pre-school and basic education levels;

(d) Developing an institutional and organizational framework for the training of pre-school teachers;

(e) Reviewing the basic training programme for teachers.

(b) Basic education

465. The basic education level consists of two cycles.

(i) The first cycle

466. At the national level, the number of students in the first cycle of basic education grew by 3.45 per cent, from 2,394,615 in 1990/91 to 3,497,926 in 1999/2000. This growth rate at the national level represents a rate of 6.3 per cent for rural areas and 3.1 per cent for urban areas. In rural areas, the growth rate for female students was 10 per cent, which is markedly high if compared with the corresponding rate of 3.7 per cent for male students.

467. School attendance by children 6-11 years old recorded an increase in 1999/2000 as follows:

- 80 per cent at the national level, as compared with 68.6 per cent in 1997/98;
- 89 per cent in urban areas as compared with 79.7 per cent in 1997/98;
- 69.5 per cent in rural areas as compared with 55.4 per cent in 1997/98.

468. School attendance of girls increased at the national level from 61.4 per cent in 1997/98 to 74 per cent in 1999/2000. Broken down between urban and rural areas, the rate went up from 77.3 per cent to 87.1 per cent in urban areas, and from 44.6 per cent to 62.1 per cent in rural areas. Attendance rates for boys also recorded an increase as follows:

- 83.8 per cent at the national level as compared with 44.6 per cent in 1997/98;
- 92.2 per cent in urban areas as compared with 82.2 per cent in 1997/98;
- 76.4 per cent in rural areas as compared with 27.7 per cent in 1997/98.

469. In the school year 1999/2000, a total of 46,256 students were enrolled for the first year of basic education in private sector schools, which represents 6.3 per cent of the total new enrolments in basic education at the national level. This rise in school enrolment is attributed to efforts made to expand the schooling network and locating the schools at closer distances from rural population centres.

470. A total of 11,526 small schools were active in 1999/2000, as compared with 3,686 school units and 8,168 small schools in 1990/91. In rural areas, the number rose from 1,821 school units to 3,220 small schools during the same period.

471. The number of schoolteachers also went up, from 88,242 in 1990/91 to 121,743 in 1999/2000. In rural areas, the number of schoolteachers increased during the same period, from 44,552 to 68,069.

472. To encourage families to send their children to school and reduce the drop-out rate, special efforts have been made at the social level, especially with regard to nutrition, with the help of international organizations and the World Food Programme. From 3,000 school canteens in 1982, the number went up to 6,018 canteens in 1991, and then to 11,183 canteens in the school year 1999/2000. A total of 949,815 students benefited from these facilities in 1999/2000, as compared with 515,700 students in 1998.

(ii) The second cycle

473. The number of students in the second cycle of basic education increased from 805,868 in 1990/91 to 978,520 in 1999/2000, which represents a growth rate of 2.2 per cent per annum. During the same period, the number of female students went up from 331,131 to 420,719.

474. At the national level, new students enrolled in grade 7 increased from 241,616 in 1991/92 to 327,588 students in 1999/2000, which represents an overall growth rate of 3.4 per cent per annum and a growth rate of 3.2 per cent for girls alone.

475. In rural areas, new students enrolled in grade 7 increased from 38,321 in 1991/92 to 53,488 in 1999/2000, which represents an annual growth rate of 10.7 per cent. Also in 1999/2000, girls represented 30.3 per cent of the total number of students.

476. During that same period, the number of schools serving the second cycle of basic education increased from 701 to 941, and the number of classrooms increased from 19,680 to 22,528, of which 3,919 were in rural areas. Likewise, the number of schoolteachers in the second cycle went up from 48,273 to 51,694, of whom 8,221 served in rural areas.

477. Notwithstanding all these positive indicators and the marked increase in the number of schoolchildren, the target of universal education is still far from being achieved owing to numerous problems, the most important of which are the disparities in school attendance between urban and rural areas, and also the disparities in school attendance rates between males and females, especially in rural areas. Even though in urban areas the disparity in school attendance rates between boys and girls is steadily shrinking, we may still note that in 1998, the overall rate of school attendance in the first cycle was 61.7 per cent for boys and 97 per cent for girls, whereas the rate of school attendance of boys and girls combined in 1995 exceeded 80 per cent.

478. Despite the improvements achieved in recent years, basic education indicators for rural areas are not parallel with those recorded for urban areas. For example, the overall rate of school attendance in the first cycle of basic education in rural areas increased from 53.1 per cent in 1994 to 68.2 per cent in 1998.

479. School attendance of rural girls has improved considerably. In 1998, the rate of school attendance for rural girls in the first year of education was 51.4 per cent, as compared with 35.2 per cent in 1994, which represents a growth rate of 4.1 per cent annually.

480. However, basic education is still suffering from numerous problems, most importantly the drop-out rate in the first cycle which ranged between 3 per cent and 5 per cent in 1999/2000 (compared with 5-10 per cent in 1983/84) and the repetition rate which ranged between 12 per cent and 17 per cent in 1999/2000 (compared with 24-30 per cent in 1983/84). It should be noted, though, that the drop-out rate is steadily rising, particularly among children from poor families. This negatively affects the socio-economic cost of education and the overall effectiveness of the education system. Statistics for 1995/96 show that out of every 100 children at the age of 7, 85 children go to school; 45 find their way to basic education but only 32 complete this phase; 22 find their way to secondary education but only 10 complete this phase and get their baccalaureate.

481. In this connection, the late King Hassan II, in his 1993 Throne Day address, emphasized "the need to reform the education system which no longer keeps pace with contemporary developments and requirements". In its statement to the House of Representatives in 1998, the Government reaffirmed "its commitment to make education a top priority, through the adoption

and implementation of a comprehensive reform of the education and training system, so as to give all citizens an equal opportunity for knowledge, modernization, culture and employment. This reform shall be based on the moral and spiritual values which make up the identity of the system. The reform shall also aim to enhance the added value of the human capital [and] make optimal use of all the human resources available to the education system, in addition to advocating the principles of national solidarity and dedication in public service”.

482. To translate these outlined goals into concrete action, a national committee has been set up to examine and review the entire education system. The work of the committee culminated in the formulation of a National Charter for Education and Training. The objectives outlined in the Charter were incorporated in the strategy adopted by the education sector within the framework of the National Five-Year Plan for Social and Economic Development (2000-2004). The most important of these objectives are universal education, enhanced education quality, and increased internal rate of return of the education system and the related human, material and financial resources.

483. As part of the efforts towards the achievement of universal education, special focus is given to these two major goals:

Universality of pre-school education, with particular emphasis on achieving universal enrolment by the year 2004;

Reducing the minimum age of school admission from 7 to 6, and ensuring universal enrolment of all 6-year-old children by the beginning of the school year 2001/02.

(iii) Commitment to free and compulsory basic education

484. The goals in this area are:

(a) Achieving universal enrolment in the first cycle of basic education by the year 2002;

(b) Achieving universal enrolment in the second cycle of basic education by the year 2008;

(c) Promoting education in rural areas and reducing disparities between provinces and regions, villages and cities, and males and females;

(d) Encouraging school enrolment of girls;

(e) Upgrading private educational institutions;

(f) Strengthening informal education programmes, through intensified partnerships with non-governmental organizations and the vocational training sector.

485. In order to achieve these objectives, a package of fundamental reforms and measures will be implemented, with particular focus on the following:

- (a) Establishing and equipping school networks;
- (b) Supplying the existing institutions with the basic installations and health requirements;
- (c) Expanding and reorganizing the networks of school canteens and boarding facilities, and improving the scholarship distribution system, especially in rural areas;
- (d) Upgrading school health-care facilities, especially in rural areas;
- (e) Studying the feasibility of setting up a national agency for combating illiteracy, with a view to coordinating the efforts of all the parties active in the field of informal education;
- (f) Promoting public awareness, in coordination with all the concerned parties in the education and training sectors, with a view to minimizing the wastage of potentials and resources due to lack of orientation.

486. To improve the quality of education, several measures will be taken to achieve the following:

Reviewing and reforming the curricula;

Consolidating basic training for teachers and making it more compatible with the functions and responsibilities assigned to them;

Developing a strategy for educational support, with special emphasis on pre-school education, the rural areas, and children with disabilities;

Strengthening social and educational activities;

Introducing and supplying modern educational technologies;

Coordinating school time and holidays to cater to the requirements of the local environment in rural areas;

Upgrading school libraries and improving language teaching.

(iv) International cooperation in the area of education and combating illiteracy

487. Several international cooperation programmes are being implemented in the area of education and combating illiteracy. Foremost among them are those implemented jointly with UNICEF, UNFPA, UNDP and UNESCO.

488. In addition to these programmes, Morocco benefited in 1999 from the MEDA Programme in supporting the government strategy for universal education. Within the framework of this programme, Morocco is receiving 600 million dirhams financed by the European Union. The first phase of the programme, for which an amount of 428 million dirhams has been allocated, will cover the following seven regions: Chtouka, Al Jadida, Figuig, Khemisset, Khenifra, Larache and Sefrou.

(c) Informal education

489. Implementation of the Informal Education Programme started in March 1998. The Programme aims at providing education for 8 to 16-year-old children who have had no formal schooling.

490. Forty-one partnership agreements have been signed with various government agencies, public institutions and societies and non-governmental organizations, whereby 34,550 beneficiaries, both males and females, have been registered in informal education programmes engaging 744 teachers, within the framework of the "Education for All" campaign. However, the number of beneficiaries remains very low, not exceeding 1.5 per cent of the total number of 8 to 16-year-old children who have had no formal schooling, estimated at 2.2 million.

