

Remarks of Ms. Amina Bouayach , Chairperson of the National Council for Human Rights in the Kingdom of Morocco, to the International Seminar on National Reconciliation Experiences organized by Morocco’s House of Counselors in partnership with the National Council for Human Rights, the Association of the Senate, Shoora and Equivalent Councils in Africa and Arab world, Rabat, 17 - 18 January 2019.

The following is the full text of Ms. Bouayach's remarks:

Your Excellency Speaker of the House of Counselors,

Your Excellencies, Speakers and representatives of participating parliaments from Latin America, Africa and the Arab world;

Your Excellency, The Minister Delegate for Human Rights of the Kingdom of Morocco;

Dear Friends, former members of the Equity and Reconciliation Commission and the Independent Arbitration Commission;

Ladies and gentlemen,

Here we meet again today, one year after the ratification of the work program of the Association of Senate , Shoora and Equivalent Councils in Africa and Arab world, to implement our recommendations which we all committed to in 2017 at this revered Council , the House of Councilors. So, it is incumbent upon us all to extend immense gratitude to the Speaker of the House of Counselors for the efforts he has exerted to enable us get together again as well as to the organizers (of this meeting).

The National Council for Human Rights is a key partner in this international interaction and debate on the implementation of transitional justice, which supports peace and stability in tension areas, which have chosen this approach to change and guarantee human rights.

Ladies and gentlemen,

The process of reconciliation in Morocco was gradually defined before it was a political and voluntary decision by His Majesty King Mohammed VI in January 2004 to establish the Equity and Reconciliation Commission. A path that was set in motion in the 1990s by the creation of the Advisory Council for Human Rights, the release of the enforced disappeared, a general amnesty for political and expatriate detainees and the establishment of an independent compensation tribunal that adopted the individual reparation approach to financial compensation.

The parliament had an important legislative role as manifested in the repeal of the “Dahir of June 29, 1935 on the control of disorderly demonstrations and disrespect to authorities “, which was used to limit the freedom of expression and assembly, as well as the ratification of an election law that paved the way for reconciliation with opposition parties so that they take responsibility for public affairs and respect the results of the ballot. The appointment for the first time of a prime minister from an

opposition party marks the start of political rotation in this gradual process, within the dynamic of reform and focus on development issues and human rights.

Ladies and Gentlemen,

The track of the Moroccan Equity and Reconciliation Commission (IER) is a distinct political process in that it both established the truth about gross violations of human rights and continued to compensate victims and rights holders and reparation for the rest of the damages they suffered. The Commission has also worked on monitoring and documenting violations, analyzing the various contexts, and circulating suggestions and recommendations to ensure that this is not repeated. These recommendations have addressed constitutional, political, legal, institutional and other aspects, including the promotion of a human rights culture.

The exceptional experience of Morocco lies in implementing the recommendations and decisions of individual reparations through the integration and rehabilitation of victims and rights holders and the settlement of their administrative and financial conditions.

Allow me, in this regard, to provide some data, such as the cost of following up on these recommendations:

1. Approximately 28,000 victims received nearly 2 billion Dirhams in financial compensation;
2. Approximately 1,500 victims or those who had had their rights abused have been socially integrated in partnership with government sectors by absorbing qualified workers scientifically and professionally in government jobs, housing grants, transport licenses, financial grants for income-generating projects and partnership agreements with many institutions, thereby enabling victims or their relatives to enter the labor market.
3. Approximately 20,000 victims or those who had had their rights abused benefitted from health rehabilitation at a cost of more than 120 million Dirhams, in addition to payments made to more than 350 victims suffering from chronic diseases.
4. To settle the administrative and financial situation of some 600 victims retroactively, i.e. since the date of arrest or expulsion, at a cost of more than 230 million Dirhams.

Ladies and gentlemen,

The Moroccan experience has also been one of the international experiences of extending the scope of reparation from individual reparation to collective reparation, by rehabilitating persons and regions that have been politically marginalized and excluded during the years of gross violations of human rights.

The collective redress was achieved through the completion of projects, enhancing capacities and the promotion of women's human rights and commemoration programs, worth 160 million Dirhams.

In addition to reparations for 259 civilian victims who, according to the IER, are reported to have been abducted and forcibly disappeared by Polisario elements in violation of international humanitarian law.

The compensation of these individuals was set at 115 million Dirhams, although the Moroccan state or its agencies had no responsibility in that such violations were not committed by public officials.

Ladies and gentlemen,

Morocco's experience in transitional justice (as opposed to international experiences) has been limited to attributing follow-up to the recommendations of the Equity and Reconciliation Commission and ensuring its implementation by the National Council for Human Rights. Since then, the Follow-up Committee (and its members present with us) has issued a report and three annexes on enforced disappearances, compensation, reparations and recommendations related to constitutional, legislative and institutional reforms.

The Follow-up Committee remains committed to honoring its obligations to implement the recommendations of the Equity and Reconciliation Commission (IER) relating to the adjustment of administrative and financial conditions, social inclusion and health rehabilitation of victims or persons with rights and uncovering the truth about pending enforced disappearances.

Mr. Chairman, ladies and gentlemen,

Measuring the impact of the IER's work and implementing its recommendations requires that we, as Moroccans, organize seminars and conduct multiple researches to measure this impact. It must be unequivocally said, however, that it has a profound impact on the transformations that have characterized political and institutional structures, social, economic and cultural transformations, and the sphere of public freedoms.

The implementation of the recommendations of the Equity and Reconciliation Commission has, from its inception to date, been a political reference to reforms and the objective reality of the stage of human rights management.

The experience of the Equity and Reconciliation Commission has certainly added new standards to the elements of universal transitional justice to support and expand the redress for victims.

We hope that today will be an opportunity to exchange best practices among us to provide and support these elements, elements that the present group of Latin America, Africa and the Arab world can share and work on to support both global human rights diligence and victims of gross human rights violations in the whole world.

Thank you.