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EU ANNUAL REPORT ON HUMAN RIGHTS AND DEMOCRACY IN THE WORLD

2021 COUNTRY UPDATES

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*.This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

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3. EU bilateral political engagement and financial engagement: In 2021, the EU continued to provide financial support for human rights and democracy-related programmes and projects. Sustainable development in Palestine is supported in line with the aim of the two-state solution based on parameters set out in the Council conclusions of July 2014.

4. Multilateral context: Since 2012, Palestine has been a non-member observer state in the UN General Assembly. It has ratified more than 50 conventions, including the seven key human rights conventions. As regards the rights of the child, the PA ratified the Convention on the Rights of the Child and on 25 July 2021 published it in the official Gazette. Nevertheless, the PA still needs to finalise an action plan on the Rights of the Child to implement the recommendations/concluding observations of the respective Treaty Committee received in February 2020. Palestine signed the UN Convention against Torture (UNCAT) in March 2014 but regular complaints of torture and ill-treatment in detention centers continue in both Gaza and the West Bank. Although no executions have been carried out in the West Bank since 2006, capital punishment remains in domestic legislation and, despite statements by the Presidency, there is no official moratorium on the abolition of the death penalty.

Kingdom of Morocco

1. Overview of the human rights and democracy situation: General, local and regional elections took place in Morocco on 8 September 2021. The result brought a change in the political landscape, with a coalition of liberal and conservative parties forming the new government and the moderate Islamist party, which had governed the country for the past 10 years, going into opposition. The new coalition government launched an ambitious socio-economic agenda based on the National Development Model, commissioned by King Mohamed VI.

Throughout 2021, the challenges related to COVID-19 pandemic continued to affect the overall human rights situation in the country. Morocco remained under a state of emergency and repeated temporary closures of the borders affected individual freedoms as well as the socio-economic situation of those working in the tourism sector.

In the area of fight against corruption, Morocco started implementing a new action plan for 2021-23, which covers corruption, budget transparency, citizen participation, as well as transparency and quality of public services, open justice and open local government. However, Morocco has slipped in the Transparency International Corruption Perceptions Index from 80th place in 2019 to 87th in 2021. This prolongs a downward trend observed over the last five years. The country has an active civil society sector. Unofficial sources count up to 200,000 associations spread across the country, mainly in urban areas. Their thematic diversity is great, as is the level of competence and influence. However, the majority of associations remain small, operate locally and lack both the skills and means to make a real and lasting impact in their field. Furthermore, most of them are active on questions related to social or cultural areas.

Challenges remain in particular as regards the freedom of expression. The authorities have resorted at times to far-reaching control measures over the national media and civil society. Several journalists and human rights defenders were prosecuted/condemned for criminal offenses, raising concern among the international community and NGOs. Morocco dropped in last year's World Press Freedom Index ranking by Reporters without Borders from 133rd place in 2020 to 136th in 2021. In November, the new government withdrew the draft Penal Code with a

view to amending the text entirely. The draft law had been pending adoption since 2016 without progress.

The 2011 Constitution enshrines the principle of equality. However, effective implementation of these constitutional principles is still lacking and discrimination persists. The national policy to combat violence against women and girls by 2030 was presented to the Government Council in June 2021. Morocco has made efforts in terms of representation/participation with amendments to the electoral laws aiming to ensure increased women representation without however introducing the notion of parity. Some positive developments took place regarding the judiciary (publication of a Code of Judicial Ethics, improved situation of prisoners) but overall progress remains limited.

Morocco continued to pursue efforts to manage migration, including on protection and assistance of refugees and asylum seekers, but needs to adopt the asylum and migration laws pending since 2014. Despite the ongoing pandemic, the UNHCR registered an increase from 10,000 (June 2021) to 18,000 (January 2022) of asylum seekers and refugee requests in Morocco, with a notable increase of applicants of Sudanese and Libyan origin. The country experienced tensions in May due to the migration crisis in Ceuta.

Morocco has been observing an undeclared moratorium on the application of the death penalty since 1993. No executions took place in 2021.