491. As envisioned in the Five-Year Plan (2000-2004), one goal of informal education is to reduce the illiteracy rate from 46 per cent to 35 per cent by early 2004. Concurrently, a training programme will be implemented for the benefit of drop-out children and children with no formal schooling who are also in the range of 8-16 years old. The beneficiaries of this programme will be reintegrated in the formal education/vocational training system or trained for gainful work. The programme is designed to provide education for a target of 1 million male and female beneficiaries over the span of the Five-Year Plan, at the rate of 200,000 per year.

(d) Secondary and technical education

492. Secondary education consists of two cycles. The first is a three-year general cycle culminating in a baccalaureate degree. The second is a two-year complementary cycle in which the students either receive focused education in mathematics to prepare for admission to engineering polytechnics, or study for a technical diploma.

493. In the school year 1999/2000, the number of new students enrolled in the first year of general secondary education was 145,689, compared with 120,469 students in 1991/92, an annual increase of 2.3 per cent. The total number of students in the various divisions of general secondary education has been increasing at an average rate of 3.5 per cent. From 335,500 in 1991/92, the number went up in 1999/2000 to 440,167 students, of whom 45.3 per cent were females.

494. The Technical Division of secondary education recorded the highest growth rate of 5 per cent, compared with 4.6 per cent in the Arts Division and 2.4 per cent in the Sciences Division. Also during the period 1991/2000, the second two-year cycle of secondary education

recorded a 3 per cent annual increase in the number of students preparing for engineering polytechnics, and a 19.3 per cent increase in the number of those studying for technical diplomas.

495. From 1991/92 to 1997/98, the number of students awarded a secondary school baccalaureate increased by an average rate of 12 per cent, rising from 67,138 to 71,937 students. But despite these positive indicators, the repetition and failure rates remain rather high, which has a negative impact on the cost-effectiveness of the education system and its internal rate of return.

496. The number of secondary schools increased by an average rate of 4.4 per cent annually, rising from 384 schools in 1991/92 to 537 schools in 1999/2000. Efforts aimed at promoting secondary education have also been reflected in rural areas, where the number of secondary schools increased from only 8 in 1991/92 to 69 schools in 1999/2000.

497. There are 70 secondary schools offering technical education, but they are predominantly located in urban areas.

498. In 1999/2000, the number of teachers in general secondary education was 32,332, compared with 25,095 teachers in 1991/92, which indicates an average growth rate of 3.2 per cent annually.

499. A strategy has been adopted within the framework of the National Five-Year Plan (2000-2004) for consolidating secondary and technical education and overcoming the problems affecting it. More noteworthy among these problems are the weakness of academic and vocational orientation, the lack of strong linkage between secondary/technical education and vocational training, and the high rate of repetition and early drop-outs. Other problems appear also in the lack of instructional facilities and teaching aids, and the high cost of supplies and equipment needed for technical education.

500. The strategy referred to above envisages the expansion of the school network, with a view to reducing disparities between the various localities and provinces, as well as disparities between urban and rural areas. The strategy aims to expand the enrolment capacity and the beneficiary base. In this connection, it is hoped to increase the rate of students completing their basic education and moving on to secondary education from 40 per cent at present to 56 per cent by early 2004. Likewise, an increase in the rate of enrolment in technical education is sought from 3 per cent at present to 11 per cent by early 2004.

501. Improving the quality of secondary and technical education is a key element in the strategy, through particular focus on educational programmes and curricula, integrated utilization of modern technological, communication and information facilities, supplying educational institutions with modern equipment and teaching materials, and providing the school laboratories with adequate equipment and supplies.

(e) Private education

502. Private sector institutions accommodate the majority of children in the pre-school phase, but not more than 5.4 per cent of the total number of students in the first cycle of basic education. In the school year 1999/2000, only 200,625 students in the first cycle of basic education attended private sector institutions. In that same year, the contribution of the private sector in the second cycle of basic education was minimal. Only 11,100 second-cycle students attended private sector schools, which represents a meagre 1.1 per cent.

503. Private secondary education, on the other hand, has been relatively stable in terms of student number. In 1999/2000, the private sector provided secondary-level education to 31,000 students, or 7 per cent of the total number of students in secondary education, compared with 28,448 students in 1991/92.

(f) Vocational training

504. With the educational reform of 1984, the vocational training system has been assigned the task of fulfilling the requirements of vocational and social integration and responding to the needs of different institutions. The vocational training system has gone through important developments, including the multi-level restructuring of the vocational training system as follows:

(a) The primary level, for students who complete six years of basic education; 38 training divisions are covered under this level;

(b) Preparatory training level, for students who complete their seventh year of basic education; 97 training divisions are covered under this level;

(c) Unspecialized technical worker level, for students who complete their third year of secondary education; 121 training divisions are covered under this level;

(d) Specialized technical worker level, for students who have the baccalaureate degree; 76 training divisions are covered under this level;

(e) Initiating new formulas of vocational training, such as vocational on-the-job training, training in accordance with the student's vocational progress and contractual training, which are designed mainly to involve the vocational market in the training process;

(f) Diversifying the training divisions and increasing them to 366 specializations covering the most important sectors.

505. Increasing the number of trainees from 103,100 in 1991/92, of whom 45 per cent were females, to 131,690 trainees in 1997/98, and further to 149,000 trainees in 1999/2000. Out of these 149,000 trainees, 129,600 were in formal vocational schooling and vocational on-the-job training, 5,000 in vocational progress training and 14,400 in evening programmes.

506. Some 70,000 trainees graduated in 1998/99, representing 30 per cent of the manpower entering the labour market in urban and semi-urban areas. The contribution of the private sector in this development is noteworthy, with 56,150 trainees in 1999/2000, which accounts for 43 per cent of the total number of beneficiaries in the vocational training sector.

507. Graduates represent 81 per cent of the total number of trainees; 63 per cent of graduates are in gainful employment within nine months after graduation, and 77 per cent within three years.

508. Since 1996/97, attention has been focused on developing a system for the selection and orientation of candidates, depending on their own capabilities and training requirements as well as the requirements of the labour market. The achievements of the vocational training sector may be summarized as follows.

(i) Basic training

509. Significant progress has been achieved during the last five years in relation to the various formulas of basic vocational training, i.e. formal vocational schooling and vocational on-the-job training, both in rural and urban areas, and both at the levels of the public and private sectors. This progress is reflected in the following table:

Trainees and graduates in basic vocational training

Sector	Level	Trainees in 1995/96	Trainees in 1999/2000	Graduates in 1995/96	Graduates in 1999/2000
Public (A)	Primary	14 189	8 888	8 240	8 693
	Preparatory	34 780	37 192	15 302	16 169
	Unspecialized	22 480	21 228	10 300	9 983
	Specialized*	4 227	6 186	1 847	2 582
Sub-total (A)		75 678	73 434	35 689	37 427
Private (B)	Primary	12 439	15 812	6 548	10 005
	Preparatory	15 695	16 425	8 623	8 848
	Unspecialized	59 317	21 278	6 477	8 030
	Specialized*	321	2 638	-	758
Sub-total (B)		45 988	56 153	21 558	27 641
Total (A+B)	Primary	26 628	24 700	14 698	9 618
	Preparatory	50 477	53 557	23 925	25 017
	Unspecialized	40 013	42 506	16 777	18 013
	Specialized*	4 548	8 824	1 847	3 340
	Grand total of all levels in public and private sectors	121 666	129 587	57 247	65 068

* The specialized level was introduced in the public sector in 1993/94, and in the private sector in 1995/96.

510. As part of the efforts made to initiate new formulas for vocational training, drawing on large-scale involvement of contractors and enterprises and setting up a training system that combines theory and practice, pilot arrangements were made in 1992/93 to implement on-the-job training. On the basis of these pilot experiments, a law was drafted to formally establish and organize this type of training. The law was passed by the Parliament in 1996, and became effective as of the 1997/98 school year.

511. Beneficiaries of on-the-job training increased significantly; from 3,653 in 1997/98 to 9,607 in 1999/2000. The following table reflects the progress made in the area of on-the-job training:

Training level	Number of trainees in 1997/98	Number of trainees in 1999/2000	Increase (%)
Preparatory	1 410	3 474	146
Unspecialized	1 420	4 609	225
Specialized	823	1 524	85
Total	3 653	9 607	163

512. The rural areas benefit from basic vocational training through 52 vocational training institutions, all of them located in urban areas, including centres for training in agriculture and marine fishing.

513. In 1999/2000, the total number of trainees at these centres reached 3,411, which represents 6.2 per cent of all vocational training students. This figure also represents a 14 per cent decrease compared with the number of registered trainees in 1995/96 (3,950). This decrease is attributed to the low involvement of vocational enterprises, local communities and trade unions in vocational training activities for the benefit of rural areas.

514. The training divisions cover, in particular, sectors like farming, construction and industry, in addition to other numerous divisions of regulated training. But it should be noted that rural areas also have the opportunity to benefit from unregulated training, in which no conditions are imposed with regard to age, educational level, duration of training, etc. This unregulated training is of particular interest and benefit to nomadic population groups, as well as to rural children, girls, delinquent youths and fishermen.

(ii) Private sector contribution in vocational training

515. The private sector has continuously contributed to the development of vocational training and its expansion to cover new training areas, especially in industry and communications.

