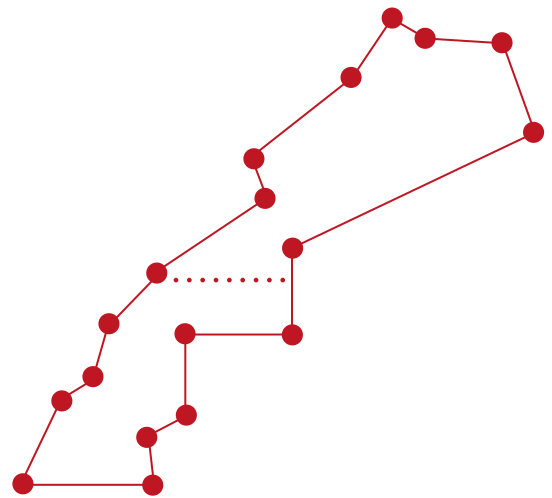


COUNTRY STUDY



MOROCCO

Social Rights Monitor

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As part of the EU-Morocco Partnership, the EU should support the Moroccan government:

- In reinforcing the health care system but also other essential services to help meet each of the four criteria of availability, accessibility, acceptability and quality;
- In putting in place a proper, more fitting and universal social protection system that better responds to needs and covers a broader range of the population;
- To ensure education and employment policies are decided based on an assessment of the country's needs;
- To engage with a better understanding of the scope and implications of the informal sector;
- To organize collective bargaining regularly and systematically, including representatives of the government, the employers and workers;
- To help fight against corruption while ensuring better transparency;
- To invest in Moroccan youth by providing jobs opportunities and adequate training to enter into the job market.



Introduction

This report assesses the overall situation in terms of social protection, decent work and civil society space in Morocco. In particular, it examines the progress that has been made since the implementation of the European Neighbourhood policy. Relations with the EU began with the Association Agreement, which entered into force in 2000. Subsequently Morocco became a privileged partner of the EU in the field of political and economic cooperation as well as trade and technical and development cooperation following the launch of the European Neighbourhood Policy in 2004¹. With the revised European Neighbourhood policy of 2015, four main domains are now at the heart of cooperation with the Eastern and Southern Neighbourhood, namely (1) good governance, democracy, the rule of law and human rights; (2) economic development for stabilization; (3) security and (4) migration and mobility. This new framework offers an opportunity for the two parties to redefine their joint priorities based on a sound assessment of the current situation.

In order to assess the situation in Morocco, consultations with civil society organizations, including SOLIDAR members and project partners, have been conducted within the seven countries covered by the project 'Decent Work, Social Protection and Freedom of Association in the Middle East and North Africa: Mobilizing for Social Justice by strengthening and promoting civil society organisations (CSOs), social movements and independent trade unions' role in reforms and democratic changes'. Qualitative feedback was collected on the basis of a questionnaire, the so-called 'Social Rights Monitor' (SRM), offering room for civil society organizations to explain and provide inputs. This report summarizes the results and feedback received upon which recommendations are built.

Report

Social Protection

Social protection can be defined as a set of public measures, policies and programmes that are designed to protect, prevent and "transform" poverty and vulnerability across the life cycle². It seeks to guarantee 'access to essential goods and services, promote active socio-economic security and advance individual and social potentials for poverty reduction and sustainable development'³. The International Labour Organisation (ILO) has now established the notion of social protection floors, which aims to promote access to services and goods that meets the criteria of availability, accessibility, acceptability and quality, ensure income security for children, persons in active age and persons in old age while ensuring the progressive achievement of higher levels of protection (increasing social potential and opportunities while reducing poverty). The latter criteria were used to assess social protection in Morocco. The following issues were reported by respondents to the social rights monitor.

Respondents highlighted that the **health care system and overall access to essential services** remain very problematic and unbalanced in Morocco. In fact, access is difficult for most vulnerable groups, including populations from rural zones. There is indeed an unequal territorial division. Those who have an illness requiring specialized health care often have to travel far from home. Not only is access as such problematic, so is quality. Existing hospitals and health care centres based in rural zones lack equipment, materials and staff. Moreover, most of the population remains without medical coverage.

