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Evaluation of the partnership for democracy in respect of the Parliament of Morocco

Report[1]
Committee on Political Affairs and Democracy
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Summary

The report is a follow-up to Resolution 1942 (2013) whereby the Assembly resolved to continue reviewing the implementation of the partnership for democracy with the Parliament of Morocco, and to make a new assessment within two years. It takes stock of the state of political reform in the country and of the respect of political commitments undertaken in the framework of the partnership.

The report makes an overall positive assessment of the results achieved, and welcomes the fact that the partnership has been instrumental in launching and developing crucial reforms in a number of key areas, and in triggering multi-faceted co-operation between the Council of Europe and Moroccan institutions. The partnership must remain an important tool aimed at streamlining the programme of reforms and increasing the role and responsibility of the parliament in this process.

In this context, the report notes that the pace of legislative and institutional reforms needs to be stepped up so as to implement fully the ambitions of the 2011 Constitution. More efforts are needed, on the part of the Moroccan Parliament, to make progress towards the abolition of death penalty, preventing human rights violations, and ensuring equal opportunities for women and men.

The report suggests that the Parliamentary Assembly should continue reviewing the implementation of political reforms in Morocco and offering its assistance to the Moroccan Parliament, and make a new assessment of the partnership when appropriate.

1. Reference to committee: Bureau decision, Reference 3980 of 28 June 2013.

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A. Draft resolution[2]

1. On 21 June 2011, the Parliament of Morocco became the first partner for democracy with the Parliamentary Assembly under the terms of Resolution 1818 (2011) on the request for Partner for Democracy status with the Parliamentary Assembly submitted by the Parliament of Morocco. The Assembly recalls that:

1.1. upon making its official request for this status, the parliament of Morocco declared that it shared the same values as those upheld by the Council of Europe and undertook substantive political commitments in accordance with Rule 62.2 of the Rules of Procedure of the Assembly;

1.2. when granting the status, it took note of these commitments and pointed to a number of specific measures which were essential to strengthen democracy, the rule of law and respect for human rights and fundamental freedoms in Morocco;

1.3. it also stressed that progress in taking forward reforms was the prime aim of the partnership for democracy and should constitute the benchmark for assessing its efficiency. Accordingly, it decided to review the progress achieved in implementing the political commitments and reforms considered to be essential;

1.4. in its Resolution 1942 (2013) on the evaluation of the partnership for democracy in respect of the Parliament of Morocco, adopted on 25 June 2013, it took stock of political developments in Morocco and further resolved to continue reviewing the implementation of political reforms in Morocco, and to make a new assessment within two years;

1.5. additionally, in its Resolution 2004 (2014) on the parliamentary contribution to resolving the Western Sahara conflict, it expressed its conviction that "the progress made by Morocco in the field of human rights in Western Sahara and the implementation of this resolution should henceforth be taken into account in the next evaluation report on the partnership for democracy in respect of the Parliament of Morocco, which is due in 2015".

2. After four years of implementation of the partnership with the Parliament of Morocco, the Assembly makes an overall positive assessment of its results. It welcomes the fact that the partnership continues to enjoy broad support both at government and parliament levels, as well as among political circles and civil society. It has been instrumental in launching and developing crucial reforms in a number of key areas, and in triggering multi-faceted co-operation between the Council of Europe and Moroccan institutions.

3. At the same time, the partnership is, and must remain, an important tool aimed at streamlining and encompassing the programme of reforms and increasing the role and responsibility of the parliament in this process.

4. In this context, the Assembly notes that, while Morocco achieved progress in strengthening democratic governance, the pace of legislative and institutional reforms needs to be stepped up so as to implement fully the ambitions of the 2011 Constitution.

5. As regards the political commitments entered into by the Parliament of Morocco upon requesting partner for democracy status, the Assembly:

5.1. regrets that no tangible progress has been achieved with regard to the death penalty. While a *de facto* moratorium on executions has been in place since 1993, courts in Morocco continue to hand down death penalty sentences. The Assembly reiterates its call on the Moroccan Parliament to abolish the death penalty in law, and, pending abolition, to declare a *de jure* moratorium on executions;

5.2. notes that the Moroccan partner for democracy delegation has organised, and participated in, a series of activities aimed at making the Assembly's experience, and the expertise of the European Commission for Democracy through Law (Venice Commission), available to members of the Moroccan parliament in order to help them in their legislative work. At the same time, the Assembly calls on the parliament to make use more broadly and regularly of this opportunity and to involve more of its members in joint activities;

5.3. calls on the competent Moroccan authorities to undertake steps, in close co-operation with the Venice Commission, with a view to improving electoral legislation and, more generally, the electoral process as a whole, before the next parliamentary elections due in 2016. Furthermore, the Assembly expects to be invited to observe these and any future parliamentary elections;

2. Draft resolution unanimously adopted by the committee on 4 June 2015

5.4. notes that, in the framework of the implementation of the Moroccan Government Equality Plan 2012-2016, the Council of Europe offered expertise and assistance in the preparation of the draft law establishing the Authority for Gender Equality and the Fight against all Forms of Discrimination (APALD) provided for under the 2011 Constitution. It calls on the Moroccan authorities to give more priority to action to ensure that women are duly represented at all levels of power and society;

5.5. welcomes the fact that Morocco has acceded to, or signed, nine Council of Europe conventions, and participates in seven partial agreements, thus contributing to the creation of a common legal area between Europe and Morocco. The Assembly reiterates its call on the Moroccan authorities to consider accession to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126) and the Council of Europe Conventions on Action against Trafficking in Human Beings (CETS No. 197) and on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210);

5.6. welcomes once again the active contribution of the Moroccan parliamentary delegation to the work of the Assembly and its committees, which provides opportunities to keep the Assembly informed about the political developments in their country in the light of the values upheld by the Council of Europe;

5.7. encourages the parliament to play fully its role as a cornerstone of democracy by intensifying legislative work on the reform agenda, including in the areas referred to in Resolution 1818 (2011). It welcomes efforts made by the parliament to associate more actively expert communities and non-governmental organisations with the law-making process, and calls on it to extend this practice so as to make the voice of civil society better heard. It further calls on the parliament to ensure full and effective respect for the right of association and freedom of expression of civil society organisations;

5.8. encourages the Moroccan authorities to respect freedom of religion in accordance with paragraph 18 of the Universal Declaration of Human Rights which provides that "[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance";

5.9. calls on the Moroccan authorities to take the necessary steps to remove the criminalisation of homosexuality from the Criminal Code;

5.10. recalls the general political commitment of the parliament to the core values of the rule of law and respect for human rights and fundamental freedoms as it stems from the partnership, and urges it to step up efforts to address issues of concern in these areas, including those reported by civil society organisations and the media.