516. To upgrade the quality of services provided by the private sector in the field of vocational training, an integrated programme was developed in 1998 to enhance the training divisions and upgrade the administrative and pedagogical capabilities of the vocational training personnel.

517. As a result of this programme, 269 training divisions, accounting for 21 per cent of the total number of private sector trainees, are now in full operation at 127 institutions. Another programme has also been established for the training of 130 administrative and teaching personnel, which covered a variety of topics, such as business administration, formulation of vocational training programmes and curricula, etc.

518. Despite the tangible progress achieved, the vocational training sector is still faced with a number of difficulties, including the following:

(a) Continuing shortage in covering the needs of rural areas in the field of vocational training;

(b) The low level of private sector involvement in vocational training, due to deficiencies in infrastructure, training programmes, and the technical and teaching capabilities of trainers;

(c) The slow pace of accepting and implementing the autonomy of vocational training institutions;

(d) Inability of the orientation system to provide full coverage. Even though the system was established in 1990 as a joint undertaking between the national education sector and the vocational training sector, it covers only 20 per cent of the available places, despite the fact that the demand is three times larger than the resources available.

(iii) Vocational training in accordance with the student's vocational progress

519. This type of vocational training is designed for the benefit of children and youths who dropped out of formal education, so as to prepare them for some area of gainful work.

520. It should be pointed out in this connection that almost 240,000 children drop out of school at some point between the sixth year of basic education and the second year of secondary education.

521. A total of 56,000 places are available in the primary and preparatory levels for the dropouts and the unschooled at vocational training centres in the public and private sectors combined. Consequently, some 200,000 children are left without a place in the vocational training system. To address this problem, vocational progress training has been introduced as one of the measures designed to help integrate these children.

522. Some 6,000 children have benefited from the system since it was experimentally launched in 1997/98. These trainees have proved to be of special interest to the farming and traditional crafts sectors.

(iv) Continuous training

523. In collaboration with the World Bank, two mechanisms were developed in 1996/97 for the purpose of motivating contractors and enterprises to promote and support continuous training. The first mechanism is in the form of joint vocational groups, designed to provide technical consultancy services to enterprises to help them identify and secure their needs in terms of skilled manpower. Six joint vocational groups have been formed in the sectors of metallurgical, mechanical and electrical industries, informatics and communications, textiles, leather, construction and public works, commercial shipping and marine fishing.

524. Agreements have been signed with all these groups in order to enable them make use of the public funding allocated to them to finance technical assistance for the benefit of enterprises related to these groups.

525. The second mechanism relates to contractual training. It aims, through financial assistance, to motivate enterprises to incorporate continuous training in their development plans. This mechanism, which is financed by the State, is in the form of one central committee and 10 regional committees with tripartite representation from the State, the employers and the employees.

526. To enable the vocational training sector fulfil its main objective of providing training and active support to the employment promotion policy, a strategy has been adopted within the framework of the Five-Year Plan (2000-2004) with a view to attaining the following goals:

(a) Enhancing capabilities through the upgrading of training programmes, and consequently revising the relationship between training duration and skill acquisition, instead of the present arrangement which is based on the school-year system;

(b) Promoting the principle of matching the training system to the actual needs of the labour market;

(c) Supporting the restructuring of private sector institutions of vocational training, through the restructuring of 64 training programmes and providing training on pedagogical skills for 1,000 trainers, as well as training in business administration for 500 directors of vocational training institutions;

(d) Promoting vocational training in rural areas and adjusting the training programmes and curricula to the special circumstances of the rural population, especially at the primary training level, to allow for accommodating the largest possible number of training-seekers, in collaboration with local communities and business organizations;

(e) Upgrading and restructuring public institutions of vocational training in urban areas, particularly at the primary and preparatory training levels, by adding about 10,150 places to the total capacity during the period 2000-2004. Some 5,430 places of the added capacity will

be under the direction of the Vocational Training and Employment Promotion Bureau. This additional capacity will consist of 4,820 places for 41 newly introduced training divisions, and 5,330 places for expanding the already existing training divisions. Some training divisions, with a total capacity of 11,780 places, will be restructured. These are the training divisions in construction, public works, electrical engineering, mechanical engineering, services, traditional crafts and tourism;

(f) Consolidating the human and material resources mobilized for training by means of strengthening the orientation system, streamlining the admission procedure and enabling young people to pursue the vocational path of their choice. In this context, training will be completed for 4,200 teaching and administrative staff, training days will be organized at various business institutions for the benefit of 3,750 trainers, and another 170 trainers will be trained every year on the pedagogics of on-the-job training. Furthermore, training will also be provided for 400 supervisors of on-the-job training, and training programmes will be designed or adjusted for 25 divisions every year.

527. This strategy will be further supported with an institutional framework, drawing on four laws that will be enacted to deal with the general system of vocational training, vocational progress training, special training and on-the-job training.

(g) Higher education

528. The Moroccan higher education policy is based on the commitment of the Government to provide access to higher education for every student who fulfils the prescribed requirements. At present, enrolment in higher education requires a baccalaureate degree (to attend institutions of higher learning which are subject to the quota system) and passing an admission test.

529. To promote higher education and facilitate access to it, the State has established a special programme to provide scholarships for students and subsidize university boarding and food facilities. The State is almost the sole source of financing for higher education, as the private sector contribution to this sector is quite minimal.

530. Efforts to promote higher education have resulted in significant quantitative achievements. University graduates are armed with the highest levels of technical and administrative training which covers all sectors of economic activity. This quantitative progress has been coupled with other measures to promote the decentralization of institutions of higher education and boost scientific research, in addition to marked progress with regard to the number of females in higher education.

531. Figures relating to the total numbers of students and graduates may give an indication of the progress achieved in the development of the higher education system. In 1998/99, about 127,878 students received scholarships to study in Morocco and abroad, as compared with 163,438 students in 1990/91. The decline is attributed to a reduction in the number of scholarships for studying abroad, as well as to the new scholarship system which takes into account the material and social status of the student's family.

532. In 1999/2000, scholarships represented 17 per cent of the overall operational budget of the Ministry of Higher Education, Training and Scientific Research. It may be noted, however, that allocations for scholarships have been relatively stable in recent years at around the level of 600 dirhams per annum.

533. Eight new dormitories have been built, raising the boarding capacity at universities from 24,951 students in 1990/91 to 33,981 students in 1999/2000, which represents an average increase of 3.5 per cent per annum. Total budget allocations for higher education increased during the same period from 2,052,000,000 dirhams to 3,596,000,000 dirhams, at an average growth rate of 6.5 per cent per annum. The total budget allocation for higher education represents 4.4 per cent of the overall State budget.

534. The number of new students in all Moroccan universities reached 52,255 in 1999/2000, indicating an annual growth rate of 2.8 per cent. The total number of university students increased from 206,725 in 1991/92 to 251,287 students in 1999/2000, indicating an average growth rate of 2.2 per cent annually. During the same period, the total number of university graduates increased from 19,883 in 1990/91 to 26,303 in 1998/99, at an average growth rate of 3.2 per cent annually.

535. Despite this progress, the higher education system is faced with numerous problems, including, most importantly, the following:

(a) Excessive crowding of university institutions which are not subject to the quota system, such as the faculties of letters, law and sciences, which receive about 92 per cent of the total number of university students;

(b) The widening gap between the growing number of students and the material resources available to most university institutions;

(c) The weakness of the student orientation and advising systems, which results in considerable wastage because of unsuitable choices.

B. Aims of education (art. 29)

1. Education and human rights

536. In accordance with the aims of education outlined in the Convention on the Rights of the Child, and with particular emphasis on the strengthening of respect for human rights, tolerance and peace, the Moroccan Government has given considerable attention to these aspects and translated this attention into the Moroccan Programme for Education and Human Rights.

537. This programme is being implemented in the framework of a cooperation agreement signed on 26 January 1994 between the Ministry in Charge of Human Rights and the Ministry of National Education. This cooperation agreement was further enhanced with the signing of a partnership agreement whereby the principles and concepts of human rights were incorporated in the curricula of basic and secondary education levels.

538. The aim of the National Programme for Education and Human Rights is to bring up the Moroccan citizen fully imbued with democratic values and committed to human rights principles, so as to translate these values and principles into regular practice in everyday life, whereby the citizen is transformed into an active and effective element in the process of economic, social and cultural development.

539. As regards educational programmes and curricular contents, the National Programme for Education and Human Rights is endeavouring to eliminate anything that conflicts with human rights principles and values, so as to develop an educational programme based on, and compatible with, these principles and values for all educational levels.

540. In connection with training, the National Programme for Education and Human Rights aims to form special teams for training on matters relating to the teaching of human rights, whether at the level of preliminary or continuous training, for active personnel in the field of education.

541. The programme has a strategy for organizing training courses in education and human rights for the benefit of all education personnel, including programme planners, textbook authors, teachers, inspectors and coordinators at the central and regional levels, course supervisors, directors, and all other echelons of administrative staff at educational institutions.

542. Accordingly, more than 120 textbooks have been revised in Islamic education, Arabic, French, sociology and Islamic thought and philosophy to rid them of any contents contrary to human rights, and supplement them instead with appropriate content on human rights concepts and principles, with due account given to the characteristics of each course and each educational cycle and level.

543. Training courses have also been organized for teaching and administration personnel at various levels. Some 25,000 teachers have already attended these courses, and the programme aims to cover another 100,000 teachers during the current year.

