

27th session of the Universal Periodic Review (1 – 12 May 2017)

**Review of Morocco
Statement by Ireland**

2 May 2017

Mr President

Ireland welcomes the delegation of Morocco and thanks it for its national report and presentation today.

Ireland welcomes the efforts Morocco has made to advance the human rights agenda domestically in recent years and acknowledges the progress made to date.

We acknowledge with appreciation that Morocco is one of the most active delegations at the Human Rights Council, showing leadership on a wide range of initiatives. Morocco's consistent engagement with the UN human rights mechanisms is also to be commended, as is its hosting of the second World Human Rights Forum in 2014 and the Conference of the Parties to the UN Framework Convention on Climate Change (COP22) in 2016.

Despite the high number of Special Procedure visits agreed or undertaken, Morocco has not yet issued a standing invitation to the Special Procedures and we urge that Morocco should now do so. We would appreciate an update on the status of the 6 recommendations accepted in the 2nd cycle on the International Criminal Court and urge Morocco to accelerate consideration of ratification of the Rome Statute. We further urge Morocco to formalise the de facto moratorium on the death penalty in place since 1993, with a view to abolition.

We note that Morocco accepted recommendations in the 2nd UPR cycle to revise the Family Code in line with international standards. We welcome adoption of the bill on the Authority for Gender Equality and Action against All Forms of Discrimination, the use of Gender-sensitive budgeting and other efforts including the Plan for Gender Equality 2012-2016. However we are concerned about the persistence of gender inequality in Morocco and a number of other aspects of the Family Code.

Ireland urges Morocco to withdraw its reservations to CEDAW and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. Further, Ireland **recommends** that Morocco revise the Penal Code and associated legislation to ensure compliance with international standards, including to guarantee equality between men and women, criminalise marital rape, de-criminalise sexual relations outside marriage, abolish discrimination against children born outside of marriage, increase the minimum age of marriage to 18 years of age; as well as to de-criminalise consensual same-sex relations and develop and implement public awareness programmes to address stigmatisation of LGBTI persons.

Although we welcome that custodial penalties are no longer provided for in the Press Code, we regret new provisions in the Criminal Code limiting freedom of expression contrary to international standards, including through criminalising acts perceived as being offensive to Islam or the monarchy and strongly urge Morocco to review and repeal such provisions. We

are further concerned at limitations on registration of civil society organisations and the exercise of the right to freedom of association and assembly. In that regard we are concerned at the report of the Secretary General regarding unnecessary restrictions on human rights defenders seeking to enter and leave Western Sahara and prevention of assemblies focused on the right to self-determination.

We **recommend** that Morocco take all necessary measures to create and maintain in law and in practice a safe and enabling environment for civil society and human rights defenders, including in and in relation to Western Sahara, through measures including revision of the Criminal Code to remove limitations on freedom of expression, review of the system for registration of associations and notification of assemblies and consistent application of rules to all peaceful assemblies irrespective of the topic involved.

Thank you