Although reforms and new strategies have been put in place, such as AMO (Assurance Maladie Obligatoire de base – mandatory basic sickness insurance) and RAMED (Regime d'Assistance Medicale – medical assistance scheme) in 2002, affordability (ability to cover medical expenses) and accessibility remain a severe challenge for certain categories

1. https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/morocco_en ▶▶▶

2. <http://www.ilo.org/public/english/protection/download/lifecycl/lifecycle.pdf> (see pp. 13-14); <http://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=54887>

3. <http://www.ilo.org/public/english/protection/download/lifecycl/lifecycle.pdf> (see p. 22)

of the Moroccan population. Finally, corruption and absenteeism add another layer of challenge.

When it comes to **income security**, access to social benefits such as unemployment benefit can be very difficult, because of, among other things, the large informal sector present in Morocco. Combined with the slow and heavy bureaucracy surrounding social benefits, income security and consumption smoothing can be a real problem for the working age Moroccan people. When old age arrives, pensions are being reported as being insufficient and low in coverage, discriminatory and complex in procedure. The “Caisse nationale de Sécurité Sociale” (CNSS), through which social security is being managed in Morocco, does not offer enough income security on average. Indeed, the amount of pension received through the CNSS is not sufficient to live on, and people struggle if no contribution was made to an additional pension fund. Finally, regardless of pension policy, projections predict a significant increase in the number of old age people, which could increase the level of dependency and worsen the situation in term of means, coverage and rights.

All in all, respondents to the social rights monitor based in Morocco reported that the reforms did play a role in tackling poverty but major improvements are still needed especially regarding the lack of transparency and the presence of clientelism which impede the realization of the full potential of the different policies already in place.

Decent Work

Looking at the four strategic objectives of decent work (promotion of rights at work, employment, social protection and social dialogue) as defined in the Report of the Director-General, 87th Session, Geneva, June 1999, the following main issues were highlighted.

The wage scheme is considered fragmented and discriminatory, as it may impede achieving a decent life. Indeed, problems such as wage instability (large informal sector); wage inequality (especially women and youth); and an inadequate minimum wage that



are being reported. The inter-professional minimum wage, SMIG, is fixed at 2,568.84 Dh (\pm 226 EUR), while the agriculture minimum wage is set at 1,812.98 Dh (\pm 159)⁴.

As the informal economy is so widespread, it is difficult to provide a comprehensive understanding of the **working conditions** in Morocco. However, it is reported that working conditions can be questionable depending on the sector concerned. For example, public sector construction does not respect safety measures sufficiently, leading to a significant number of accidents at work. Working conditions are usually lower for women working in the agricultural sector or traders in the informal economy. Moreover, child labour is present. Two new decrees⁵, meant to improve the working conditions of domestic workers aged between 16 and 18, have been adopted offering a new legal framework. Nonetheless, it is rather



4. <http://www.cnss.ma/fr/content/quel-est-le-niveau-du-smig-actuel>

5. http://www.lemonde.fr/afrique/article/2017/08/15/au-maroc-un-decret-controverse-sur-le-travail-des-petites-bonnes_5172545_3212.html



perceived as a pretext to legalize underage domestic work, not forgetting that they only receive 60% of the minimum wage with no rest period allowed, arduous working hours and no social coverage⁶.

As far as **social dialogue** is concerned, the most problematic issue is its implementation. Collective bargaining between employers, government and trade unions is limited and irregular. Tripartite agreements were reached in 2000, 2003, 2004 and 2014 but no further tripartite discussion has taken place since then⁷. Decisions may still be taken without prior consultation with trade unions. Structural deficiencies in social dialogue institutions are being reported such as the lack of independent secretariats, decisive competences, coordination between the different bodies, proper preparation and follow-up and concrete approaches.⁸ Moreover, social dialogue does not include workers and employers from the informal sector. Respondents to the social rights monitor also report a reduction in rights to collective bargaining and social dialogue in various regions and provinces.

