



جمعية الإنصاف والمصالحة
National Society for Human Rights



المجلس الوطني لحقوق الإنسان
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Conseil national des droits de l'Homme

TRUTH, EQUITY AND RECONCILIATION IN MOROCCO

20TH ANNIVERSARY

May 2024

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A prominent moment in the journey:
Spontaneous hugs during a reception at the palace.
Mothers of victims embracing His Majesty King Mohammed VI, as
the IER concluded its mandate and submitted its final report

**COMMEMORATING ANNIVERSARY
OF A MILESTONE AND A PROCESS**





CNDH Chairperson Amina Bouayach with the President of the Equity and Reconciliation Commission, late Driss Benzekri, and activist politician, and former Prime Minister late Abderrahmane Youssoufi

Foreword

On January 7, 2024, we embarked on commemorating the 20th anniversary of a significant milestone and process. A **milestone** marked by the establishment of a truth, equity and reconciliation commission, which had built on previous experiences and lessons and on the collective determination of both state and society to revisit a painful history while aspiring to a brighter future. We also commemorate a **process** characterized by a series of initiatives, fundamental reforms and diligent follow-up, leading up to the creation of a new, promising constitutional and legislative framework and to several best practices. Within this framework, serious human rights violations are criminalized, guarantees for human rights protection are enshrined, and mechanisms to prevent violations and advancing human rights are firmly established.

The success of the process has clearly proved the **strategic** and **forward-looking** nature of Morocco's Equity and Reconciliation Commission, which aimed to achieve immediate, short-, medium- and long-term objectives. The outcome of this **unprecedented** experience at the regional level and one of the **leading** experiences at the continental and international levels, did not stop at revealing the truth and compensating the victims and their families. It went beyond these crucial priorities to preserve our collective memory and to implement deep reforms. The Commission's work culminated in a constitutional document which serves as an effective national charter for human rights, and initiated deep transformative processes and new pathways towards democratic reform; all in pursuit of a higher goal upheld by the national human rights institution: ensuring the effective access to human rights and fundamental freedoms to all citizens and foreigners residing in Morocco.

As an indirect victim of the past, fate placed me at the core of this process. I firsthand experienced the bitter aftermath of serious human rights violations. As a family member of a victim myself, I stood with the families of all victims, actively advocating for the truth, pursuing equity and striving for reconciliation.

Later on, on my personal journey as a human rights defender, I was also involved in the implementation of the recommendations outlined in the Commission's

final report. I then contributed to the culmination of this journey, by participating in the constitutionalization of the Equity and Reconciliation Commission's recommendations, serving as a member of the Advisory Committee that was tasked with reviewing the Constitution... My human rights and advocacy career had led me, since then, through other paths that ultimately stayed fully connected with the strategic objectives of truth, reconciliation and human rights reform journey in Morocco. Today, destiny had it that I now lead the national human rights institution following my appointment by His Majesty the King. I could not be prouder of this very young activist in me, starting her own journey defending and advocating for truth and reconciliation, now chairing the very institution that had recommended the establishment of a truth commission and has been entrusted with overseeing the implementation of the truth, equity and reconciliation recommendations. The role Morocco's national human rights institution played in this experience is **unique and definitely one the best practices that this experience offers, particularly in relation to NHRIs and transitional justice.**

This milestone and process paved the way for subsequent processes, and continue to inspire pride for me personally and for a country where the wills of both state and society converge towards one objective: fostering justice, equity, equality and reform. Together, we strive to achieve comprehensive and sustainable development that is deeply rooted in the effective access to human rights.

To mark the 20th anniversary of Morocco's Equity and Reconciliation Commission, the National Human Rights Council (CNDH) is hosting a permanent exhibition in its main lobby, offering visitors a guided tour through pivotal moments of the journey. Believing in continuity, and recognizing that each milestone has not only one path, but paths that feed into each other to create momentum, we have chosen to focus the exhibition primarily on younger generations, while also welcoming visitors of all ages, as education and memory have been key themes throughout this whole journey.

