**Kingdom of Morocco**

**Contribution to the process led by the co-facilitators to strengthen the treaty bodies**

Following the verbal note from the Office of the High Commissioner for Human Rights regarding ~~to~~ the letter of the President of the General Assembly of June 18th 2018, transmitting the letter of June 17th 2020 from the co-facilitators appointed to lead the strengthening process of the treaty bodies, and by which it invites the member states to submit their contributions in this respect, the Kingdom of Morocco shares its observations and some lines of reflection within the framework of this process.

**1. Preliminary remarks**

The Kingdom of Morocco supports all of the UN mechanisms for the promotion and protection of human rights. Regarding the overall strengthening process of the treaty bodies, launched again in particular in 2009, Morocco was already strongly involved in this process and remains today fully engaged on this subject.

The current process is an opportunity for Morocco to confirm and reiterate its support for the treaty bodies and their key role in the field of human rights protection, the effective implementation of the relevant standards and their integration into the national level and to contribute to the global reflexion process to improve the treaty bodies system.

Morocco recognizes the predominant place of these bodies in the United Nations human rights system, their role and their substantial work both in the promotion and the protection of human rights.

In this regard, the proposals made in the report of the United Nations High Commissioner for Human Rights on the strengthening of the human rights treaty bodies in 2012 “United Nations reform: measures and proposals” (A/66/860) retain all of their relevance.

The evaluation of the implementation of resolution 68/268 represents the basis for an overall reflexion and should permeate the strengthening and improvement process of all human rights treaty bodies, in the sense that it is a precious indicator both with regard to the efforts made by the State parties in relation to the implementation of the treaties, as well as with regard to the difficulties and challenges thereof, or even with regard to the participation and contribution of the Organization of United Nations in this area.

**2. Possible lines of reflexion about the framework of the process carried out for the strengthening of the treaty bodies and proposals**

While taking into account the next important steps and future challenges, we should welcome the encouraging steps taken in the implementation of resolution 68/268, while raising the need to redouble our efforts, particularly in terms of harmonization of the procedures and working methods of treaty bodies, consultation procedures, improvements in their interactions, or in terms of capacity-building, with the objective to increase their effectiveness and efficiency.

There is no doubt about the existence of certain deficiencies which will have to be addressed in light of the first observation established in the report of the High Commissioner for Human Rights (A / 66/860) according to which only 16% of member states submit their reports on time. The current process is perfectly suitable for strengthening resolution 68/268, notably through a follow-up resolution, to ensure the viability of the measures taken and to take possible new measures to guarantee the proper functioning of this system.

Morocco therefore welcomes the last report of the Secretary General of the United Nations (A/74/643) dated January 23rd 2020 and the efforts to contribute to the debate on the strengthening of treaty bodies, in particular the two previous reports of the Secretary General on the situation of the human rights treaty bodies system (A/71/118 and A/73/309).

In this regard, Morocco notes with satisfaction the recommendations contained in the report of the Secretary General of the United Nations and the approach carried out in concert with all the stakeholders concerned by the strengthening of the treaty bodies with regard to the challenges currently faced by both States and the UN mechanisms as a whole.

**Strengthening the human, financial and technical resources, essential to the proper functioning of these mechanisms.**

Given the challenges and budgetary constraints faced by the United Nations as a whole, it is crucial to optimize and develop durable solutions to enable the treaty bodies system to sustain their operations and for States to correctly carry out their international obligations. For the proper functioning of the treaty bodies, it is indeed essential to allocate sufficient resources under the regular budget and support staff for all obligations and activities under international instruments.

**Increasing efforts in the interpretation and translation of documents, including documents submitted by member States under review in the official languages ​​of the United Nations.**

It is hard to miss the difficulties to ensure the availability of documents from the United Nations system in all official languages ​​ and in particular in Arabic, without forgetting the difficulties related to interpreting in particular. Nonetheless, these aspects are essential to guarantee the proper functioning of the treaty bodies system and better conditions for the general interaction between mechanisms and States.

Concerning specifically the methods of reviewing of the State parties, currently, the first version of the document carrying the concluding observations expressed at the end of the review is provided exclusively in English and the reviewed States are invited to react to this version before its adoption by the mechanism. This is particularly problematic in practice because the State under review is required to react within a very short period of 24 hours to report factual or material errors. This practice must stop.

Furthermore, new information technologies should also help to strengthen access to information in all official languages ​​and to data in view of the work of the treaty bodies. In his report (A/74/643) on the “Status of the human rights treaty body system”, the Secretary General recalled the need to optimize current systems, mechanisms and instruments in order to become more efficient, and that information and communication technologies be used to make information and interfaces accessible, transparent and easy to use for all.

