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M. Aboloni

Kongeriket Marokkos Ambassade
Oslo



سجدة الملكة المغربية
أوسلو

Réf. 99/2013

Oslo, 14.03.2013

Madame l'Ambassadeur de Sa Majesté le Roi

-Oslo-
-((-))-

Monsieur le Ministre des Affaires Etrangères
et de la Coopération
-Rabat-

J. Anouar
wj gence

CONFIDENTIEL

Destinataire principal : Cab-DG8/1
Destinataire CC : MD-SG4-DG7/4-DG9/1

Objet: Question Nationale/Réponse du Ministre norvégien des Affaires Etrangères à une question parlementaire.

Réf: M/L n° 94 du 12 mars 2013.

Faisant suite à mon envoi susmentionné, j'ai l'honneur de vous faire parvenir ci-joint, une traduction de la réponse du Ministre norvégien des Affaires Etrangères à une question émanant d'une parlementaire norvégienne au sujet du procès Gdeim Izik.

Préparée par la Direction MENA, avec laquelle, j'ai eu un échange intense sur le sujet, la réponse du Ministre a souligné ce qui suit :

- Les 11 morts sont des agents gouvernementaux. Ceci pour réfuter l'idée largement répandue par les réseaux de soutien au Polisario, incriminant les Forces de l'Ordre.
- L'implication des organisations marocaines des droits de l'homme, dans le suivi du procès.
- A critiqué sans pour autant condamner le fait que des civils soient jugés devant un tribunal militaire.
- La nature du tribunal est un sujet controversé au Maroc et qu'une réforme a été introduite par le CNDH afin d'abolir l'usage des tribunaux militaires pour les jugements impliquant des Civils.
- Les programmes de la Commission de Venise font partie intégrale de l'Accord entre le Conseil de l'Europe et le Maroc, en mettant en exergue le statut octroyé à notre pays : « partenaire pour la démocratie ».
- Le transfert de l'expertise du Conseil de l'Europe sera utile aux pays de la région MENA ayant exprimé leur disponibilité à avancer dans le processus démocratique.

Enfin, le Ministre annonce aux parlementaires, l'augmentation de la contribution de la Norvège au programme des CBM.

Haute considération

L'Ambassadeur
Saadia EL AADLI
Saadia EL AADLI



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14 MARS 2013

CONFIDENTIEL

Written questions from Karin S. Woldseth (Progress Party) to the Minister of Foreign Affairs
Document No. 15:954 (2012-2013)
Submitted: 06/03/2013
Sent: 07/03/2013
Replied: 13/03/2013 by Foreign Minister Espen Barth Eide

Question

Karin S. Woldseth (Progress Party): Will the Foreign Minister do something to influence Morocco, so that activists from Western Sahara can get a fair trial, and that contributes to the rule of law and human rights are upheld? Reason

A couple of weeks ago, 24 activists from Western Sahara convicted in a military court. 9 of them were life-long and the other between 20 and 30 years in prison.

This shows that Morocco still does not follow the European standards in terms of rule of law and human rights. This despite the fact that they are observers to the Council with the right to speak. Both the political committee and the legal committee of the Council of Europe should have had meetings in Rabat, Morocco in March and April 2013, but I have sent a letter to the President of the Council of Europe Parliamentary Assembly, where I explain that I find it improper in view of the recent developments in Morocco, to attend meetings in a country that does not follow the standards of an institution they would like to be a part of.

Reply

Espen Barth Eide: In February 2013 was 24 Sahrawi sentenced by a military court in Rabat in Morocco for the murder of 11 Moroccan government officials and to have contributed to the riots in connection with the removal of a protest camp near the town of Laayoune in Western Sahara in October 2010. According to a Moroccan human rights organization, all those convicted have appealed the verdicts.

Any litigation must be in accordance with international human rights standards. Norway expects that Morocco provides all detainees a fair trial. It is particularly criticisable that civilians be judged in military tribunals. Norway has taken up this theme with Moroccan authorities, and we will follow up this trial.

Such use of military tribunals is also controversial in Morocco. Following demands from a variety of Moroccan human rights organizations, has Morocco's government-appointed National Human Rights recently put forward a proposal for a reform of the judiciary, which will abolish the admission to undergo civilians under military courts.

Norway supports the Moroccan human rights organization Association Marocaine des Droits Humaine (AMDH) who have been present throughout the trial of the 24 Sahrawi. Our embassy also follow the issue closely. When it comes to legal reform, Norway provides support to the Council of Europe's advisory body, the European Commission for Democracy (Venice Commission), through its legislation work in Morocco. Venice Commission planed projects are included in the agreement between Morocco and the European-Council, as part of the Council of Europe neighbourhood priorities.

The Council envisage also assisting Morocco to implement reforms in the justice level. This assistance includes legal reviews of draft laws and all other applicable laws of great importance for democratic institutions and functions, including human rights such as freedom of assembly, freedom of association and expression. Furthermore, Morocco has status as "partner for democracy" to speak at the Council of Europe Parliamentary Assembly (PACE).

The Council of Europe has a central role in efforts to ensure respect for human rights, democracy and

rule of law in our part of the world. The Council of Europe is the premier forum for regulatory and standard-development in these areas in Europe. Norway believes that the transfer of the Council of Europe's expertise will be extremely valuable to countries in North Africa and the Middle East who are not yet advanced when it comes to this issue, but expresses willingness to do something about it.

It may also be mentioned that Norway earlier this winter have indicated to UNHCR that we want to increase the Norwegian support to the very important confidence-building work they do between the parties in conflict in Western Sahara.