544. The pilot phase of the National Programme for Education and Human Rights will cover the academic and educational institutions of Oujda, Tetouan, Meknes, Casablanca and Agadir. In selecting these areas for the pilot phase, due account has been given to proportionate representation of rural and urban environments and of various educational levels. Parallel with these activities, training will be administered, as part of a 75-workshop series, for the benefit of supervisors of the five main academic courses mentioned earlier. Furthermore, a pedagogical directory, addressed to all teaching personnel involved in the National Programme for Education and Human Rights, will be prepared.

545. The National Programme for Education and Human Rights will be disseminated during the school year 2000/01 to all educational institutions throughout the country and to all personnel in the field of education. The dissemination phase will cover the following areas:

(a) Incorporation of pedagogical units relating to human rights education into official curricula of basic and secondary education;

(b) Organization of educational seminars for all teachers of official curricula in basic and secondary education.

546. The National Programme for Human Rights Field Education will be strengthened by measures to reinforce the role of pupils in their environment in the context of efforts deployed to promote the rights of the child. In this connection, the Ministry in Charge of Human Rights plans, in collaboration with External Affairs Departments of both the Ministry of National Education and the Ministry in Charge of Secondary and Technical Education, to support parallel activities within the framework of the educational institutions' projects to ensure that students play an effective role in their environment. Educational institutions will thus open up their educational structures to parent associations and local community and civil society actors in order to publicize the rights of the child and to promote a human rights culture at all institutions of basic, secondary and technical education in Morocco.

547. The projects carried out at the educational institutions are designed with due regard to specific circumstances of each educational level and the age of pupils. These projects revolve around themes as follows:

(a) In basic education institutions, the rights of the child within the institution and the rights of the child in the context of family relations;

(b) At secondary and technical education institutions, the rights of the child within the local community and the rights of the child within civil society.

548. To upgrade the quality of education and ensure its compatibility with the purposes of the Convention, steps have been taken to incorporate in educational curricula education on such topics as the population, the environment, traffic regulations and concepts of national territorial development in addition to human rights education.

2. Instruction in population issues

549. This project is part of a cooperation programme with UNFPA. The aim of the project is to include this course in the educational curricula as a multidisciplinary subject, with a view to enhancing the consciousness of students, teachers and families of the various demographic aspects of Morocco and how they interact with economic, social, cultural and environmental conditions. So far, the project has covered the basic education phase. Starting with the current school year (1999/2000), the project's scope will be expanded to cover the secondary education phase. The population issues course focuses on subjects relating to reproductive health, gender relationships and sustainable development.

3. Environmental education

550. The Ministry of National Education prepares a variety of programmes to promote awareness of environmental problems and the importance of environmental conservation. In this connection, reference may be made to the Plan of Joint Action which involves three other

parties: the Ministry of State for the Environment, the National Bureau for Drinking Water and the Programme for Consciousness-Raising and Research on Environmental Issues. Fourteen schools have been selected to participate in this programme.

4. Concepts of national territorial development

551. In order to enhance children's awareness of the dimensions and concepts of national territorial development and promote the relevant supporting culture, a cooperation agreement was signed on 28 October 1999 between the Ministry of National Territorial Development, Reconstruction and Housing, on the one hand, and the Ministry in charge of secondary and technical education, on the other hand. The aim of the agreement is to include the concepts of national territorial development as part of the local affairs course and curriculum, through the adoption of modern educational techniques and advanced didactic means.

C. Leisure, recreation and cultural activities (art. 31)

1. The right to leisure and recreation

552. The Ministry of Youth and Sports organizes numerous educational, athletic, cultural and recreational activities aimed at promoting the development of children and dealing with childhood as a priority sector in programme planning and formulation.

553. During the period 1995-1999, a total of 377,425 children benefited from educational activities designed for them in various areas. Some 129,744 children benefited from activities organized at fixed camps, and another 45,656 children benefited from activities organized at urban camps, which brings the total number of beneficiaries of camping activities to 175,400 children. Camps are of special importance as social educational institutions for the benefit of children, providing them with open-air protected activities which are organized in line with focused educational and recreational programmes.

554. The national network of summer camps has been expanded with the opening of the national camp at Moulay Rachid Complex for Children and Youth at Bouzniga. In order to enhance the accommodation capacity of camping centres and eventually dispense with tents, the Ministry of Youth and Sports has pursued an investment programme aimed at providing camping centres with additional facilities to help them cater for more children and more activities. This programme has been designed to cover the Harhoura centres at Sekhirat, Temara, Azilal, Ben Semim, Tamaris and Assilah. Moreover, some summer camping centres at Oujda, Errachidia and Ourzazate have been reopened after completion of renovation and maintenance work.

555. The Ministry has also upgraded the infrastructures at most summer camps, supplying them with electricity, water, sewerage and telephone facilities.

556. Children's clubs have been established to provide protected activities for 7 to 14-year-old children, both males and females, schooled and unschooled, urban and rural. These children's clubs offer a variety of cultural, recreational and scientific activities all the year round, with a view to contributing to the social upbringing of children, side by side with the family and the

school. Fourteen buildings have been renovated and transformed into children's clubs at Rabat, Kinetra, Khemisset, Ben Slimane, Sekhirat, Temara, Meknes, Fez, Casablanca, Tetouan, Ourzazate and Elayoun. During the period 1995-1999, a total of 177,439 children benefited from these clubs.

557. In view of the importance of appropriate facilities both at summer camps and children's clubs, a 60 per cent increase in such facilities has been achieved, thereby increasing the capacity for accommodation and activities. Some children's clubs have also been provided with information units and audio-visual aids, in addition to other leisure and recreational facilities.

558. In its future strategy, the Ministry of Youth and Sports plans to expand the scope of its activities to cover the following:

(a) Paying special attention to rural children, through the opening of permanent educational facilities and dispatching mobile units for regional awareness-promotion campaigns, focused activities and recreational programmes;

(b) Gradual expansion of children's clubs through partnership agreements with local communities;

(c) Providing the appropriate training for personnel involved in child-related activities;

(d) Expanding the summer camp network by reopening the closed institutions and identifying suitable space for new ones.

559. In addition to the Ministry of Youth and Sports, several other agencies also contribute in providing recreational activities for children. In this connection, it should be pointed out that various sectors also organize summer camps for the children of their own employees. For example, the Ministry of State for Post and Information Technology organized camps for 7,842 children of employees during the period 1995-1999. Several camps and recreational services are also organized by the Ministry of National Education and by the Social Work Society for various beneficiaries.

560. For its part, the Ministry of National Education encourages all students to participate in diverse sports activities, considering that sports is one vital area that contributes to the comprehensive shaping, physically, mentally and emotionally, of the child's character. In this respect, some measures have been taken to consolidate the rights of the child. These measures include the following:

(a) Concluding an insurance agreement covering school and athletic activities starting in 1999/2000, which will provide an important incentive for students to engage in different sports activities. Under this insurance coverage, the students will benefit from indemnities for accidents that may happen to them while practising sports activities inside and outside the premises of educational institutions, and while travelling to or from sports activities;

(b) Preparing a special programme for sports activities throughout 1999/2000 in the form of sports competitions and tournaments. Special attention will be given to encouraging the formation of school sports societies at every educational institution. In this connection, full attention will be given to students in the first cycle of basic education, taking into consideration the unique characteristics of this age group, in order to encourage them to participate in school sports activities.

561. Furthermore, and in order to cater for the special needs of children with disabilities, the Ministry of National Education is studying the possibility of devising a programme of sports activities for this group of students inside the schools. The envisaged programme will take into consideration the special health conditions of this group, so as to enable them to engage in sports activities on an equal footing with other students.

562. Significant allocations have been made from the Sports Activities Fund at the Royal Moroccan University for the current school year. These allocations will be spent on the overall upgrading of sports facilities and programmes and the development of the students' physical capabilities and skills. More specifically, these allocations, which come as an added support to the allocations made in the regular budget of the Ministry, will contribute to the establishment and upkeep of sports facilities and provide sanitation and storage infrastructure in educational institutions.

563. Civil society institutions play an effective role, through the organization of numerous activities and functions, in encouraging recreational and sports activities and promoting the child's right to recreation. Field trips, summer camps, festivals, drawing contests, athletic competitions and sports tournaments are examples of the activities offered by civil society organizations.

2. Cultural activities

564. Efforts are being exerted continuously to promote the cultural life of all citizens in Morocco, more particularly the children, to enhance the development of their personalities and skills. The present strategy of the Ministry of Culture employs the following approaches:

(a) Encouraging cultural activities in rural areas. The Ministry of Culture, in collaboration and partnership with local communities, has been implementing a large-scale programme for establishing a network of libraries in rural areas. According to the terms of these partnerships, the local communities provide the buildings whereas the Ministry provides the staff, books and equipment;

(b) Participation of local communities in decentralized cultural activities. In this context, the Supreme Council for Cultural Affairs and the regional cultural councils were formed in January 1995. At the central level, the Supreme Council is an advisory body made up of members representing all parties concerned with cultural affairs. It serves as a forum for discussing cultural policies and determining and guiding the priorities of cultural work.. At the local level, the regional councils for cultural affairs coordinate the work of the Supreme Council, by identifying the cultural needs of the population and encouraging cultural activities at the regional level.