Amina Bouayach
Chairperson of the National
Human Rights Council (CNDH)



Spontaneous interaction during a meeting held with victims and right-holders at the NHRI's headquarters. CNDH Chairperson handed arbitration decisions over to victims or right-holders before this moment was captured.



June 2006, a visit to "1981 mass graves"



Preserving sites of memory is one of our main priorities, including the rehabilitation of irregular detention centres



Amina Bouayach paying tribute to victims of past human rights violations. The cemetery is being rehabilitated as a site of memory



Preserving Moroccan transitional justice archives is crucial in the NHRI's strategy to follow up on the implementation of the IER's recommendations

Equity and Reconciliation Commission (IER): a cornerstone in consolidating the rule of law and human rights

The IER was appointed on **January 7, 2004**. Its mandate ended in **November 30, 2005**.

The Commission drafted its own Statute, **ensuring its independence**. Its Statute was promulgated by law, on April 10, 2004;

Mandate: The Commission investigated serious human rights violations spanning from the early years of independence in **1956 to 1999**.

Responsibilities: The IER had the mandate to evaluate, inquire, investigate, establish the truth, arbitrate, and submit proposals and recommendations for further reform and reconciliation, fostering the rule of law and promoting the values and culture of citizenship and human rights.

Final report: The report includes six volumes: "Truth, Equity and Reconciliation", "Establishing Truth and Responsibility Regarding Human Rights Violations", "Justice and Reparation for Victims", "The Components of Reform and Reconciliation", "The Organization of the Work and Activities of the Commission", and a "Study on the Health Condition of Human Rights Violations Victims."

On **March 9, 2011**, His Majesty the King announced a comprehensive constitutional reform, structured around seven main pillars, including the **IER's recommendations**. The members of the Advisory Committee tasked with reviewing the Constitution included former members of the IER and the current Chairperson of the CNDH. As an outcome, the supreme law now includes an explicit **national charter for human rights**, including a chapter of 21 articles, as well as other explicit and implicit provisions throughout its preamble and chapters.



The members of the Equity and Reconciliation Commission with His Majesty the King, January 7th, 2004

Members of the Equity and Reconciliation Commission

Président : Driss Benzekri	Mohamed Berdouzi	Salah El Ouadie
Ahmed Chawki Benyoub	Latifa Jbabdi	Abdelaziz Bennani
Abdelaziz Benzakour	Mustapha Iznasni	Driss El Yazami
Mohamed Mustapha Raissouni	Abdeltif Menouni	Abdelhay Moudden
M'barek Bouderkha	Brahim Boutaleb	Mohamed Nesh-nash
Mahjoub El Haiba	Mae El Ainine	



Art at the very heart of the IER's visual identity
A painting by artist Mohamed Chebaa, who designed the Commission's logo

Logo of the Equity and Reconciliation Commission



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Headquarters of the Advisory Council for Human Rights



The headquarters of the Equity and Reconciliation Commission

Public hearings: A rare opportunity for society to share the sufferings of victims and build upon their testimonies to prevent recurrence

In total, seven public hearings were held in six different regions across Morocco to hear the voice of the victims of serious human rights violations. This was one of the crucial moments in the reconciliation journey of the nation.

These hearing sessions served as a public platform for the victims and right-holders to share their own stories and give the Moroccan society an opportunity to hear the sufferings, reconcile and honor their dignity.

These public hearings also paved the way for the broader collective memory preservation initiated and recommended by the IER. The first two sessions were held in Rabat on December 22, 2004. Five other sessions were separately held in Figuig, Errachidia, Khenifra, Marrakech and Al Hoceima. Extensive and full radio and television live broadcast gave these public hearings a nationwide momentum. Ultimately, the nation was offered an opportunity to revisit its history and reconcile with its past.