6. The Assembly reaffirms its strong support to the ongoing efforts by the United Nations Secretary-General to assist the parties involved to achieve a just, lasting and mutually acceptable political solution in Western Sahara. It echoes United Nations Security Council Resolution 2218 (2015), which stresses the importance of improving the human rights situation in Western Sahara and the Tindouf camps and encourages 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.

7. In this context, the Assembly welcomes, as does Resolution 2218 (2015), the recent steps and initiatives taken by Morocco to strengthen the National Council on Human Rights commissions operating in Dakhla and Laayoune, and Morocco's ongoing interaction with Special Procedures of the United Nations Human Rights Council.

8. At the same time, it shares serious concerns raised by some international officials and human rights organisations related to alleged human rights violations in Western Sahara. It refers to paragraph 5 of Resolution 2004 (2014) and urges the Moroccan Parliament to guarantee that the concerns expressed therein are duly dealt with by the Moroccan authorities in accordance with their international obligations and in the spirit of respect of the basic values upheld by the Council of Europe.

9. The Assembly notes with satisfaction the results achieved for Morocco from the implementation of the European Union/Council of Europe Joint Programme "Strengthening democratic reform in the southern Neighbourhood" (South Programme I) in the period 2012-2014 and welcomes the extension of this programme "Towards strengthened democratic governance in the Southern Mediterranean" (South Programme II) for the years 2015-2017.

10. It further welcomes the agreement between the Council of Europe and the Moroccan authorities on a new action plan entitled “Neighbourhood Partnership with Morocco 2015-2017”, which is meant to consolidate the results of the co-operation carried out since 2012 through the “Neighbourhood Co-operation Priorities for Morocco 2012-2014” and provide further assistance in implementing the ongoing process of democratic reforms. The Assembly resolves to review the implementation of the action plan and is ready to fully contribute to its parliamentary dimension.

11. The Assembly resolves to continue to review the implementation of political reforms in Morocco and to offer its assistance to the Moroccan Parliament, and to make a new assessment of the partnership when appropriate.

B. Explanatory memorandum by Mr Klich, rapporteur

1. Introduction

1. On 21 June 2011, the Parliamentary Assembly adopted Resolution 1818 (2011), whereby it granted partner for democracy status[3] to the Parliament of Morocco. The Parliament of Morocco thus became the first to request and to be granted this status, introduced by the Assembly in 2009 to develop institutional co-operation with the parliaments of the Council of Europe's neighbouring States.

2. Upon making its official request for this status, the Parliament of Morocco declared that it shared the same values as those upheld by the Council of Europe and made a number of political commitments in accordance with Rule 62.2. of the Rules of Procedure of the Assembly. These commitments are set out in paragraph 3 of Resolution 1818 (2011).

3. In addition, the Assembly stated, in paragraph 8 of the aforementioned resolution, that a number of specific measures were essential to strengthen democracy, the rule of law and respect for human rights and fundamental freedoms in Morocco.

4. Furthermore, the Assembly stressed that "progress in taking forward reforms is the prime aim of the partnership for democracy and should constitute the benchmark for assessing the efficiency of this partnership".

5. Accordingly, the Assembly decided to review, two years after the granting of partner for democracy status to the Parliament of Morocco, the progress achieved in implementing the political commitments and reforms considered to be essential.

6. On 25 June 2013, the Assembly adopted Resolution 1942 (2013) on the evaluation of the partnership for democracy in respect of the Parliament of Morocco, on the basis of a report presented by our former colleague Mr Luca Volontè, and took stock of political developments in Morocco in the context of the partnership. It further resolved to continue reviewing the implementation of political reforms in Morocco, and to make a new assessment within two years.

7. I was appointed rapporteur on 1 October 2013 with a view to preparing the second evaluation report as provided for by Resolution 1942 (2013).

8. Additionally, Resolution 2004 (2014) on the parliamentary contribution to resolving the Western Sahara conflict, adopted in June 2014 following a report prepared by our colleague Ms Liliane Maury Pasquier, states that "the progress made by Morocco in the field of human rights in Western Sahara and the implementation of this resolution should henceforth be taken into account in the next evaluation report on the partnership for democracy in respect of the Parliament of Morocco, which is due in 2015".

9. In the framework of the preparation of my report, I carried our two fact-finding visits to Morocco (in July 2014 and in April 2015). I also had discussions with our Moroccan partners at various meetings of the Committee on Political Affairs and Democracy and on the sidelines of plenary sessions of the Assembly. In addition, I received some information and comments from several human rights organisations.

10. I thank the Moroccan partner for democracy delegation, as well as all the Moroccan officials whom I met, for their useful contributions. My gratitude also goes to the representatives of Moroccan civil society and Moroccan and international human rights organisations who shared with me their views on various aspects of the situation in Morocco, as well as on the human rights situation in Western Sahara.

2. General political context

11. Following the 2011 parliamentary elections, the internal political situation in Morocco has been rather stable. However, the coalition government established on the basis of the results of 2011 early elections had to be renewed in 2013 when the second-biggest coalition party Istiqlal (60 seats in the House of Representatives) decided to leave the government, arguing the lack of concrete results.

3. See in appendix Rule 62 of the Rules of Procedure of the Assembly.

12. Prime Minister Abdel-Ilah Benkiran, leader of the main coalition party Parti de la Justice et du Développement (PJD), invited the Rassemblement National des Indépendants party (52 seats) to join the coalition. The new government was sworn in on 10 October 2013. It now enjoys 209 seats out of 395 in the House of Representatives (the former government had 217 seats). There are now two women ministers and three more women hold the positions of delegated ministers.

13. The declared priorities of the government have basically remained unchanged and include, *inter alia,* protection and strengthening of rights and freedoms, good governance and regionalisation. The coalition has also pledged to complete the adoption of the constitutional ("organic") laws and the reform of the judiciary before the termination of the current legislature.

3. Fact-finding visits

14. As mentioned above, I went to Morocco twice in my capacity as rapporteur: in July 2014 and in April 2015. The primary purpose of my visits was to gather information about the progress made by Morocco on the path of reforms, and in particular as regards the implementation of political commitments and Assembly recommendations, and to encourage our Moroccan partners to speed up reforms. The two relevant Assembly resolutions, Resolution 1818 (2011) and Resolution 1942 (2013), were the basis for my discussion with the Moroccan partners.

15. I also sought to better understand the country's regional, cultural and religious background, which is why I also paid visits to the provinces (Fez, Tangiers and Ouarzazate).