565. In the area of cultural activities for children, the Ministry of Culture has made quite a number of achievements, foremost of which are the following:

(a) Organizing the first national puppet theatre festival in Rabat during the period 26-29 January 1996, with participation from 10 child theatre groups that came from different Arab cities;

(b) Participation in organizing the annual international festival for children's music and rhymes, which was sponsored by the Rabat and Sale Music Society every year from 1995 to 2000;

(c) Organizing the second national puppet theatre festival in Casablanca during the period 26-29 January 1997, with participation from theatre groups interested in children's education and development;

(d) Participation in the 1998/99 National Plan for the Development and Protection of Children through:

(i) Preparing a series of children's books and magazines in cooperation with interested authors and publishers;

(ii) Establishing school libraries in coordination with the Ministry of National Education;

(iii) Implementing a network of cultural centres;

(iv) Organizing a meeting of young musicians.

(e) Organizing the first international gathering of puppet theatres in Rabat during the period 24-30 April 1999, with participation from a number of foreign theatrical groups;

(f) Organizing annual cultural and artistic shows for children during the period 1995-2000, with active participation from the Ministry's local agencies and subsidiary institutions;

(g) Contributing to the cultural days for children (2-9 May 1999) at Fez, Rabat and Sale, with participation from subsidiary cultural institutions in the three cities;

(h) Celebrating the National Day of the Child (25 May 1999) throughout the Kingdom, by organizing cultural, artistic and recreational activities for children and organizing special workshops and functions for developing their skills;

(i) Organizing National Child Week (20-26 November 1999) throughout the Kingdom, in coordination with the subsidiary agencies of the Ministry, for the purpose of marking the tenth anniversary of the Convention on the Rights of the Child;

- (j) Celebrating International Day of the Child on the first Monday in October;
- (k) Organizing theatrical workshops for the benefit of the Moroccan Society for Supporting Children with Mental Disabilities and the An-Nasr Society for the Deaf and Mute in Rabat;
- (l) Training theatrical arts personnel on working for the benefit of disabled children;
- (m) Supporting and producing special theatrical shows for children during the period 1998-2000;
- (n) Organizing workshops for upgrading children's skills in handicrafts, reading, puppet arts, etc.;
- (o) Organizing the third national festival of puppet theatre during the mid-year recess in 1999/2000.

566. Finally, it should be noted that the increasing demand for culture cannot be accommodated because of the limited availability of financial resources.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency (art. 38)

1. Refugee children

567. The Arab and Islamic religious and cultural principles and tenets of Morocco have made the country, in the past and at present, a country of asylum and protection for refugees. Morocco has acceded to the Convention relating to the Status of Refugees adopted by the United Nations on 28 July 1951 and the Protocol relating to the Status of Refugees of 1967. Since signing the 1951 Convention Morocco has endeavoured to implement its provisions by granting refuge to deserving asylum-seekers and guaranteeing their full economic, social and cultural rights.

568. To reinforce this position, and aware of the gravity of the phenomenon of asylum and mass and individual displacement, Morocco has consistently demonstrated its readiness to cooperate with competent international organizations, and particularly with the Office of the United Nations High Commissioner for Refugees, in which Morocco is an active participant.

569. Keeping pace with the historical developments in the protection of refugees, which was also extended to internally displaced persons and victims of expulsion, Morocco has contributed to the alleviation of the suffering of these groups. In this respect, we refer to assistance which was given by Morocco to Bosnian and Somali refugees, and which is being given at present to Kosovan refugees.

2. Children in situations of emergency

570. This category of children does not exist in Morocco. However, we have continued to draw the attention of the world community to the untenable situation of the detainees held by Polisario at camps in Tindouf. Citizens succumb to torture, hard labour and denial of the simplest and most basic necessities of life. Families suffer under hardships caused by the separation of the heads of family from their kin. Over 1,000 children were sent for military training to Cuba or recruited in the Polisario camps. All this reflects negatively on the psychology, personality and growth of a child.

571. Morocco continues its cooperation with the United Nations in a bid to hold a general referendum in which all citizens of the western regions participate without any distinction.

B. Children in conflict with the law

1. Administration of juvenile justice (art. 40)

572. Attention is drawn to the provisions organizing the administration of juvenile justice contained in the initial report of Morocco, paragraphs 291-300.

573. To provide for better protection of a child in conflict with the law, and in keeping with the provisions of the Convention on the Rights of the Child and with mechanisms of juvenile justice, the Ministry of Justice has embraced in the new Code of Criminal Procedure several points in order to protect the rights of the child, namely:

Raising the age of majority;

Maintaining the provisions governing the pre-trial proceedings in the case of offences;

Giving the General Prosecutor alone the power to follow up juvenile cases;

The obligation to report crimes whose victims are minors;

The creation of a new category of judicial police officers to deal with minors;

Waiving the requirement to apply provisions of the Code of Criminal Procedure on flagrante delicto when minors under the age of 18 are suspected of committing the crime or the offence;

Hearing statements of minors under the age of 18 without requiring them to take an oath;

Referring cases to juvenile court judges, at both first instance and appeal, and assigning trials to judges who are qualified to deal with juvenile cases and have experience in choosing the appropriate measures to deal with delinquency;

In the interest of the minor, it is required that he or she attend the pre-trial proceedings accompanied by a parent or a guardian and supported by a lawyer. It is now compulsory to hold separate proceedings in cases of crimes committed by minors with accomplices who are of legal age;

The introduction of collegial judicial bodies to pronounce sentence in juvenile cases;

The creation of a juvenile chamber at first instance to hear offences and a juvenile chamber at the appeals stage to hear crimes;

Juvenile court judges may ask a public-interest association competent in matters of children to undertake social research to determine the character and family and social circumstances of the minor on trial;

Both minimum and maximum penalties of deprivation of liberty applied to minors have been reduced, pursuant to the provisions of the Convention and of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) which declare that punishment should be a measure taken only as a last resort, and sentence should be as short as possible.

(a) Treatment of children deprived of their liberty (art. 37 (b), (c) and (d))

574. In addition to information provided in paragraphs 301-306 of the initial report of Morocco, the point may be made that minors are not to be placed in a prison or penal institution without a detention warrant from the competent judiciary body.

575. The new Prisons Code of 25 August 1999 contains several key provisions for the protection of juvenile delinquents. For example, the Code provides that minors are to be separated from other inmates and to be placed in separate quarters or wings. Penal institutions are divided into four categories, one of which includes reform and re-education centres reserved for convicted minors and persons under the age of 20. There are also special rooms or wings to accommodate this group in penal institutions during the pre-sentence period.

576. The Code of 25 August 1999 makes it mandatory for the warden of a penal institution to inform the family of any person under the age of 20 of his/her detention and date of release so that they will be able to take charge of him/her. In the case where no family can be traced, the warden has to report the case to the General Prosecutor to take the appropriate action.

577. To provide better care to juvenile detainees, the Code excludes minors and persons under the age of 20 from being placed in disciplinary cells. The Code also exempts them from labour if they are following study or vocational training, and instructs wardens of penal institutions to ensure that minors and persons under the age of 20 are able to pursue their studies or vocational training.

578. The Code also regulates the situation of children who accompany their mothers, whether the child is born during the incarceration of the mother or is brought into the institution along with the mother. In the first case, it is mandatory for the penal institution to authorize the mother

to give birth in an appropriate facility without making any reference to the fact that the mother is incarcerated. The mother receives the necessary medical and obstetrical care, and she and the infant benefit from the national immunization programmes. The Code also provides that the incarcerated mother may be given special permission to give birth outside the penal institution in order to protect her and her infant emotionally and psychologically.

579. In the second case, i.e. if the mother brings her child with her into the institution, the Code provides that the child shall not be accepted without written authorization from the competent judiciary authority. The child is to remain with the mother beyond the age of 3 only at the request of the mother, approved by the Minister of Justice, to keep the child up to the age of 5, after which the institution shall, whenever possible, place the child in a childcare institution with the consent of the person who has the right of custody.

580. The Department of Prisons recognizes the need to improve and upgrade health conditions in the penal institutions in order to preserve the health of inmates and to ensure the maintenance and cleanliness of these institutions. For this purpose, campaigns are organized among inmates to raise their awareness of the importance of personal hygiene and the cleanliness of their surroundings. Physical health is an essential aspect of the educational programme organized by the Department. Inmates are provided with all cleaning products under the supervision of social workers, nurses and doctors in order to ensure sanitary conditions and prevention of diseases, particularly infectious diseases.

581. Doctors and nurses are attached to penal institutions in order to supervise and follow up health conditions. The Prisons Department makes allocations in its annual budget for the equipment of health facilities at institutions and for the purchase of medications, cleaning supplies, and materials and disinfectants.

582. In order to ensure the health of children and to create an education and recreation space suitable for their age, the Prisons Department provides allocations in its annual budget for food, clothes and toys. Some penal institutions with space available have set up nurseries where children are accommodated during the day under the supervision of qualified nurses. Wardens of penal institutions make every effort to reserve rooms in their institutions for mothers with small children.

583. The Prisons Department pursues a policy of establishing nurseries at all penal institutions as far as possible to accommodate female inmates. For this purpose it has collaborated with a number of charity organizations and benevolent individual donors to construct and equip such nurseries, organize recreational outings for children and provide them with needed clothing and toys.

584. In the case of children who do not stay with their incarcerated mothers at prisons, the Department has prepared special rooms where these children may visit their incarcerated parents under such circumstances that the children do not realize that the parents are held in prison.