**Accelerating the harmonization of the working methods of all the mechanisms and generalize the simplified procedure.**

The harmonization process of the working methods coordinated within the framework of the annual meetings of Presidents should be strengthened. Without prejudging the independence of these mechanisms, and the role of chairpersons in committee procedures, prior consultation with States should be strengthened with regard to the development or modification of working methods like the General comments from these mechanisms. Similarly, coordination among the treaty bodies should be strengthened.

For the examinations of State parties, it would also be necessary to deepen the reflection around the possibility of generalizing the practice of dividing the committees into two working groups like the Committee on the Rights of the Child (CRC) and the Committee on the Elimination of Discrimination against Women (CEDAW). This approach was satisfactory and allowed, to a certain extent, to resolve accumulated backlogs of reports awaiting review.

The use of the simplified reporting procedure should also be gradually phased in to help State parties to better fulfill their reporting obligations. In this context, consideration should also be given to implement this procedure, including for initial reports.

It is also essential that treaty bodies harmonize monitoring and evaluation procedures, as recommended in the report of the expert meeting on follow-up to treaty body recommendations (HRI/MC/2018/CPR.2).

Finally, it also seems fundamental to harmonize practices in terms of the preparation of concluding observations and recommendations with regard to their nature, number or even their scope to ensure that it is objectively possible to ensure their concrete implementation.

**Strengthening the harmonization of the programming and the periodicity of the examinations of the States Parties.**

More thought should be given to the recent proposal of the Chairs of the ten committees in June 2019 (A/74/256) concerning the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to examine the countries’ situation on an eight-year cycle and to synchronize the schedule of reviews by adopting a fixed schedule and thereby coordinate the programming of the review of State parties' reports.

In this context, it is important to draw inspiration from good practices that have already proven their effectiveness, like the calendar that exists, for example, for each cycle as part of the Universal Periodic Review which would allow States and Committees alike to plan the various deadlines in advance, thus better distributing the workload over time. This timetable would guarantee the treaty bodies regularity, predictability and stability in the presentation of reports (cf. A/68/832 item 29).

It also seems essential to reflect on the possibility of establishing an identical periodicity for the submission of reports, being understood that the main constraint resides in the fact that the periodicity of certain reports is explicitly provided for in the conventions.

**Strengthening the interaction of the mechanisms with the States under review and maintain a constructive dialogue beyond the examination of State parties.**

It is essential that the treaty bodies interact more with States under review when the latter submit addenda following the adoption of the concluding observations and comments following the reviews, knowing that in practice the reactions or comments of the States often go unheeded, or even simply overlooked by certain treaty bodies. These memoranda of the State parties should also be translated within a reasonable time into the six official languages ​​of the United Nations.

**Initiating a reflexion on the ~~means~~ ways of reducing and improving the treatment of individual complaints.**

The growing increase in the number of individual complaints/communications submitted to the treaty bodies regarding states which recognize their competence in the matter overloads the treaty body system with significant challenges and constraints. It should also be noted that certain decisions rendered by Committees do not go unnoticed given the consequences they entail and that are likely to set a legal precedent and raise difficulties of their implementation internally.

As such, it is essential that the expert, members of the committees, are able to have a thorough knowledge of the specificities of the internal legal and institutional frameworks of the countries concerned. Also, at the secretariat level, it is essential to allocate adequate human and technical resources in this context.

Thoughts should be given to the means akin to help the treaty bodies to overcome substantial delays accumulated in the processing of files (‘backlogs’). For some treaty bodies (such as the CAT), the number of experts is insufficient and some thoughts should be given to increase it.

**Supporting the independence and impartiality of members of treaty bodies and the Secretariat.**

The terms for the election of duly qualified, engaged and independent treaty body members are essential for a more efficient system. In this context, the experts appointed to the committees must have the highest level of competence and expertise in the field of human rights, and enjoy high morals and integrity. It is also necessary to further take into account the principles of equitable geographical distribution while ensuring good representation of the different cultures, as well as that of the different legal and institutional traditions specific to each country or region.

In addition, more attention should be paid to the strengthening of the guarantees of impartiality and discretion for all members of the secretariat.

The mutual understanding, cooperation and constructive dialogue principles are essential and guarantee of the non-politicization of the UN human rights mechanisms, and should prevail in the framework of the interaction of States parties with treaty bodies at all stages of national reporting or even in the context of processing individual communications.