16. On both occasions, I had very positive discussions with the Speakers of both Houses of the Parliament, and with representatives of the majority and of the opposition parties, as well as with the Moroccan delegation to the Assembly.

17. I also had a chance to meet key ministers (Interior, Justice, Foreign Affairs, Migration, Solidarity, Women, Family and Social Development) and to visit several specialised institutions (Economic, Social and Environmental Council, National Council on Human Rights, National Commission for Dialogue on Civil Society and New Constitutional Prerogatives).

18. As per the Assembly's usual practice, I also had meetings with representatives of human rights organisations, as well as with Ambassadors of Council of Europe member States.

19. I would like to thank the Moroccan partner for democracy delegation to the Parliamentary Assembly for the excellent organisation of my visits and for setting up rich and interesting programmes with high-level meetings, which is a sign of the importance that our Moroccan colleagues attach to the partnership with the Assembly.

20. The main findings of my first visit may be found in the memorandum which I presented to the Committee on 5 September 2014 (see document AS/Pol (2014) 14).

21. During my second visit, I had an opportunity to develop more in-depth discussions on key issues related to the partnership and to the reform process, and to raise some additional questions.

22. In particular, the Moroccan interlocutors updated me on the state of progress as regards legislative work of the parliament. Mr Rachid Talbi Alami, President of the Chamber of Representatives, stressed the importance of moving forward on all key reforms, including in political, social and economic areas. Ten of the 19 organic laws had already been adopted and several more were under consideration and should be voted on in the coming months.

23. Representatives of the governing coalition were confident that all organic laws should be enacted by 2016 as stipulated in the 2011 Constitution since there was a "principled" agreement on this with the opposition. In turn, representatives of the opposition regretted the low speed of work on organic laws and blamed the majority for artificial delays and lack of political will.

24. With regard to the death penalty, the Speaker of the Chamber of Representatives referred to the national public debate on this issue, including in the parliament, but stressed that a consensus of the whole society was needed on this delicate issue. Representatives of the majority also stated that the dialogue should continue so as to avoid the division of society. The opposition felt that, in this area too, the coalition lacked political will and did not grant full political support to their attempt to introduce a draft law on the matter.

25. Another important issue for both the majority and the opposition was the dialogue with civil society. Representatives of the coalition stressed their efforts to involve it as much as possible in public debates on key society issues such as the abolition of death penalty, regionalisation and abortion, to mention but a few. The opposition regretted the lack of progress in the implementation of proposals from civil society and human rights organisations, and referred to the conclusions of the Moroccan Truth and Reconciliation Commission (*Instance équité et reconciliation*) which were still to be put in practice in full.

26. In addition, when assessing the general political climate, representatives of the opposition complained that the government did not treat them "in a decent manner", and claimed that the law on the opposition was not implemented.

27. The opposition was also critical towards the majority coalition on the gender equality policy. In their view, the achievements of the government in this field were fairly meagre and women were kept away from decision-making positions. While women held 54% of higher education diplomas, only 6% of secretaries general and 11% of heads of department in Moroccan administrations were women. The opposition had hoped for more efforts in the fight against discrimination and violence against women, and in favour of real equality and participation of women in political and public life.

28. Both speakers and other members of the parliament praised the partnership with the Assembly, which Mr Mohamed Cheïkh Biadillah, President of the Chamber of Councillors, qualified as "a source of oxygen for the Moroccan democracy", and were open to learning from European experience in a number of areas, including migration, which was a growing issue of concern for Morocco due to the unstable situation in many neighbouring countries.

29. Mr Mohamed Hassad, Minister of the Interior, assured me that the State sought to guarantee the freedom of association and of assembly. He emphasised that there were about 50 public rallies and protest movements daily in the country and most of them went smoothly and with no incidents. Although organisers were under obligation to inform the authorities beforehand, this was a pure formality and quite often this was done after the event had already taken place. The law-enforcement agencies only intervened to prevent the blockage of streets or roads, industrial enterprises and public administrations, which was forbidden.

30. The Minister underlined the importance of the territorial reform which was before the parliament. The "strengthened regionalisation", aimed at enhancing local and regional democracy while reducing the number of regions from 16 to 12, was the political priority of the government. The regions, as well as the other levels of local self-government, would be given greater autonomy and important budgetary means: about 20% of the State budget, amounting to some 1 billion euros, would be run by regions. This reform was a challenge to all political parties which needed to prepare their staff for assuming new responsibilities at local and regional levels.

31. The Minister also informed me about security challenges linked to the emergence of the terrorist group known as "IS". Like many countries in the Mediterranean, Morocco had to face increasing threats from this terrorist entity which was much more dangerous than "Al-Qaeda" since it controlled parts of the territory of Iraq, Syria and now Libya. Its influence was also strong in Algeria and in Mali. The Moroccan authorities secured the borders of the country, but some 1 300 Moroccans had joined "IS", and some 130 of them had returned to Morocco. The authorities had strengthened the policy of prevention in order to control the individuals and groups who could commit terrorist acts. Some 135 terrorist groups had been dismantled in Morocco since 2003 when anti-terrorist legislation was enacted.

32. Mr Moustafa Ramid, Minister of Justice and Liberties, informed me about progress as regards the implementation of reforms of the judiciary. His ministry was in charge of implementing the Charter of the judiciary system reform which was drafted in 2013 with the assistance of Council of Europe experts. A broad national dialogue had preceded the elaboration of the set of reforms.

33. The reform had six strategic aims: the consolidation of the independence of the judiciary; moralisation of the justice system; strengthening the judicial protection of rights and freedoms; improving the effectiveness and efficiency of the judiciary; development of the institutional capacity of the justice system; modernisation of the judicial administration and promotion of good governance. The reform included some 200 implementation mechanisms and more than 350 procedural measures with concrete deadlines.

34. Key draft laws carrying the reform were to be brought in the parliament in the summer 2015. The main draft documents, including the criminal procedure code, were available for consultation and discussion on the ministry's website. The National Council on Human Rights had been asked to provide an opinion on the draft.

35. The Minister further commented on the efforts made by Morocco to eradicate all cases of torture and ill-treatment in detention, to fight corruption in the justice system and to protect civil liberties. On the latter issue, the Minister stressed that guaranteeing the freedom of the media was among the country's top priorities. No journalists were in prison in Morocco because of their work, and no newspapers had been closed. A new code of the press was under preparation in order to make official the existing practice in this field.