Finally, regarding the job market and **employment policies**, the following issues were reported by the respondents to the social rights monitor: an unbalanced market with job supply insufficient to meet the increasing demands (no capacity to absorb new young workers, who have to turn to the informal sector); segmentation between public/private

employment and formal and informal employment; great disparities in terms of job quality (differences in terms of productivity, wages, social protection, stability, training, and company needs, public employment services only covering a small share of the population). A lack of coordination between the different public policies is also being reported. This is reflected through the weak involvement of local actors in the design of programmes, the unclear framework for the state's promotion of employment policy and the focus on the formal sector. At the organizational level, there is also a lack of financial and human resources to ensure a diversity of measures to promote employment and a lack of analysis, monitoring and evaluation around job market perspectives.

6. http://www.lemonde.fr/afrique/article/2017/08/15/au-maroc-un-decret-controverse-sur-le-travail-des-petites-bonnes_5172545_3212.html

7. See De koster A. (2015). Social dialogue in Morocco, Tunisia and Jordan: Regulations and realities of social dialogue.

8. Ibidem, p. 38.

Enabling Environment

The Office of the United Nations High Commissioner for Human Rights (OHCHR)⁹ has identified five ingredients essential to creating and maintaining an enabling environment for civil society: a robust legal framework compliant with international standards and a strong national human rights protection system that safeguards public freedoms and effective access to justice; a political environment conducive to civil society work; access to information; avenues for participation by civil society in policy development and decision-making processes; and long-term support and resources for civil society. Looking at the above criteria, respondents to the monitor reported the following:

Since the adoption of the Constitution in 2011 guaranteeing freedom of association and peaceful assembly, civil society has become larger, more dynamic and has brought some progress in terms of human rights promotion and rule of law consolidation.¹⁰ The reforms that followed have resulted in a more enabling environment for civil society with the expansion of its role in policy-making and in the public sphere¹¹. However, for the past few years, some difficulties have emerged potentially undermining the implementation and protection of those rights and freedoms. For example, laws are not fully translated into implementation, reflecting a gap between what is written and what is put into practice. Moreover, it was mentioned by the respondents that some applications for official registration as a human rights defender organization have been blocked (e.g. AMDH and Freedom Now). There have sometimes been arrests during strikes or peaceful assemblies and the presence and intervention of security can still be significant. The waves of arrests that followed the demonstrations in the Rif in May 2017¹² are seen as a breach of the **rights to peaceful assembly and association**.

Regarding **access to information**, article 27 of the 2011 Moroccan Constitution guarantees the right to access public information for each citizen. However, some questions or themes appear to be a red line for the government, and activists or journalists risk arrest.

Moreover, most media are state-related. There is only a small space for free and independent information accessible to all.

The future of civil society space in Morocco is rather unsure. It is hard for respondents to predict whether it will deteriorate, improve or remain unchanged. This will depend on how the government decides to apply its measures and policies. The situation as such is not completely closed as civil society in Morocco plays an active role and manages to implement its activities, but the continuing inefficiencies, restrictions and limitations impede the well-functioning of a free and enabled environment for civil society.

9. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/073/52/PDF/G1607352.pdf?OpenElement>

10. See <https://goo.gl/jbFuKN> (p. 2)

11. See <http://www.icnl.org/research/monitor/morocco.html>

12. <https://www.amnesty.org/en/latest/news/2017/06/morocco-rif-protesters-punished-with-wave-of-mass-arrests/>

Recommendations

The action plans, which set out the mutual commitments between the EU and Morocco with regards to social, political and economic matters for the period 2013-2017, are coming to an end. In the framework of the revised neighbourhood policy, this should give room now for partnership priorities which should guide their future relations. Based on the above report, EU-Morocco bilateral relations, either through partnership priorities or other agreed commitments, should be shaped based on the following recommendations.