Senior witness hearings

To establish the truth and investigate accurate accounts of violations during the early years of independence and various events across Moroccan cities and regions, the IER held hearings for senior witnesses who experienced or were involved in these events. The Commission adopted an approach that involved all stakeholders, in addition to collecting and analyzing data from diverse sources, including testimonies from victims and their families, as well as records and documents from public authorities.

Over 30 senior witnesses provided their testimonies during these hearings.





Across cities and villages, the caravan of justice and reconciliation travelled to hear victims and testimonies and conduct thorough investigations in order to elucidate the truth and pave the way for the future



The main entrance of an irregular detention centre in Casablanca: Derb Moulay Cherif Detention Centre

As a NHRI, we take this opportunity to extend thanks and gratitude to the staff and members of the Advisory Council on Human Rights and the Equity and Reconciliation Commission for their support to the victims



Books, novels, etc. about the past and victims' stories... Many of these works were authored by victims themselves. They were published in Morocco and are available in public libraries around the country.



Men and women travelled from different regions of the Kingdom to share their sufferings and make their voices heard, others to hear the victims and their right-holders and reconcile with the past



Role of victims' families, their demands, and strong advocacy for the elucidation of truth. This was the main focus of a famous testimony delivered by 'Mli Fatima' (the mother) at a public hearing in Rabat (chaired by late Idriss Benzekri, President of the Equity and Reconciliation Commission).



His Majesty the King of Morocco with the members of the Advisory Committee that was tasked with reviewing the Constitution, on March 2011 ,10. The equity and reconciliation recommendations were enshrined into the supreme law in 2011.

Outcome up to 2023

Establishing the truth

- Elucidating the fate of **803** persons, victims of enforced disappearance
- DNA testing of **44** remains to identify presumed victims

Individual reparations

A total of **27,723 victims and right-holders** have received reparations
In total, over **2 billion and 68 million dirhams** were granted as reparation

Medical care

Up to 2023
CNDH covered **7 million and 840 thousand dirhams** as costs of 1393 medical interventions

Administrative situations of victims

The administrative and financial situations of **350 victims** were settled

Healthcare

9071 victims and right-holders receive health care coverage
Amount: **217 million dirhams**

Social re-integration

1472 persons, were integrated into government and public sector jobs, also benefiting from supplementary retirement schemes that cost **30 million and 872 thousand dirhams**

Preservation of archives

Compilation of 23,360 TJ arbitration decisions, in 167 volumes
Classification, processing and digitization of 3037 audio-visual footage and recordings
March 2024: Two IER members handed over their personal archives relating to the Commission's work

Preservation of collective memory

Constructing and rehabilitating sites of memory

Tazmamart (a former irregular place of detention)

Investing 36 million dirhams (up to 2023) to rehabilitate the site of memory and its vicinity

Al Hoceima Museum

Investing (between 2019 and 2023) 9 million dirhams to build a memory museum in the city of Al Hoceima, Total investment is estimated at around 15 million dirhams

Rehabilitation of cemeteries and graveyards to honor the memory of victims (underway)

In several cities, namely in Nador, Kelaat M'Gouna, Casablanca and Agdez.

25 May 2012

Establishing a permanent Unit at the NHRI for the preservation of memory and the promotion of history



On May 25th 2021, the CNDH published a booklet on the establishment of its permanent Unit for the preservation of memory and the promotion of history. Following up on the implementation of the IER's recommendations in this regard is part of a strategic vision aimed at preserving Moroccan history and memory

In total 38,673
persons were targeted by the different programs amounting to around **2 billion and 534 million Dirhams**



Memorials to remember the victims, honoring a commitment and a duty towards them...



Hope...!
A child paying tribute to victims in one of the sites of memory
Rehabilitating and preserving sites of memory is one of our main strategic priorities



Rehabilitation of sites of memory is a duty and obligation towards victims, their right-holders and society...