36. At my request, the Moroccan colleagues organised a meeting at the Institute Mohamed VI for the training of imams. The institute was established several years ago in order to provide training for Moroccan and foreign imams in the spirit of tolerance and respect for human dignity, and to oppose the radical tendencies in Islam. It has now become well-known beyond the Moroccan borders, and had received trainees from many African States and also from Europe.

37. I also had a chance to visit the recently created Central Office of Criminal Investigations, which has to play the leading role in the fight against terrorism while respecting human rights and fundamental freedoms.

38. The meeting at the Economic, Social and Environmental Council, one of the new institutions created in line with the provisions of the 2011 Constitution, offered me an opportunity to discuss the main challenges for the country. One of those was the rate of unemployment. While the official figure was of 9%, the reality was much grimmer, and the level of underemployment was estimated at about 40%. One of the most worrying features was the level of unemployment among young university graduates and among women. The authorities need to address this issue as a matter of priority since it could endanger the stability of Moroccan society.

39. The growing inequality between the rich and the poor was yet another challenge. The latter felt alienated and left out, economic reforms and foreign investment didn't benefit them. The authorities are expected to introduce fair taxation and recommit themselves to the fight against corruption and fraud.

40. Another priority for Morocco was the reform of the education system. Schools needed to be modernised in order to prepare young people for the challenges of modern life. Human rights education and the capacity to live together in a mixed and evolving society were among the new items to be introduced.

41. Members of the National Council on Human Rights – another institution which was established by the new Constitution – shared with me their experience of co-operation with the parliament in drafting legislation. Although such practice existed previously, it was now based on the Constitution and on concrete agreements with the houses of parliament. Its aim was to enhance the human rights approach in the process of drafting new legislation and, more generally, to promote a human rights culture. About one third of comments and proposals made by the National Council were taken on board by the parliament. The Council has branches in 13 regions of Morocco and has developed active co-operation with some 480 NGOs which are able to take part in, and contribute to, a number of national debates.

42. One of the priorities of the National Council is the dissemination of information on international human rights standards, including on Council of Europe instruments and mechanisms.

43. In Ouarzazate, I had a meaningful discussion with the Governor of the province, who gathered all the key actors of local power, the President of the Provincial Council, the Mayor of the town of Ouarzazate and the heads of local law-enforcement agencies. This particular visit offered me an opportunity to discuss the challenges facing Morocco at local level, which are of special importance in the context of the forthcoming set of reforms of Moroccan regions.

44. The meetings I held in Rabat and in the provinces allowed me to take stock of the current state of play with regard to political commitments under the partnership for democracy, to identify a number of areas which need to be addressed through further reforms, and to discuss what the Council of Europe can do to meet our partners' expectations.

4. Implementation of political commitments

45. In Resolution 1818 (2011), the Assembly took note that, in their letter requesting to be granted partner for democracy status, the Speakers of the two Chambers of the Parliament of Morocco, in line with the requirements set out in the Rules of Procedure, reaffirmed that "the Parliament [they] represent shares the same values as the Council of Europe, namely pluralist and parity-based democracy, the rule of law and respect for human rights and fundamental freedoms".

46. Furthermore, they committed themselves to:

– "continuing [their] efforts to raise the awareness of the public authorities and the main players in politics and civil society of the need to make progress in the discussion of issues relating to capital punishment and [to continuing] to encourage the authorities concerned to maintain the *de facto* moratorium that has been established on carrying out the death penalty since 1993. [They] intend to base [their] institutional and legislative work on the experience of the Assembly and of the European Commission for Democracy through Law (Venice Commission), bearing in mind that Morocco has been a member of the Venice Commission since 2007";

– "continuing their efforts to raise the awareness of the public authorities and politicians so that favourable conditions can be established for the holding of free, fair and transparent elections";

– "encouraging the balanced participation of women and men in public life and politics";

– "encouraging the authorities concerned to accede to relevant Council of Europe conventions and partial agreements that can be signed and ratified by non-member states, in particular those dealing with human rights, the rule of law and democracy";

– "inform[ing] [the] Assembly regularly on progress made in implementing Council of Europe principles in [their] country".

47. On the basis of my discussions with the Moroccan colleagues, as well as taking into account the input from human rights organisations and independent observers, I am in a position to provide the following comments on the implementation, by the Moroccan authorities, of these political commitments.

4.1. Abolition of the death penalty

48. Although the *de facto* moratorium on executions has been in place since 1993, the death penalty remains on the books and the courts in Morocco continue to pass death penalty sentences. According to Amnesty International, 10 death sentences were pronounced in 2013, 9 in 2014 and at least 3 since the beginning of 2015. There are 120 individuals condemned to death.

49. In the framework of the judicial reform, the draft new criminal code should maintain the death penalty for 11 crimes (currently 31). It would seem that the current government doesn't have the political will to abolish capital punishment and implement the provisions of Article 20 of the Constitution which stipulates "the respect of the right to life".

50. During the world forum on human rights in November 2014, the King made an appeal to launch a national debate on the death penalty. However, we are informed that this debate, which is led by some NGOs and the National Council on Human Rights, remains limited to certain elites and hasn't really reached the whole of society. At the same time, there is also a campaign against abolition which is supported by some politicised media and Islamic circles.

51. There exists a network of Moroccan parliamentarians against the death penalty (*Réseau des parlementaires contre la peine de mort*) which gathers about 240 MPs from both chambers and from various political groups. However, some members of this network were among those who voted in favour of a new code of military justice which maintains the death penalty in some circumstances.

52. A draft law on the abolition of death penalty has reportedly been tabled at the General Secretariat of the government by several political parties, both from the coalition and the opposition. The *de facto* moratorium has yet to be officially confirmed.

4.2. Elections

53. The next parliamentary elections should be held in Morocco in autumn 2016. However, already in 2015 Morocco should hold a whole range of elections, from local to regional level, and indirect elections to the Chamber of Councillors.

54. I hope that the forthcoming elections will be a step forward on the way to democracy. There is, however, some scepticism in parts of Moroccan civil society which claim that the general political climate in the country, characterised by corruption, impunity, political and administrative monopolisation of the media and social exclusion, is not propitious for genuinely impartial and transparent elections.

55. The parliament is reportedly working on the upgrading of the existing electoral framework. I should recall that, in Resolution 1942 (2013), the Assembly had already called on the Moroccan authorities to carry out an in-depth analysis of the organisation of the 2011 early elections, taking into account the need to address the reported irregularities, with a view to improving electoral legislation and, more generally, the electoral process as a whole before the next elections.

56. Moreover, the National Council on Human Rights has prepared a comprehensive set of recommendations aimed at making elections more inclusive and moving them closer to the citizens. These recommendations put forward a series of measures to broaden the electoral corps, to rebalance the constituencies, to strengthen the participation and the chances to be elected for women and young people, and to create an appropriate framework for neutral and independent monitoring of elections. I strongly encourage our Moroccan partners to carefully consider these recommendations.