(b) Sentencing of juveniles (art. 37 (a))

585. Reference is made to information provided above under the heading “Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment”, from which we learn that capital punishment or life imprisonment cannot be applied to delinquent minors.

586. As noted above, the age of majority in criminal matters is reached upon completing the sixteenth year of age. However, the sentencing tribunal may take a substantiated decision to replace or supplement the normal penalties applied to juveniles between 16 and 18 by one or more of the special measures of protection and re-education in accordance with provisions of article 514 of the Code of Criminal Procedure.

587. The age that applies for the definition of majority is the age of the minor on the day of committing the offence. In the case of a challenge of the date of birth, the court makes its estimation on the basis of a medical examination and any other investigation that the court deems useful for the determination of the age of the minor. When a minor under 16 commits an offence or a crime, only one of the following measures of protection or re-education laid down in article 516 of the Code of Criminal Procedure may be taken:

1. Placing the minor in the custody of parents, guardian or any other trustworthy person.
2. Application of the system of parole or probation.
3. Placing the minor in a public or private institution specifically designed and qualified for re-education or vocational training.
4. Placing the minor in a medical or medico-educational institution qualified for this purpose.
5. Placing the minor in the charge of the S.O.S. public service.
6. Placing the minor in a boarding section of a school equipped to accommodate juvenile delinquents.

588. A measure that may also be applied to a minor of more than 12 years may also consist of placing the minor in a public institution specifically designed for controlled or reformatory education. However, the measure decided upon may be applied only for a limited period of time that should not, in any case, go beyond the date on which the minors reach the age of 18.

589. Institutions and organisms concerned with the protection of children are affiliated to the Ministry of Youth and Sports. They include: observation centres, re-education centres and social work clubs, as well as field services in the social context (see the section on “Rehabilitation and reintegration of children in conflict with the law”).

590. Between 1995 and 1996, the benefits of the centres for the protection of children reached some 24,586 minors, of whom 15,984 benefited from services offered by these centres, while 8,602 minors benefited from field services offered in the social environment.

591. Under the provisions of article 517 of the Code of Criminal Procedure, a tribunal may, in exceptional cases only and taking account of the circumstances and personality of the juvenile delinquents over 12, take a substantiated decision to replace the above-mentioned measures of protection and rehabilitation, or to supplement them with a fine or a prison term, if it deems it necessary. (See above, section on “Right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment”.)

592. A minor who commits an offence is to be brought to the competent court which is to hear the case in accordance with provisions of article 540 of the Code of Criminal Procedure.

593. No sentence, other than reprimand, may be pronounced in the case of a minor who is under 12. If the minor is over 12, the sentence is either a reprimand or a fine. Moreover, if the competent court decides that it is in the interest of the minor to have any other measure taken, it may refer the case after sentence has been pronounced to the juvenile court judge, and the latter has the option of releasing the minor on probation. A sentence open to appeal is referred to the juvenile court (article 518 of the Code of Criminal Procedure).

594. The juvenile court judge informs the parents, tutor or legal guardian of follow-up procedures. If the minor or his legal representative does not choose a lawyer, the juvenile court judge is to appoint a lawyer, or to ask the head of the lawyers association to do so. He may also assign the question of social inquiry to the Department of Social Interests or to other persons qualified to carry out the inquiry (article 526 of the Code of Criminal Procedure).

2. Physical and psychological recovery and social reintegration

595. The juvenile court judge is vested by law with broad powers that take into account the particularities of dealing with minors. The juvenile court itself is a social court of reform and re-education rather than a court of deterrence and punishment. A judge in this court may order social research in respect of the minor in order to determine his/her personality, background and environment.

596. Legislation provides for preventive measures in respect of minors, rather than penalties that apply to adults. The main object of re-education and protection measures is not so much to punish the minor as to correct his/her behaviour and to provide guidance.

597. When a judge decides to turn a minor over under a system of probation or to place him/her in an institution for re-education, the Department of Child Protection assumes the process of reform and re-education through probation officers or re-education centres.

598. Social work clubs and field educators oversee the process of social reintegration of the minor. Thus programmes of child protection establishments are divided into the following four categories on the basis of their specific activities and the nature of the measures undertaken by each of them: observation programmes; re-education programmes; programmes of social work

clubs; and programmes of action in the field. Observation and re-education programmes cover the following: induction and enrolment in schools; regular boarding primary schooling; boarding industrial or agricultural vocational training; and various educational, sports and cultural activities.

599. Similar activities are carried out by social work clubs; besides, these clubs apply a semi-boarding system and their primary objective consists of social reintegration and rehabilitation of the minor by seeking employment opportunities.

600. The programme of field action (in the social context) is one of the most crucial programmes as it pursues the dual objective of providing preventive and protective care for minors at risk of delinquency and follow-up care of minors leaving the institution in order to ensure their stability in the family life and their social re-integration. Activities under this programme are meant to achieve the following, among others:

- (a) To ensure uninterrupted schooling;
- (b) To seek opportunities and openings for employment;
- (c) To seek opportunities for vocational training; and
- (d) To familiarize the family with the problems of the minor and to collaborate with the family for the creation of a climate conducive to stability.

601. Notwithstanding the existence of a framework that aims above all to help a child to be better integrated in the society, there are many difficulties, particularly the limited number of probation officers and social workers and aides.

602. The small number of establishments for child protection also raises several problems of overcrowding, especially in the case of girls; indeed, there is only one national centre for their accommodation.

603. Measures to improve the conditions of detained minors include efforts by the Prisons Department to organize educational, sports, cultural and recreational activities to rehabilitate and preserve the equilibrium of young detainees.

604. This educational policy is embodied in the provision of basic and secondary education under the supervision of elements from the Ministry of National Education. The Ministry also oversees the organization of examinations at the penal institution through special boards formed for this purpose. Successful detainees at every examination are given certificates establishing their educational level without any indication of their detainee status.

605. In the context of cooperation between the Prisons Department and the Ministry of National Education, and under a policy of reintegrating detainees after their release, agreement

was reached to ensure the admission of released detainees who attended schools at a prison institution to schools of the Ministry if the age requirement is met. A partnership agreement was also concluded between the Department and the Ministry for the latter to provide for detainees' make-up schooling in informal schooling entities. For these courses, the Department makes allocation in its annual budget and supplies books to prisons in order to broaden the knowledge of detainees.

606. The educational policy of the Department also provides for the organization of vocational training programmes at prisons. Juvenile detainees under 20 are enrolled in these programmes to train in areas such as electricity, carpentry, pipe fitting, sewing, construction and leather crafts.

607. Training in these centres is undertaken by staff from the Department and from the Ministry of Social Development, Solidarity, Labour and Vocational Training. Examinations at the centres are conducted and supervised by staff from the Office of Vocational Training and Promotion of Employment. Successful trainees are issued certificates from the Office as evidence of their vocational level, but these do not contain any indication of their detainee status.

608. The Prisons Department has concluded a collaboration agreement with the Ministry of Social Development, Solidarity, Labour and Vocational Training under which a number of centres are to be set up and equipped at prison institutions. This agreement is evidence of the Government's policy orientation in the field of promotion of vocational training. The Department also allocates annual credits in its budget to equip and supply the training centres and to provide the detainees with the necessary tools and aids for their training.

609. The Department pursues an educational policy to re-educate minors and youngsters under 20. This policy envisages the organization of religious lectures and guidance to be provided by specialized preachers from the Ministry of Wakfs and Religious Affairs. This religious aspect has a particularly significant and positive impact on the emotional state and behaviour of detainees.

610. In the area of cultural and recreational activities for the benefit of detainees, the Department has set up a number of workshops in the prison institutions for such activities as painting, music and stage acting. It has also published a number of literary prison journals for inmates to express themselves in poetry, prose or fiction and to write about various topics.

611. In the area of sports, the Department has created sports fields in some institutions and organized matches between various wings of the same institution or between teams of various institutions and national teams. Supervision of these activities is assured by staff from the Department and from the Ministry of Youth and Sports.

612. In respect of efforts to reintegrate juvenile detainees after their release, the Department collaborates with some groups active in this field in holding meetings between staff from these organizations and the juvenile detainees to ascertain their family situation and the circumstances leading to their detention. The meetings also serve to provide a general idea of possible measures to reintegrate the child after release in centres affiliated to these organizations.

613. As a contribution to the rehabilitation and integration of minors in conflict with the law, several organizations endeavour to humanize conditions at the centres for child protection by carrying out a number of recreational and educational activities for the benefit of children. In this respect, mention should be made of the Moroccan Observatory of Prisons which undertakes the following tasks:

- (a) Monitoring the situation of prisons and the degree of observance of national regulations and international conventions on the rights of prisoners, particularly the Standard Minimum Rules for the Treatment of Prisoners;
- (b) Guaranteeing the rights of inmates in Moroccan prisons and re-education centres without any discrimination or exclusion and protecting the inmates from any arbitrary or illegal action;
- (c) Ensuring the sound application of the Moroccan legislation relating to prisons and promoting the adoption of alternative penalties in place of deprivation of liberty;
- (d) Collaborating with other organizations that have similar interests in order to contribute to the rehabilitation and protection of prisoners and to facilitate their reintegration after their release, and demanding the establishment of facilities to receive and guide them; and
- (e) Demanding the continued training of prison officials in the matter of human rights and rules for dealing with prisoners.

The above are among the initiatives that contribute effectively to ensuring the social reintegration and psychological and physical recovery of the child.

