

Democracy Activity Brief
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FRIDE Conference

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Human Rights, Reconciliation and Human Development in Morocco

About FRIDE

FRIDE is an independent think-tank based in Madrid, focused on issues related to democracy and human rights; peace and security; and humanitarian action and development. FRIDE attempts to influence policy-making and inform public opinion, through its research in these areas.

On January 31, 2006, FRIDE held the 14th Conference of its Middle East and North Africa Series: "Reconciliation and Human Rights in the Development of Morocco." **Dris Benzekri**, President of the Advisory Council of Human Rights and former Director of the Equity and Reconciliation Commission (IER), presented the findings and conclusions derived from the report carried out by the first official truth commission on the disappearance of thousands of Moroccans at the hands of state officials between the 1950s and the 1990s. The report, which includes detailed information on all the victims, was approved for public release by King Mohammed VI in December.

Benzekri explained how the IER was created in response to calls from civil society, at the end of the 1990s, for an investigation of the past and for reforms that would assure that such violations could never be repeated. Although the 1990s witnessed the start of judicial reforms, to bring the system up to international standards, and political reforms, with the 1996 constitutional reform that integrated the socialist opposition into the political process, civil society had never really been included in these processes. Having been left out of the process it would be an initiative born of civil society at the end of the 1990s that eventually lead to the establishment by the government of an official truth commission.

The main objectives of the IER were:

- A **search for the truth** by investigating individual violations of human rights and identifying the socio-political context that had allowed for such violations to take place. For this purpose the starting point were the lists of the disappeared provided by different human rights organisations. From investigation into these lists the IER concluded that 742 of the cases merited compensation given the direct implication of the state in the involuntary disappearances.
- The Commission's efforts were also directed towards determining which sectors of the state or the security forces were directly implicated; it determined that the police and gendarmerie had been involved in many cases, as well as the army during certain periods. The IER also adjudicated some responsibility to the judiciary for not assuming its role as human rights defender and for fostering a climate of impunity. Investigations were carried out in collaboration with the families of the disappeared, one of the objectives being to help these achieve a sense of closure. The Commission also engaged society in a number of different ways such as conferences and testimonials on TV, in order to arrive at the truth through debate rather than imposition. For this reason the IER encouraged the airing of controversial and differing views on the historical facts. Linked to the search for the truth was the **promotion of reconciliation**, the reason behind the choice of an extra-judicial approach, without adjudication of penal responsibilities, so as
- To achieve reparations without being too punitive (an approach which has attracted criticism).
- To arrive at **recommendations on reparation measures**, an issue which was approached on two levels, that of individual compensations and that of compensations for entire regions considered to be collective victims. Reparations called for financial compensation, medical and psychological care and community based socio-economic development projects.
- To propose **recommendations for political and judicial reform** in order to protect human rights. The main recommendation was for constitutional reform such that the primacy of international human rights laws over national ones were

recognised and forced and arbitrary detention, genocide and torture were constitutionally banned. Additionally, the IER asked for ratification of the International Criminal Court; a clear separation of powers, with greater autonomy for the national legislature; governmental control over the security forces; stricter codes of conduct and training for security personnel; and a national strategy to end impunity.

According to Benzekri, a commission has been established to follow up on the implementation of the recommendations, finish the investigations, administer individual and collective reparations and lobby and mobilise society for the purpose of

achieving the constitutional and legislative reforms proposed.

During the conference, **Rachid BenMokhtar**, Dean of the University of Al-Khawayn and Coordinator of the Human Development Report for Morocco, also presented the Comprehensive Report on Human Development which evaluates public policies in Morocco during the 50 years since independence. The 4,000 page report, which is now available on-line at www.rdh50.ma, provides an overview of social, economic, health, employment, human rights, cultural and political progress. It also identifies five key issues for the future: economy, health, inclusion, governance and knowledge.

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