57. The forthcoming elections at all levels, including the 2016 parliamentary elections, should serve as important tests of popular support to reforms and consolidate democratic legitimacy of representative institutions. As in 2011, the Assembly should be ready to participate in the observation of parliamentary elections.

4.3. Balanced participation of women and men in public life and politics

58. In paragraph 27 above, I already referred to critical remarks on gender-related issues expressed by representatives of the parliamentary opposition. A number of civil society and human rights organisations and independent analysts share this criticism. For them, the government policy in the field of gender equality and the fight against discrimination lacks consistency and has not brought about any significant results.

59. From the institutional point of view, the 2011 Moroccan Constitution provides for the establishment of a specific authority for parity and non-discrimination. A draft law establishing the Authority for Gender Equality and the Fight against all Forms of Discrimination (APALD) has been prepared in co-operation with the Council of Europe and made available for consultation and comments on the website of the government. It should be presented to the parliament in the coming months.

60. During my meeting with the National Council on Human Rights, I was handed a preliminary memorandum with a critical assessment of this draft law performed by the lawyers of the Council. I call on our Moroccan colleagues to carefully study the comments of the National Council and make sure that the newly established institution is capable of providing effective protection against discrimination as stipulated in the Constitution.

61. I also urge the Moroccan Parliament to step up efforts in the fight against discrimination and violence against women, and in favour of real equality and participation of women in political and public life.

62. I look forward to more detailed comments from the rapporteur for opinion of the Committee on Equality and Non-Discrimination.

4.4. Accession to Council of Europe conventions and partial agreements

63. Since the previous review of the partnership in 2013, Morocco has broadened its participation in the Council of Europe's legal instruments. It is now party to nine conventions and to seven partial agreements.

64. In addition, the parliament reportedly terminated national ratification procedures with regard to several more conventions, including those related to the protection of children's rights, and Morocco is expected to join these instruments in the near future.

65. Furthermore, Morocco has been invited to accede to, or to sign, 14 more Council of Europe conventions.

66. We must welcome these efforts by the Moroccan authorities, which contribute to the creation of a common legal area between Europe and Morocco, and encourage our partners, in particular in the parliament, to continue on this path.

67. In this context, I wish to reiterate the call made in Resolution 1942 (2013) for the Moroccan authorities to consider accession to the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ETS No. 126), bearing in mind, in particular, that Morocco recently joined the Optional Protocol to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

68. I also call on our Moroccan partners to consider accession to the Council of Europe Conventions on Action against Trafficking in Human Beings (CETS No. 197) and on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210).

4.5. Informing the Assembly on progress made in implementing Council of Europe principles

69. Chapter 6 of this report contains information on multi-form dialogue between the Assembly and the Parliament of Morocco, which provides opportunities for the Moroccan partners to keep our members regularly informed on the political developments in their country in the light of the values upheld by the Council of Europe, including on the implementation of the programme of reforms.

70. Throughout my fact-finding visits and contacts with high-level Moroccan officials, as well as with members of the Moroccan parliamentary delegation to the Assembly, I witnessed a sincere and genuine commitment to the fundamental principles of democracy, respect for human rights and fundamental principles and the rule of law, and the firm intention to use the partnership with the Assembly to consolidate democratic governance in Morocco.

71. I am confident that the partnership has been a timely and appropriate offer to respond to the demand for more democracy, both among the political elites and Moroccan society at large. The partnership has already played a significant role in shaping the reform agenda.

72. As the pace of reforms seems to have slowed down, political commitments of the parliament in the framework of the partnership should serve as a mobilising factor to keep the reform process ongoing and make sure that it is consistent with fundamental human rights and democratic values.

73. We expect more efforts on the part of our Moroccan colleagues on the abolition of the death penalty and on ensuring parity between women and men. Other issues raised in Assembly Resolution 1818 (2011) and Resolution 1942 (2013) should remain at the top of the political agenda. Legislative work needs to be intensified in order to fully and effectively implement the provisions of the 2011 Constitution.

74. Furthermore, I wish to reiterate, as I did throughout my meetings, a call on the parliament to step up efforts in addressing concerns reported by Moroccan and international human rights organisations, in line with its general commitment to the core values of rule of law and respect for human rights and fundamental freedoms.

75. I count on the opinion of the Committee on Legal Affairs and Human Rights to provide additional information and proposals with regard to the human rights situation in Morocco.

5. Western Sahara

76. As mentioned in paragraph 8 above, Assembly Resolution 2004 (2014) stated that “the progress made by Morocco in the field of human rights in Western Sahara and the implementation of that resolution should henceforth be taken into account in the next evaluation report on the partnership for democracy in respect of the Parliament of Morocco”.

77. The Western Sahara problem has several aspects, the most delicate of them being the international legal status of this territory.

78. On the one hand, the international community does not recognise the sovereignty of Morocco over the Western Sahara, which is listed by the United Nations as a non-self-governing territory under *de facto* Moroccan administration.

79. On the other hand, Morocco considers the Western Sahara as an integral part of its territory and statehood. It is referred to as “Southern Provinces”. Questioning this view amounts to undermining the national unity and territorial integrity of Morocco.

80. This fundamental disagreement will remain as long as there is no international legally binding solution acceptable to all parties involved in the framework of the process dealt with by the United Nations. I believe that neither the Assembly nor the Council of Europe as a whole should become involved in it unless requested to contribute to it by the United Nations.

81. I therefore see no reason for the Assembly to interfere with the UN-led efforts aimed at finding an agreement on the status of Western Sahara. Certainly, we must continue to encourage our Moroccan parliamentary partners to play a more active role in the search for a negotiated solution, as stated in Resolution 1818 (2011), but I am convinced that the issue of the status of Western Sahara should not be considered as being directly linked to the partnership.

82. At the same time, the issue of human rights in the context of the Western Sahara problem is fully within the remit of the Assembly. It is actually the only issue that Resolution 2004 (2014) asked the Assembly to follow up. More specifically, this resolution expressed concern about alleged human rights violations in Western Sahara, in particular in terms of freedom of expression, assembly and association, as well as allegations of torture, inhuman or degrading treatment and violations of the right to a fair trial. These concerns are echoed by reports of various UN mechanisms and independent human rights organisations.

83. In particular, on the occasion of her visit to Morocco in May 2014, the then UN High Commissioner for Human Rights, Ms Navi Pillay, raised human rights concerns, including in Western Sahara, and encouraged the Moroccan authorities to ensure that human rights and fundamental freedoms were equally protected in Morocco and Western Sahara.