2. EU Action – key focus areas: The framework for EU's actions in Morocco in 2021 remained the 'EU-Morocco Action Plan implementing the advanced status' for the period 2013-2018, that was extended for two years in 2019. The main areas of cooperation include: the strengthening of processes and institutions that guarantee democracy and the rule of the law, in particular the National Human Rights Council (CNDH); decentralisation and regionalisation; the reform of the justice system; the promotion and protection of human rights and fundamental freedoms; freedom of expression and media professionalisation and freedoms of association and assembly, promotion of women's rights and gender equality, the rights of the child and the rights of persons in vulnerable situations; cooperation with the Council of Europe; and the fight against corruption.

3. EU bilateral political engagement: The EU's political engagement in Morocco continued to build on the Joint Declaration adopted in 2019. The document emphasised shared values, which include human rights and good governance, as one of the main areas of future cooperation. On 25 March 2021, the EU and Morocco held the subcommittee on Human Rights, Democracy and Governance, established under the Association Agreement. The EU delegation continued to organise regular meetings to discuss ongoing developments pertaining to human rights, including through interactions with the CNDH, the Inter-ministerial Delegate for Human Rights and civil society. The EU delegation regularly exchanges on the human rights situation with other like-minded actors on the ground.

4. EU financial engagement: In 2021, the EU provided financial and technical support to Morocco in the field of democracy and human rights through technical assistance and budget support to promote gender equality, good governance, the implementation of the migration policy and reform of the justice sector. The EU acknowledges the important role played by civil society and supports civil society actors. The EU has continued to support the national literacy strategy in Morocco, enabling about 3.5 million people to benefit from literacy programmes. This support has strengthened the capacity of trainers, which amounts to 10,000 literacy teachers per year in the targeted regions.

5. Multilateral context: Morocco is a State Party to all major United Nations conventions on human rights, and cooperates in the reporting cycles. The country is an active member of several core groups within the UN, authoring several resolutions that promote human rights in important areas. In October 2021, Morocco was elected as member in the UN Committee against Torture. It has also been particularly active in the fight against domestic violence and marriage of minors, including through the EU-led Group of Friends for the elimination of violence against women and girls launched in December 2020.

Since June 2020, Morocco has taken the leading role with Switzerland as co-facilitators of the process of strengthening of the Treaty Bodies guardians of the world's human rights covenants and treaties, at UNHRC. In 2021, Morocco has engaged as one of the core group members in the adoption of the Resolution 48/13 recognising the right to clean, healthy and sustainable environment as a human right. Morocco will undergo its Universal Periodic Review in May 2022.

Western Sahara

Western Sahara is listed by the United Nations as a non-self-governing territory, whose status remains the object of a negotiation process conducted under the auspices of the UN. This dedicated UN-led process assists the relevant parties in achieving a just, lasting, and mutually acceptable political solution, based on compromise, in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

The UN-led political process was revived in October 2021 following the appointment of Staffan de Mistura as the new Personal Envoy of the UN Secretary-General for Western Sahara.

The UNSC Resolution 2602 of October 2021 renewed the mandate of the UN peacekeeping mission in Western Sahara, MINURSO (*Mission des Nations Unies pour l'Organisation d'un Référendum au Sahara Occidental*) for a period of one year. The resolution stressed the importance of improving the human rights situation in Western Sahara and encouraged the parties to work with the international community to develop and implement independent and credible measures to ensure full respect for human rights, bearing in mind their relevant obligations under international law. The resolution also encouraged the parties to sustain and prioritise their respective efforts to enhance the promotion and protection of human rights in Western Sahara, including the freedoms of expression and association.

After the escalation of tensions between Morocco and the Frente Polisario in mid-October 2020, the security situation across the Western Sahara remained fragile, with repeated low intensity incidents.

The EU welcomed the appointment of the new Personal Envoy de Mistura, and encouraged all parties to engage in a cooperative search for a solution in accordance with the Security Council resolutions and the principles and purposes of the Charter of the United Nations. The EU had repeatedly expressed its concern about the long duration of the conflict and its implications for security and human rights at a regional level. It has consistently encouraged the parties to continue their respective efforts to enhance the promotion and protection of human rights in Western Sahara while welcoming the strengthening of the Commissions of the National Human Rights Council (CNDH) operating in Dakhla and Laâyoune.

The EU has also followed up on alleged individual cases of human rights violations through its contacts with civil society organisations, human rights defenders, the CNDH and its regional