The EU-Morocco partnership should promote an inclusive and human rights-based approach to development. It should also be based on a participatory approach to civil society organizations to reinforce the trust between the government, the EU and the civil society. Social justice can only be achieved within a society that is inclusive, where citizens can access the democratic process and play an active role in society. This requires dialogue between public institutions and civil society organizations in order to guarantee the participation of all stakeholders in elaborating and monitoring public policy. More specifically, the EU should support the Moroccan government:

- In reinforcing the health care system but also other essential services to help meet each of the four criteria of availability, accessibility, acceptability and quality. Territorial inequality should also be tackled as it creates great disparities in accessing proper health care and creates a gap between populations from urban and rural zones. This also means investing in education and training to make up for the lack of health care staff (matching education with the needs of the market) and establishing an assessment monitoring mechanism in order to provide solutions to the most important deficiencies encountered in the access to health care services as already mentioned in our recommendations of 2015¹³;
- In putting in place a proper, more fitting and universal social protection system that better responds to needs and covers a broader range of the population. Income security should not be discriminatory;

- In simplifying administrative procedures and access to social benefits or pensions;
- To ensure education and employment policies are decided based on an assessment of the country's needs. Policies must aim to increase employment; reduce school dropout; reduce the number of people in poverty and on the verge of falling into poverty; reduce vulnerabilities.
- To engage with a better understanding of the scope and implications of the informal sector, which is responsible for insecurity in terms of wages, social protection, working conditions and human rights, in order to further seek solutions, possible regulations and more appropriate forms of organization.
- To organize collective bargaining regularly and systematically, including representatives of the government, the employers and workers. It should not only be seen a consultative process but also as a place where decisions can be made based on the needs and demands of the population. It also requires trade unions to be better organized, independent, representative of all workers, etc.
- To help fight against corruption while ensuring better transparency.
- To invest in Moroccan youth as it is suffering greatly from unemployment, with many college graduates finding themselves unemployed after years of studying. Investments in order to provide jobs opportunities and adequate training to enter into the job market are urgently needed to keep this young generation off the street and out of trouble.

It is in the interests of the EU to support the Moroccan government in implementing appropriate social policies. It is only through an open, dynamic, engaged, solidarity-based society that stability and security in the country can be achieved.



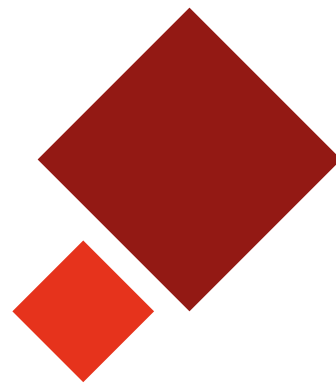
13. See http://www.solidar.org/system/downloads/attachments/000/000/576/original/2015_11_13_solidar_country_reports_mena_morocco-2.pdf?1474541571



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Published by: SOLIDAR

The Social Rights Monitor is a tool developed by SOLIDAR members and partners to allow partner organizations and allies based in the country to assess the situations in terms of social protection, decent work and an enabling environment and track the progress made since the implementation of the European Neighbourhood Policy and the partnership priorities established with the EU. This report has been developed in the framework of a regional programme “Mobilizing for Social Justice: Decent Work, Social Protection and Freedom of Association in the Middle East and North Africa region” led by SOLIDAR.

SOLIDAR is a European network of membership based Civil Society Organizations who gather several millions of citizens throughout Europe and worldwide. SOLIDAR voices the values of its member organizations to the EU and international institutions across the three main policy sectors: social affairs, lifelong learning and international cooperation.

This country profile has benefited from contributions by Palestinian civil society organisations, including the Democracy and Workers’ Rights Center in Palestine, the Palestine Association for Education and environment, the Palestinian Non-Governmental Organizations Network, the Union of Agricultural Work Committees, Stars of Hope Society for the Empowerment of Women with Disabilities.*

*If your organization has contributed to the report and is not listed here, contact the SOLIDAR offices to edit the report.



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This publication has been produced with the financial support of the European Union. The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.