84. She referred, *inter alia*, to reports by the UN Special Rapporteur on Torture, who visited Morocco and Western Sahara in 2012, and by the Working Group on Arbitrary Detention, which visited in December 2013. Both UN delegations expressed concern over the use of torture and ill-treatment as well as the admissibility in court of confessions obtained under torture or other ill-treatment. The UN Committee against Torture also addressed similar serious concerns to the government of Morocco.

85. Ms Pillay also quoted complaints from civil society organisations that the law on registration was not consistently applied, particularly in Western Sahara, where administrative delays and other tactics were reportedly used to obstruct registration for some organisations. Subsequently, two Saharan human rights organisations, “Association sahraouie des victims des violations graves des droits de l’homme” and “Association el Ghad pour les droits de l’homme”, were reportedly registered.

86. The report of the UN Secretary-General on the situation concerning Western Sahara, issued on 10 April 2015 quotes some human rights organisations’ claims that the Moroccan authorities did not permit demonstrations in Western Sahara, notably preventing calls for self-determination. Such gatherings continued to be forcibly dispersed, and there were allegations that Moroccan law-enforcement officials used excessive force, including towards women and children, in suppressing demonstrations. In some cases, protesters and activists were reportedly subjected to arbitrary arrest, torture, ill-treatment and prosecution.

87. The United Nations Working Group on Arbitrary Detention raised the issue of the continued detention of the 21 Saharans belonging to the Gdeim Izik camp group following a decision of a military tribunal in 2013.

88. On the positive side, the parliament recently adopted the new Code on Military Justice which excludes civilians from the jurisdiction of military tribunals. Under the new law, ongoing cases concerning civilians in military tribunals must be transferred to ordinary courts.

89. There are many credible reports by respected human rights organisations, both local and international, which provide documented evidence on continuing human rights violations in Western Sahara. The Moroccan Parliament should do its utmost to investigate such reports, ensure that the authors of alleged violations are held to account, and take necessary action to prevent further violations. Assembly Resolution 2004 (2014) contains practical proposals for this.

6. Parliamentary dialogue and co-operation

90. As my predecessor, Mr Volontè, mentioned in his 2013 report, representatives of the Parliament of Morocco have been regularly invited to attend the Assembly sessions since the adoption of Resolution 1598 (2008) on strengthening co-operation with the Maghreb countries, and took part in the meetings of the Committee on Political Affairs and Democracy during the examination of the Moroccan Parliament’s request for partner for democracy status.

91. Once the status was granted, members of the Moroccan partner for democracy delegation became fully integrated in the work of the Assembly and its committees. They regularly contribute to the debates in the Chamber, even though their position at the bottom of the speakers’ list may prevent them from doing so.

92. In the Committee on Political Affairs and Democracy, one specific report was, for obvious reasons, of particular interest for our Moroccan partners – Ms Maury Pasquier's report on the parliamentary contribution to solving the Western Sahara conflict. Although the discussions were, at times, rather heated, the draft resolution was a result of compromise and presented a good example of real parliamentary diplomacy.

93. Moroccan representatives also actively contributed to many other items discussed in the committee, be it in relation to various regional topics of direct interest to Morocco or on general policy issues. In my view, these contributions make our debates richer and are fully in line with one of the main goals of the partnership, namely involving representatives of parliaments of neighbouring countries in all-European political debate.

94. Our Moroccan partners have also participated in conferences and other events organised by the Assembly. For example, the Speakers of the both Chambers of the Parliament attended the Regional Conference "The political changes in the Southern Mediterranean and the Middle East: the role of representative institutions", which our committee organised in Lisbon in November 2013 in co-operation with the Venice Commission and the European Centre for Global Interdependence and Solidarity (North-South Centre).

95. On this and on several other occasions, members of the Moroccan delegation actively interacted with colleagues from other parliaments of Arab countries which participated in the meetings of the committee, and shared with them the experience of partnership with the Assembly, thus contributing to a better awareness of advantages offered by, and responsibilities linked with, partner for democracy status.

96. Another positive aspect worth mentioning is the emergence of the "horizontal" relationship among partner for democracy delegations and candidates for this status. The Moroccan members actively participated in discussions on requests for the status from the parliaments of Kyrgyzstan and Jordan.

97. In addition, as in the previous evaluation period, the Assembly prepared a number of activities on some specific themes destined for the members and the staff of the Parliament of Morocco in the framework of the joint Council of Europe–European Union Joint Programme on strengthening democratic reforms in the southern neighbourhood.

98. In June 2014, the Assembly organised in Rabat, in co-operation with the Venice Commission, a parliamentary seminar on the role of the opposition. Another parliamentary seminar on "The new migration policy of Morocco and the European experience: new challenges in integration policies and practices" was organised in Rabat in October 2014.

99. Further parliamentary seminars are planned on issues which are now being discussed between the Moroccan Parliament and the Assembly. I hope that these activities will receive due attention from Moroccan parliamentarians, and I encourage the parliament to make use more broadly of this opportunity and to involve more of its members in joint activities.

100. The Assembly has also continued to organise seminars for the staff of the Moroccan Parliament. In December 2014, a group of members of the staff of the relevant committees of the parliament participated in a training session on Council of Europe activities in Strasbourg.

101. Recently, the Secretariat of the House of Representatives of Morocco expressed interest in receiving training and assistance for the staff in two particular areas: developing an e-parliament and upgrading skills in drafting legislation and assessing government bills. I am confident that the Assembly will be able to provide the assistance sought.

102. I can but welcome the active involvement of the Moroccan partners in the parliamentary activities within our Assembly and I encourage them to further strengthen this relationship.

7. Intergovernmental co-operation

103. In Resolution 1818 (2011), the Assembly expressed hope that "granting partner for democracy status to the Parliament of Morocco would contribute to intensifying co-operation between this country and the Council of Europe and promoting Morocco's accession to Council of Europe conventions". It furthermore encouraged the Secretary General of the Council of Europe, in co-ordination with the European Union, "to mobilise the Organisation's expertise, including that of the Venice Commission, with a view to contributing to the full implementation of democratic reforms in Morocco, in particular in the framework of the forthcoming constitutional reform".

104. As already mentioned in the 2013 report of my predecessor, Mr Volontè, this proposal was acted upon. In the context of Secretary General Thorbjørn Jagland's initiative for the Council of Europe's policy towards its immediate neighbourhood, a series of action plans were drawn up to give form to structured co-operation with neighbouring countries, including Morocco.