Another strategic priority at the core of our mandate to follow up on the implementation of the IER's recommendations



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Headquarters of the National Council for Human Rights

The National Human Rights Council (CNDH): A national human rights institution at the core of Morocco's transitional justice experience

Among the unique and multiple components of the Moroccan experience in transitional justice¹, the instrumental role of CNDH stands out prominently. Positioned at the core of this journey, it epitomizes **a new best practice**, not only in the context of the roles of NHRIs in truth and reconciliation processes, but also within transitional justice experiences more broadly.

The central role of the National Human Rights Council in the Transitional Justice experience in Morocco: one of the leading best practices in transitional justice experiences and the roles of NHRIs

The CNDH did not only **support and back** the work of the IER throughout its mandate, offering expertise in human rights, law and various other fields (investigation, research and documentation, etc.), but it also played a key role in the Commission's establishment itself. It was the NHRI of Morocco that actually took the initiative to recommend the establishment of the Commission on **October 14, 2003**. The Council's recommendation was subsequently endorsed on **November 6, 2003**.

¹ Primarily, but not exclusively, key elements of the Moroccan transitional justice experience include (1) the convergence of the explicit will of the State and the will of society and their common aspirations to own the

past and build on its lessons for the future; (2) the momentum created by civil society as one of the driving forces in Morocco's TJ experience, along with the advocacy led by the families of victims; (3) political openness; (4) the return of victims of enforced disappearance; (5) the immediate publication of the IER's final report; (6) collective or community reparations, in addition to individual reparations for victims and their families; (7) the gender approach in addressing cases and reparations; (8) public hearings, etc.

In addition to its previous roles, including its recommendation to establish the Equity and Reconciliation Commission, the CNDH provided the Commission with expertise, staff and necessary resources and support to fulfill its missions.

Among the best practices that emerged from Morocco's TJ experience is the central role that its NHRI has been playing since the publication of the IER's final report.

In practice, immediately after the final report and the King's immediate decision to publish it, Morocco's NHRI was entrusted with and mandated to follow-up on the implementation of the Commission's recommendations. This in turn reaffirmed the strategic and leading role and position of the institution in Morocco's transitional justice journey. Over nearly two decades, the NHRI has been collaborating with various stakeholders to follow-up on and lead action to establish the truth, provide collective and individual reparations, deliver arbitration decisions to the victims or to their right holders, ensure access to healthcare and take care of medical surgery costs for dozens of victims, in addition to social re-integration, supplementary retirement schemes, addressing administrative issues and prioritizing the preservation of memory and archives.

The TJ experience in Morocco is a genuine journey of reform for memory, human rights and the rule of law. Throughout 2024, the CNDH will commemorate all these aspects and their outcome. Also, the NHRI is always willing and open to share insights and lessons from Morocco's TJ experience, as well as its own experience and best practices as a national institution that has been playing a central role at the very core of this journey. The CNDH has already shared its experience with institutions and stakeholders in multiple countries, notably across Africa.

Morocco's NHRI, currently the National Human Rights Council (CNDH) and formerly the Advisory Council on Human Rights (1990-2011), is a **founding member of the Global Alliance of National Human Rights Institutions (GANHRI)**. Alongside 11 other NHRIs, it played an important role in initiating and laying the foundation for the Alliance, precisely in the creation of the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights in 1993.