C. Children in situations of exploitation, including recovery and social reintegration

1. Economic exploitation: child labour (art. 32)

614. Under an integrated strategy, based on international and national principles, a number of measures have been taken to protect children from all forms of economic exploitation. These measures are taken both in the legal domain and on the level of actual monitoring, and have been supported by a partnership with international organizations.

615. On the legal level, it is noted that in addition to the laws governing labour relations addressed in the initial report, the legal age for employment of children has been raised in the Labour Code to 15 in line with provisions of ILO Convention No. 138, which was ratified by Morocco on 19 March 1999 and will enter into force on 6 January 2001. It may be pointed out that steps have been already taken to ratify ILO Convention No. 182 to combat the most serious forms of child labour.

616. To promote the wider implementation of the Labour Code, a sensitizing and awareness-raising campaign was launched in February 1998 throughout the regions and provinces of Morocco. The focus of this campaign was to monitor the extent of application of protection measures relating to child labour and particularly protection from vocational hazards.

617. In the area of international cooperation, several measures have been taken and numerous activities have been organized in collaboration with UNICEF. The focus of these efforts was to complete at the end of 1996 a study/field survey of child labour, identifying prevailing conditions of child employment and suggesting further actions and targets in response to the provisions of international conventions.

618. Also in collaboration with UNICEF, a national symposium was held on 22 and 23 December 1997 with the theme: "Child protection: achievements and perspectives". The symposium was sponsored by the Prime Minister and participants included representatives of the government departments concerned with issues relating to children, along with representatives of trade unions, employers and non-governmental organizations. It provided an opportunity to intensify efforts for the elaboration of a unified national strategy for the protection of the child.

619. As part of these efforts, a training programme on child labour was devised for labour inspectors in order to improve their performance in monitoring child employment. This programme is to extend over two years, starting in October 1998, and conducted under the supervision of experts on child labour.

620. In cooperation with UNICEF and with contributions from the Royal Office of Phosphate and the National Office of Railways, a "camp" was organized in the period 23-29 November 1998 for 70,000 children working in various economic units.

621. A collaborative project has also been carried out with ILO in coordination with the International Programme for the Elimination of Child Labour (IPEC), with funding from the Government of France.

622. This project culminated in the elaboration of a national and sectoral programme on child labour, with the participation of representatives from government departments, employers' associations, trade unions and non-governmental organizations, as well as UNICEF. The objectives of this scheme are to determine the real magnitude of child labour, to improve the working conditions of working children, to discontinue the employment of children in risky occupations and hardship areas and generally to reduce child labour. Actions to be taken under this scheme are meant to reduce child labour progressively and to eliminate this phenomenon altogether in the long run. A protocol for the implementation of this scheme has been signed by the Minister of Labour and Vocational Training and ILO/IPEC.

623. Initiatives are being taken in the sectors familiar with child labour in order to alleviate problems faced by child workers as a result of entering the job market early in their lives.

624. The traditional crafts industry is a vital sector of the economy and a fertile ground for the training and apprenticeship of manpower, but it is also a sector which has a concentration of child labour. For this reason, the Ministry of State in charge of traditional crafts, aware of the

problem raised by child labour in this sector, and particularly of the negative effect on the segment of child workers who are not embraced by the training and apprenticeship process, organized in June 1998 an international meeting on "Child labour in the traditional crafts sector". The meeting was held in Fez in collaboration with the International Centre for the Development of Handicraft and with UNESCO, and was attended by national governmental and non-governmental representatives and international experts. It was agreed at that meeting that maximum efforts should be exerted to suppress the phenomenon of child labour.

625. The meeting further took a set of measures meant to improve the conditions of children's involvement in these activities and to protect them from exploitation in the context of the progressive elimination of child labour. These measures envisage, in particular:

(a) Combining training with apprenticeship so that the trainees can be more easily integrated in the labour market and gain first-hand knowledge of the conditions of work in the handicraft sector;

(b) Concluding agreements with the Ministry of National Education for the implementation of educational and training courses in the context of programmes of informal education. These courses are intended mainly for the benefit of children aged between 8 and 16. The first such course was launched in partnership and cooperation with professional associations in Ouezzane and Kenitra;

(c) Organizing awareness-raising campaigns for the benefit of individual craftsmen, owners of economic units and craft guilds to familiarize them with labour laws and the problems of employing children such as potential grave negative effect on their psychology or health.

626. In addition to the above, other sensitizing campaigns were launched to commemorate the National Week for the Child in May 1999 with the participation of the Moroccan Society of Occupational Medicine. The themes of these campaigns covered apprenticeship, informal education and occupational hazards that a child may be exposed to in apprenticeship or work.

627. The Ministry of State for Traditional Crafts contributed its inputs to the seminars organized by the Ministry of Social Development, Solidarity, Labour and Vocational Training in cooperation with ILO in May and October 1999 to elaborate a national plan and sectoral plans for children working in various economic sectors.

628. The fight to eliminate child labour has become one of the national priorities that command the attention of the competent entities and has figured prominently in the deliberations of national conferences on the child.

629. The Children's Parliament at its first session devoted one of its workshops to discussing the topic of children and economic exploitation which focused on the following items:

Exploitation of healthy and handicapped children for purposes of begging;

Exploitation of handicapped children by some societies or groups to support their claims to collect donations; and

Sexual exploitation of under-age female children.

630. The children participating in this workshop addressed the root causes and consequences of the phenomenon of child labour and formulated proposals to curtail, at least partially, this phenomenon. Some of the salient proposals are:

- (a) Sensitizing both parents and children to the importance of education, and stressing the role to be played by mass media in this area;
- (b) Reforming education and the establishment of training centres to rehabilitate children who drop out of school;
- (c) Assistance from the State to needy families and handicapped children;
- (d) Eradication of illiteracy; and
- (e) Enacting laws relating to employers.

631. However, the problem of child labour is not only a matter of law; it has many roots including prevalent poverty and illiteracy. In Morocco, some 240,000 children leave school at an early age; half of them leave school before completing their basic education while the other half leave between the first and second years of the secondary stage. This latter group mostly seeks to enrol in vocational training centres and, depending on vacancies, some 200,000 actually manage to join these centres. Children who do not complete their basic education and are under 15 are not allowed into these centres. To correct this imbalance, the Ministry of Social Development, Solidarity, Labour and Vocational Training has been actively working on the elaboration of a programme of “careers” in cooperation with sectors of traditional crafts, agriculture and services in order to gain experience and understanding of the relevant professions.

2. Drug abuse (art. 33)

632. Several laws have been enacted to check the spread of narcotic drugs and their derivatives; as pointed out in the initial report of Morocco (CRC/C/28/Add.1, paras. 333-338), various penalties apply for the illegal possession of drugs.

633. The concern of Morocco over the dangers inherent in drug abuse has produced a strong determination to fight the spread and illicit use of narcotic drugs and psychotropic substances.

634. For this purpose, a national strategy has been formulated with the following basic principles:

- (a) Mobilization and rationalization of human resources and other available resources on the national level;
- (b) Diversification and intensification of bilateral and multilateral cooperation.

635. On the national level, Moroccan authorities published in November 1994 a White Paper containing a number of legal, penal and preventive measures to be implemented under this strategy to combat the importation, traffic and sale of drugs and psychotropic substances.

636. Pursuant to recommendations by United Nations bodies, Morocco created several bodies to address all aspects of the problem of drug abuse. Thus, a national commission to combat drugs was established by a decree dated 3 October 1977. Already in 1995, an Agency for Recovery and Development of Northern Provinces and Regions was set up, while in 1996 a Unit of Coordination of the Fight Against Drugs (UCLAD) was created within the Ministry of the Interior. This unit is responsible for the coordination of the efforts of the different entities concerned, such as the Royal Gendarmerie, National Security, Customs, the Auxiliary Forces and the Tobacco Corporation.

637. In the area of prevention, the Ministry of National Education concluded an agreement of cooperation with the Centre for Study and Research on Drugs and the Environment to raise awareness of the dangers and harmful effects of drugs and to promote a preventive educational policy at schools.

638. International cooperation is one of the most important tools in the fight against drugs. In this sphere, Morocco intensified its collaboration, particularly in information-sharing and control of transport, etc. The strong position of Morocco in the fight against the illicit drug traffic was reflected in a number of cases brought before Moroccan courts.

639. In spite of these efforts, the existence of organized criminal networks has helped to spread hard drugs such as cocaine and synthetic drugs. This has undermined the effectiveness of national anti-drug strategies which suffer also from the weakness of institutions and other structures for detoxification treatment.

3. Sexual exploitation and sexual abuse (art. 34)

(a) Sexual exploitation

640. With its Islamic principles, which are the source of its civil laws, particularly those relating to the organization of all that relates to sexual relations, Morocco discourages any sexual relation that develops outside the institution of marriage. It is natural, therefore, that legislation should contain several protection measures against any form of sexual exploitation, especially sexual exploitation of children.

641. The Penal Code contains, in chapter VIII, section 7, several provisions relating to the corruption of the young and to prostitution. This section also addresses the offences of provoking, encouraging or facilitating the corruption or prostitution of minors. Thus, article 497 of the Penal Code punishes with two to five years' imprisonment and a fine of 5,000 dirhams any habitual act of provoking, encouraging or facilitating debauchery or corruption of male or female minors under the age of 18, or any occasional such acts involving persons under 15.