105. In April 2012, the Council of Europe and the Moroccan authorities agreed on an action plan "Neighbourhood Co-operation Priorities for Morocco 2012-2014", which contained a number of bilateral programmes intended to assist the process of democratic transition in the country and help tackle challenges relating to human rights, the rule of law and democracy.

106. Assembly Resolution 1942 (2013) welcomed this action plan and called on all the actors involved, namely the Council of Europe, the European Union and the Moroccan authorities, to consider the extension of the joint activities under Neighbourhood Co-operation Priorities for Morocco 2012-2014 beyond the three-year period and to expand the scope of these activities.

107. The final report on the "Neighbourhood Co-operation Priorities for Morocco 2012-2014" concluded that co-operation with Moroccan authorities had been marked by dialogue, good mutual understanding and effectiveness in the implementation of many projects, making it possible to achieve tangible results in most of the fields. Morocco has acceded to several Council of Europe conventions and consolidated its commitment to being part of a common legal area with Europe.

108. Morocco's constitutional reform process was supported by the Council of Europe's contribution to the drafting of organic laws and other legislation and to the setting up of governance bodies provided for by the 2011 Constitution. The Council of Europe support was also focused on reforms in the fields of justice, the fight against corruption and money laundering, as well as on promoting democratic values and bringing the country closer to the relevant Council of Europe standards.

109. Further to the successful implementation of the "Neighbourhood Co-operation Priorities for Morocco 2012-2014", the Committee of Ministers agreed to step up relations with Morocco through a Neighbourhood Partnership which included an enhanced political dialogue and a new co-operation programme covering 2015-2017.

110. This new phase in bilateral relations with Morocco is a response to a continued interest of Moroccan authorities to benefit from Council of Europe experience in the process of reforms.

111. It has been made possible thanks to the extension of the European Union/Council of Europe Joint Programme "Towards strengthened democratic governance in the Southern Mediterranean" (South Programme II) for the years 2015-2017, whose budget increased from 4.8 to 7 million euros. However, voluntary contributions from member States, which covered a significant number of activities during the implementation of the previous programme, are also welcome.

112. The "Neighbourhood Partnership with Morocco 2015-2017" was endorsed by the Committee of Ministers on 4 February 2015, and officially launched on 10 April 2015. The main objectives of this new co-operation programme are to:

– consolidate the results of the co-operation implemented since 2012 through the "Neighbourhood Co-operation Priorities for Morocco 2012-2014" and to initiate new areas of co-operation into line with national reform priorities, based on the demand-driven approach, in the fields of expertise of the Council of Europe;

– continue the efforts made to facilitate the creation of a common legal area between Europe and Morocco, encouraging the authorities to bring Moroccan legislation in line with European and international standards and to ratify the Council of Europe conventions open to non-member States, with due regard for the procedures set out in the relevant conventions;

– provide support to the development and effective implementation of new legislation in accordance with European and other international standards according to needs;

– provide support to the setting up and functioning of human rights institutions and new governance structures;

– enhance Morocco's presence in the Council of Europe structures of which it is already a member or observer (Venice Commission, the European Commission for the Efficiency of Justice, the European Pharmacopoeia, the Pompidou Group's MedNet network) and to encourage it to participate in other Council of Europe structures.

113. As was already the case with “Neighbourhood Co-operation Priorities for Morocco 2012-2014”, the programmes set out in the new co-operation plan are based on a “demand-driven” and targeted approach, and have resulted from high-level consultations as well as of detailed technical consultations between the Council of Europe and the relevant Moroccan authorities.

114. Therefore, “Neighbourhood Partnership with Morocco 2015-2017” is based on a clear political will of the Moroccan authorities, and reflects both the needs and expectations of the Moroccan side, and the offer that the Council of Europe can bring in the fields of its core competences, namely respect for human rights, rule of law and democracy.

115. As regards human rights, the “Neighbourhood Partnership with Morocco 2015-2017” has the following overall objectives:

– to promote women’s rights and participation in public and political life, particularly in decision-making spheres;

– to combat violence against women by adapting the legislative framework, enhancing awareness of European standards in this field, and improving prevention;

– to strengthen children’s rights and protection against all forms of violence by adapting the legislative framework and enhancing awareness of European standards;

– to enhance national capacities for preventing and combating torture and inhuman or degrading treatment or punishment in accordance with European standards;

– to enhance national capacities to combat trafficking in human beings in accordance with relevant European standards;

– to assist Morocco in implementing a human rights-based migration policy;

– to enhance national capacities in the data protection field;

– to improve the quality of the implementation of coherent drug policies in Morocco, with due regard for human rights and from a public health perspective;

– to support the implementation by Morocco of the Convention on the Counterfeiting of Medical Products and Similar Crimes Involving Threats to Public Health (CETS No. 211, “MEDICRIME Convention”).

116. Concerning the rule of law, the main emphasis is on accompanying the justice system reform aimed at strengthening its independence and efficiency, and on supporting constitutional reform and legislative work. The programme puts forward the following objectives:

– to enhance the independence, efficiency and quality of justice by improving court performance and supporting the implementation of judicial reform and revision of the legal framework, on the basis of European standards;

– to further develop the rule of law by developing a stable and democratic legal framework and practices, with due account for European standards;

– to strengthen non-legal protection in the field of human rights through mediation;

– to promote Morocco’s accession to the Council of Europe conventions open to non-member States and provide assistance for the effective implementation of those instruments;

– to consolidate the freedom of expression and media independence and plurality through enhanced press freedom;

– to promote convergence of Moroccan regulations in the audiovisual sector with the Council of Europe instruments;

– to promote good governance and the prevention of corruption and money-laundering with due account for the relevant Council of Europe standards, mechanisms and instruments by enhancing the policy framework, operational capacities and the co-ordination of the relevant stakeholders;

– to step up the co-ordinated fight against illegal activities in cyberspace, such as online fraud, counterfeiting, unauthorised access, child pornography and harassment.

117. When it comes to consolidating democracy, co-operation between the Assembly and the Moroccan Parliament in the framework of partner for democracy status plays a key role. As previously, the Assembly is called upon to help strengthen the role and capacities of both chambers of the Moroccan Parliament on the

basis of the jointly identified priorities, including by means of exchanges of experience and relevant practices with representatives of the parliaments of Council of Europe member States, as well as enhancing the competences of the staff of the parliament.

118. Other priorities for the democracy pillar are:

– to assist the local and regional reform currently taking place and help strengthen local and regional democracy and associations of local and regional authorities;

– to strengthen the role of civil society in the preparation, implementation and evaluation of the decisions and projects of elected institutions and the public authorities and in raising public awareness of the importance of citizen participation in the democratic transition;

– to enable target audiences, such as young professionals and youth organisations, to further develop and/or acquire knowledge in the field of human rights, the rule of law and good governance.