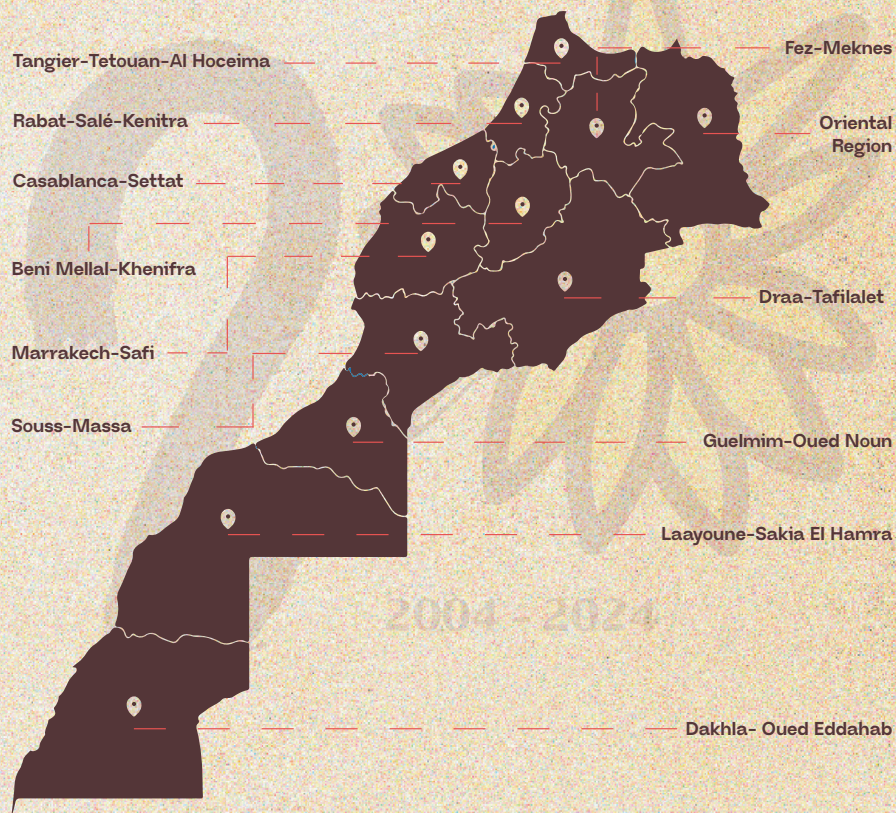
It was **founded in 1990**, three years before the adoption of the Paris Principles (relating to the Status of NHRIs). The institution was first created as part of Morocco's voluntarily engagement with prior UN resolutions and principles encouraging states to establish national mechanisms to protect and promote human rights (namely two resolutions of the Economic and Social Council in 1946 and 1960, as well as preliminary guidelines adopted by the United Nations Commission on Human Rights in 1978, subsequent to a workshop held in Geneva that examined the roles of NHRIs.)

In addition to its central role and the abovementioned missions relating to the IER's experience, a CNDH's recommendation was behind the establishment of a prior experience in Morocco's transitional justice journey. Indeed, in direct endorsement and implementation of its recommendation, an independent arbitration commission was created in 1999 to provide reparations for the victims of enforced disappearance and arbitrary detention. This was prior to the adoption of the International Convention for the Protection of All Persons from Enforced Disappearance in 2010.

Highlights from the path of the national human rights institution



CNDH across the 12 regions of the Kingdom of Morocco



CNDH at the international level

GANHRI

CNDH Chairperson **Ms. Amina Bouayach** is Secretary and Vice-President of the Global Alliance of NHRIs (GANHRI)

Member of the Working Group on Business and Human Rights

Member of the Working Group on Climate Change and Human Rights

Observer Member in the Working Group on the Rights of Persons with Disabilities

In Africa:

Founding President of the Network of African National Preventive Mechanisms against Torture

Network of African National Human Rights Institutions (NANHRI):

Member of the Steering Committee
President of the Working Group on Migration
Member of the Working Group on the Rights of the Child

Arab Network for National Human Rights Institutions (ANNHRI):

Founding member
Member of Executive Committee

Association francophone des commissions nationales des droits de l'Homme (AFCNDH):

Member of the Board of Directors
President of the Commission for Reflection on Migration



Inauguration ceremony of the exhibition, commemorating the 20th anniversary of truth, equity and reconciliation, at the NHRI in Rabat, on 26 January 2024

Truth, equity and reconciliation – 20th anniversary exhibition

In the main hall of the headquarters of the National Human Rights Council (CNDH) in Rabat, the capital of the Kingdom of Morocco, an exhibition of approximately **200 square meters** is commemorating the 20th anniversary of the Equity and Reconciliation Commission (IER). Over a **56-meter linear, three-meter high** strip, the space is adorned with around **50 photographs** sourced from the archives of the IER and the CNDH. They chronicle key highlights of the Commission's work, the ensuing processes, and the work of the Committee in charge of following up on the implementation of the IER's recommendations.