642. A sentence of imprisonment of two to six years and a fine of 250 to 10,000 dirhams is applied to any person who abets, assists or protects the prostitution of others, shares the proceeds of the prostitution of others or procures others for the purpose of prostitution, or incites or employs a minor or an adult, even with his/her consent, for the purpose of prostitution, or acts as intermediary in any form in such acts (Penal Code, art. 498).

643. Under article 499 of the Penal Code, the sentence is raised to imprisonment from two to five years and a fine of 500 to 20,000 dirhams if the act is committed against a minor who is under 18 years of age, or if the act is accompanied by the use of force, abuse of authority or fraud, or if the act is committed by a husband or a person who has authority over a child or by a person who is responsible by virtue of his/her position in the fight against prostitution or in protecting health, youth, or maintaining public order.

644. The above penalties apply even when part of the act has been committed outside Morocco (Penal Code, art. 500).

645. Deterrent measures are applied to owners, managers and supervisors of hotels, boarding houses, bars, clubs, dance halls, nightclubs, or any other place open to the public: they may be sentenced to two to five years of imprisonment and charged a fine of from 500 to 20,000 dirhams if they habitually admit a person or persons who engages (engage) in prostitution, and their licence to operate may be withdrawn. The place may be closed definitively or temporarily (Penal Code, art. 501).

646. A sentence of imprisonment of six months to one year and a fine may be imposed on any person who incites others to debauchery by gestures, oral or written words, or by any other means (Penal Code, art. 503).

647. In all cases enumerated above, the sentence may also include, in addition to the above penalties, the suspension of one or more civil, national or family rights and/or denial of residence for a period of 5-10 years. An attempt to commit any of these offences is also punishable by the same penalties applicable to a completed offence (Penal Code, art. 504).

648. The protection of children from all forms of sexual exploitation is not confined to legal texts established for this purpose: we note that some initiatives have been taken to raise awareness of the dangers of sexual exploitation that threaten children, especially those categories of children who are more vulnerable, such as street children, abandoned children and domestic servants.

649. Civil society groupings have played a leading role in this effort by organizing symposiums, seminars and round tables that dealt with children in difficult situations in general.

650. Aware of the need to resolve any situation that may be harmful to Moroccan children, and in response to a request from the Special Rapporteur on the sale of children, child prostitution and child pornography, the Moroccan Ministry in Charge of Human Rights received the Special Rapporteur from 26 February to 3 March 2000.

651. The Special Rapporteur held top-level discussions with ministers in charge of the more important sectors concerned with children, i.e. Ministry in Charge of Human Rights, Ministry of Youth and Sports, Ministry of Culture, Ministry of National Education, Ministry of Tourism, Ministry of State in Charge of Social Care and Family and Child Affairs and Ministry of State in Charge of Solidarity and Humanitarian Action.

652. The Special Rapporteur also had discussions with officials from the General Command of the Royal Gendarmerie, the Director General of National Security and officials of the Advisory Council on Human Rights and the National Observatory of the Rights of the Child and with representatives of UNICEF and UNDP. Furthermore, the Special Rapporteur had meetings with the more important groups working in the area of child rights, and went on field visits to a number of Moroccan towns.

653. In a press interview, the Special Rapporteur affirmed that the phenomenon of the sale of children, child prostitution and pornography does not have serious dimensions in Morocco. She added that the country should therefore intensify its efforts in the form of awareness-raising and precautionary campaigns, and she emphasized the role of the mass media in these campaigns.

654. In this context, a national plan of action is to be devised in partnership with civil society groups to ensure the protection of children from all types of exploitation.

(b) Sexual violence

655. The Moroccan Penal Code punishes any immoral act, public breach of decency and indecent assault, as well as rape. For information on this point, see the initial report (CRC/C/28/Add.1, paras. 342-346).

656. The young age of a victim and the relationship of the offender to the victim are aggravating circumstances leading to harsher sentences. Thus, in the cases where the offender is a parent or adult relative of the victim, or has authority or guardianship over him/her, or is hired for a wage by the victim or by any of the above persons, or is a religious official or leader, or any other person who seeks the help of others for the commission of the offence, penalties vary from one case to another, depending on the circumstances, and may reach 20-30 years' imprisonment (Penal Code, art. 487).

657. The penalty is harsher if the act in question leads to the loss of the virginity of the victim (Penal Code, art. 488).

4. Other forms of exploitation (art. 36)

658. The Government of Morocco refers to paragraphs 347-348 of its initial report (CRC/C/28/Add.1) which discuss the danger of exploiting children for the purposes of begging or inducing children to leave the homes of their families, guardians or employers in order to follow beggars or vagabonds (Penal Code, arts. 327, 328 and 330).

5. Sale, trafficking and abduction of children (art. 35)

659. In Morocco, the principles of the Constitution and the cultural and Islamic tenets are diametrically opposed to the sale of or trafficking in persons. Positive law contains deterrent provisions to protect the dignity of the human person from any violation of the human right to safety and liberty.

660. Legislation reserves for children special protection from abduction. Thus, any person who uses violence, threats or fraud to abduct a minor under 18 years, or causes him/her to be abducted, or entices or moves the minor from premises in which he/she has been placed by those with authority over him/her may be punished by 5 to 10 years of imprisonment. The age of the minor is an aggravating circumstance: if the minor involved is under 12 years of age, the sentence is doubled, from 10 years to 20 years (Penal Code, art. 472).

661. Article 473 of the same Code provides that the sentence shall be imprisonment for life if the person who commits this crime has taken, or has had as his purpose to take, a financial ransom, regardless of the age of the minor. If the abduction of a minor leads to his/her death, the penalty is death, according to article 474 of the Penal Code.

662. Article 475 of the Penal Code provides that a person who abducts or carries off, or attempts to abduct or carry off, a minor under 16 years of age without violence, threats or fraud shall be punished by a prison term of one to five years and a fine of 200 to 500 dirhams.

663. Article 477 of the same Code punishes any person who abducts a minor placed in his custody or from the premises where the minor has been placed by imprisonment for one month to one year and a fine of 200 to 1,000 dirhams. The punishment is increased to three years' imprisonment if the crime is committed by a person who has been denied parental custody of the minor.

664. A penalty of imprisonment for one to five years and/or a fine of 120 to 500 dirhams, is imposed on any person who wilfully conceals a minor who has been abducted, smuggled or misled or has run away from the authority of a legal guardian, and on any person who deliberately helps a minor to hide from a search (Penal Code, art. 478).

665. To protect children from the risk of being sold or trafficked, article 466 of the Penal Code provides for a penalty of one to six months' imprisonment and a fine of 200 to 5,000 dirhams for any person who instigates one or both parents to abandon a newly born or expected child, or mediates or attempts to mediate the transfer of a born or expected child for adoption, with the intention of drawing a benefit for any such action.

666. Article 467 of the Penal Code provides for a penalty of one to six months' imprisonment and a fine of 200 to 5,000 dirhams on a person who leads or attempts to lead one or both parents to enter into an engagement under a contract to abandon an expected child, and on a person who obtains, uses or attempts to use such a contract.

667. In parallel to the above provisions, reference is made to the Royal Decree establishing the Act on Abandoned Children of 10 September 1993 regularizing the system of *kafala* and providing for strict conditions to be met by the couple undertaking the *kafala* in order to protect a child from being an object of sale or trafficking and from any other form of exploitation. Amendments to this Act have the effect of improving child protection (see above under abandoned children, art. 20).

D. Children belonging to a minority or an indigenous group (art. 30)

668. Successive Moroccan Constitutions have enshrined the principle of equality before the law, and this principle has been translated into reality in all fields. All citizens enjoy this equality without any discrimination. Although article 6 of the Constitution establishes Islam as the official religion of the State, provisions in the same chapter guarantee freedom of worship for all.

669. While Arabic is the official national language of Morocco, the Government, in its systematic effort to preserve the cultural and historical heritage, ensures that news bulletins and programmes are broadcast and televised in the different dialects of the country. The government statement affirms the concern of the Government to modify educational curricula and training programmes to enable the young to master Arabic and to promote the Amazigh (Berber) culture, and generally to encourage foreign languages and promote communication with others.

670. Communities living in Morocco enjoy full freedom to impart to their children their own culture, religion and education.

List of Annexes

(Arabic)

Two simplified versions of the Convention on the Rights of the Child

Major activities by the National Observatory of the Rights of the Child and the Moroccan UNICEF Association since the ratification of the United Nations Convention on the Rights of the Child by the Kingdom of Morocco

Handbook of youth associations and organizations, issued by the Ministry of Youth and Sports

Inputs for the Draft Plan of Action to reintegrate street children (in both Arabic and French)

The Royal Message on the occasion of the fifty-first anniversary of the Universal Declaration of Human Rights, 10 December 1999 (in both Arabic and French)

Moroccan Observatory of Prisons

The Society for the Rehabilitation of Victims of Torture

(French)

Les indicateurs sociaux 1998, Ministère de la prévision économique et du plan, Direction de la statistique

Annuaire statistique du Maroc 1998, Ministère de la prévision économique et du plan, Direction de la statistique

Statistique scolaire 1999-2000, Ministère de l'éducation nationale

Récapitulatif des principales activités menées par l'UNICEF dans le cadre du Programme de coopération avec le Gouvernement marocain, de 1995 à 1999

Message de Sa Majesté le Roi à la session nationale du Parlement de l'enfant, 25 mai 2000

Forum vérité et justice.