119. I believe that the new "Neighbourhood Partnership with Morocco 2015-2017" is a further positive step in the strengthening of relations between the Council of Europe and Morocco. Enhanced intergovernmental co-operation is one of the outcomes of the Assembly's partnership with the parliament of Morocco, and also a contribution to the fulfilment of its goals. It covers many areas identified in Assembly Resolution 1818 (2011) and Resolution 1942 (2013) and in the present report, and thus offers practical assistance to Morocco in consolidating its democratic transformation.

8. Conclusions

120. When agreeing to grant partner for democracy status to the Parliament of Morocco, the Assembly stressed that progress in taking forward reforms was the prime aim of the partnership and should constitute the benchmark for assessing its efficiency.

121. After a remarkable start in 2011-2012, the pace of reforms in Morocco may seem to have slowed down, and some key legislation, including organic laws, is still in the process of elaboration. At the same time, the parliament has accomplished important legislative work and some new institutions have been established. Moreover, representatives of the governing majority are confident that the remaining organic laws and some other essential reforms will be passed before the completion of the current legislature.

122. The role of democratic institutions, including the parliament and political parties, has further increased. The future regionalisation should give a new impetus to democratic governance and offer the Moroccans more opportunities with which to democratically express their will.

123. The forthcoming elections at all levels, including the 2016 parliamentary elections, should serve as important tests of popular support for reforms and consolidate democratic legitimacy of representative institutions. As in 2011, the Assembly should be ready to participate in the observation of parliamentary elections.

124. However, the institutional and legal framework of democracy still needs to be completed and, even more important, it must bring about practical results. The quality of legislation and its effective implementation should increasingly be in the focus of political actors and institutions, including the parliament.

125. While Morocco has made important progress in the field of the protection of human rights and fundamental freedoms, there are still serious and substantiated concerns in this regard reported both by authoritative international organisations and independent human rights activists. The Moroccan authorities must remain vigilant and attentive to these critical reports and do their best to address reported shortcomings in accordance with their international obligations and in the spirit of the values upheld by the Council of Europe.

126. Following the granting of partner for democracy status to the Moroccan Parliament, the Council of Europe and the Government of Morocco drew up an important co-operation programme, intended to make a tangible contribution to the reform process and to give our partnership practical meaning by addressing some specific issues raised in Resolution 1818 (2011).

127. As the first phase of this co-operation carried out in 2012-2014 has now been completed, the parties agreed on a new action plan entitled "Neighbourhood Partnership with Morocco 2015-2017" which is meant to consolidate the results achieved under the first programme.

128. Thus the partnership initiated by the Assembly and the Parliament of Morocco triggered an enhanced co-operation between the Council of Europe and Morocco, and contributed to achieving its main objective.

129. The members of the Moroccan partner for democracy delegation have actively participated in the work of the Assembly and of its committees, and have become more integrated in the European parliamentary dialogue.

130. By and large, the members of the Moroccan partner for democracy delegation have acted in the spirit of the political commitments entered into under the partnership. They are encouraged to step up their efforts in order to speed up the implementation of the process of reform, and to address remaining concerns with regard to the rule of law and respect of human rights and fundamental freedoms.

131. The Assembly should continue to review the implementation of political reforms in Morocco, to assess the efficiency of its partnership with, and to offer its assistance to the Moroccan Parliament.

Appendix – Extract of the Rules of Procedure of the Assembly

Rule 62 – Partners for democracy

62.1. The Assembly may grant partner for democracy status to national parliaments of non-member states of the Council of Europe in neighbouring regions, which meet the conditions set out in Rule 62.2. and any specific conditions which the Assembly may lay down.

62.2. Any formal request for partner for democracy status shall be addressed to the President of the Parliamentary Assembly by the president or speaker of the parliament concerned. This request shall contain the following elements:

– an explicit reference to the aspiration of the said parliament to embrace the values of the Council of Europe, which are pluralist and gender parity-based democracy, the rule of law and respect for human rights and fundamental freedoms;

– a commitment to act to abolish the death penalty and to encourage the competent authorities to introduce a moratorium on executions;

– a statement on the intention of the parliament to make use of the Assembly's experience, as well as the expertise of the European Commission for Democracy through Law (Venice Commission), in its institutional and legislative work;

– a commitment to organise free and fair elections in compliance with relevant international standards;

– a commitment to encourage balanced participation of women and men in public and political life;

– a commitment to encourage the competent authorities to become party to the relevant Council of Europe conventions and partial agreements which are open for signature and ratification by non-member states, in particular those dealing with human rights, rule of law and democracy issues;

– an obligation to inform the Assembly regularly on the state of progress in implementing Council of Europe principles.

62.3. The Assembly shall specify the number of members of a partner for democracy delegation.[4]

62.4. A parliament with partner for democracy status shall transmit to the President of the Parliamentary Assembly not less than one week before the opening of the session the list of the delegation members appointed for the duration of the entire session. Insofar as the number of its members allows, the delegation shall be composed to ensure a fair representation of the political parties or groups in that parliament and to include at least the same percentage of the under-represented sex as is present in the parliament and in any case one representative of each sex.

62.5. Members of delegations with partner for democracy status may sit in the Assembly but without the right to vote. They shall have the right to speak with the authorisation of the President of the Assembly.

62.6. Members of delegations with partner for democracy status may participate in committee meetings as provided in Rule 48.5. They may submit to the committee chairperson proposals concerning the draft agenda of committee meetings and proposals for amendments to draft texts examined in these meetings. The committee chairperson shall decide on any further action. They may sign motions for resolutions and recommendations (except those under Rules 9.2. and 68) and written declarations. However, they shall not be taken into account for the number of signatures required. Members of such delegations may participate in the work of political groups according to the conditions established by the groups.

62.7. The decision to grant, suspend or withdraw partner for democracy status shall be taken by a resolution of the Assembly following a report by the Committee on Political Affairs and Democracy, with an opinion by the Committee on Legal Affairs and Human Rights and an opinion by the Committee on Equality and Non-Discrimination and, where appropriate, an opinion by any other relevant Assembly committee. These committees, in the fields within their specific terms of reference, review the progress achieved in fulfilling the undertakings made by the parliaments concerned when they requested this status.

4. Morocco: 6 representatives and 6 substitutes; Palestinian National Council: 3 representatives and 3 substitutes. See Resolution 1818 (2011) and Resolution 1830 (2011).