The exhibition, **extending throughout 2024**, is organized around several key pivotal moments in the history of the journey. Every corner of the exhibition tells a story. Dedicated to preserving memory, all corners and stories collectively present a 20 years narrative, that had built on a previous experience, seeks today to spark inspiration for fresh avenues of reform to protect and promote effective access to human rights and uphold the rule of law.

As the exhibition retraces the journey of the truth, equity and reconciliation from the beginning, it starts with a photograph of the members of the Equity and Reconciliation Commission with His Majesty King Mohammed VI, where they were appointed on **January 7, 2004**, in Agadir, Morocco. Then follows a series of images showcasing the entrance of the Commission's headquarters and its visual identity, along with photographs of the Commission's members' meetings and hearing sessions for victims. Additionally, this corner features pictures of the **literary and intellectual works of victims**, published, printed and distributed in Morocco. By itself, this was a testament to one of the key components and successes of the truth, reconciliation and transitional justice experience, in a country that courageously and foresightedly chose to confront its past, that has neither censored victims nor banned any one of them from telling and publishing their own stories. This corner at the exhibition also includes pictures of various seminars and training sessions on transitional justice organized throughout the process.

The exhibition also highlights the public hearings that were held for victims and their families in diverse cities across Morocco, mainly Rabat, Figueir, Errachidia, Khenifra, Marrakech and Al Hoceima. These sessions were **all broadcast live on national television and radio channels**. Surrounding these photographs are images of debate sessions covering the political, intellectual, and historical contexts of human rights violations.

Another prominent photograph captures a deeply human moment, where mothers of victims spontaneously hugged and embraced the King during the reception of the IER's members and presentation of its final report at the Royal Palace in Rabat on **January 6, 2006**. The King had immediately ordered the publication of the Commission's final report and assigned the national human rights institution to oversee the implementation of its recommendations.

In addition to the picture of the members of the Advisory Committee that was tasked with reviewing the Constitution, which **in 2011 incorporated and enshrined all the pertinent recommendations of the Equity and Reconciliation Commission in the supreme law**, the visitors' journey in the exhibition continues with photographs depicting the follow-up on the implementation of the Commission's recommendations. These include efforts to establish the truth, identify burial places of victims, receive victims or their families and deliver arbitration decisions at the CNDH's headquarters, alongside pictures related to memory preservation programs, archives and the rehabilitation of cemeteries and former irregular detention centres.

The truth, equity and reconciliation exhibition tells a story we vividly invite you to read and discover this year at our headquarters in Rabat. We are looking forward to welcoming you. Through this booklet, until then, you readers can catch a glimpse of a few historical moments from this experience.



Late Abdelaziz Benzakour



Late Driss Benzekri, President of the Equity and Reconciliation Commission



Late Mohamed Mustapha Raissouni

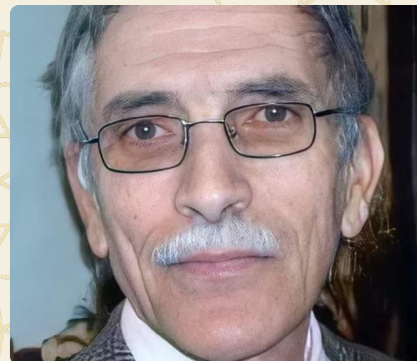


Late Ahmed Chaouki Benyoub

The exhibition features portraits of the members of the Equity and Reconciliation Commission who passed away after its mandate and pays tribute to their memory.



Late Mohamed Iznasni



Late Brahim Boutaleb



Late Mohamed Berdouzi



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