



Kingdom of Morocco  
Equity and Reconciliation Commission



# Final Report

Volume 5

**THE ORGANIZATION OF THE WORK  
AND ACTIVITIES OF THE COMMISSION**

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Equity and Reconciliation Commission**

## **Final Report**

**Volume Five**

# **THE ORGANIZATION OF THE WORK AND ACTIVITIES OF THE COMMISSION**



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# Chapter One

## **THE ORGANIZATION OF THE WORK AND ADMINISTRATION OF THE COMMISSION**



To carry out its mandate, the Commission utilized an internal organization<sup>1</sup> that respected the specificities of the mission entrusted to it. Thus the Commission organized itself into work groups and ad-hoc committees in a flexible manner that took the progress of its activities into account.

It held regular meetings for deliberations and for taking decisions, and also held other meetings devoted to specific subjects and issues, as well as coordination meetings that it held in preparation for general meetings. In addition, the work groups held their regular and special meetings according to the stages of the progress of their work.

The Commission also created an administration consisting of administrative, technical and support personnel, and sought help from experts and consultants to carry out the different tasks entrusted to it. It used a flexible administrative structure according to the stages of the progress of its work. It also created administrative and technical units responding to the needs of the work groups and the committees created within it.

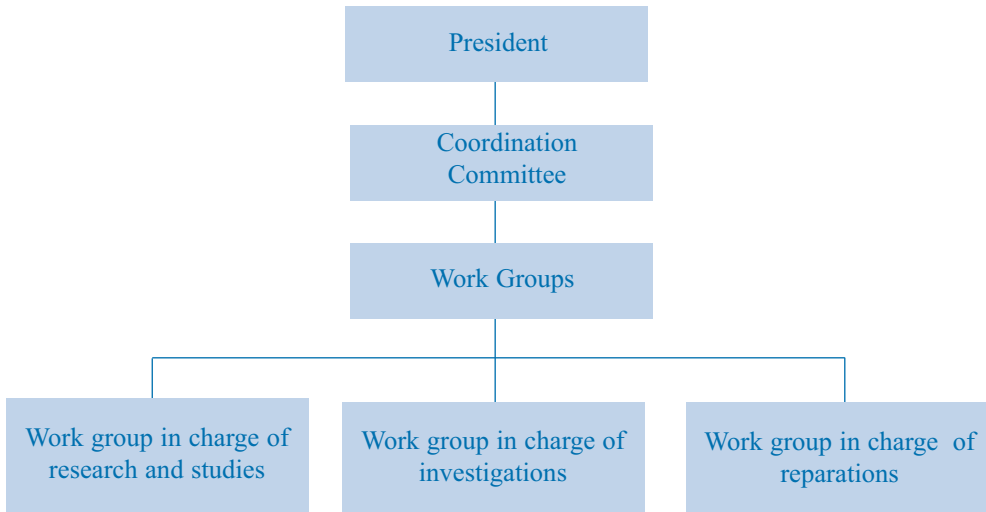
## **I. The Internal Organization of the Commission**

The Commission used an internal organization, in accordance with its statute, by virtue of which the president was responsible for supervising the work and activities of the Commission, the work groups and ad-hoc thematic committees, and all the other committees that the Commission created at various stages to carry out the tasks entrusted to it. A committee met every week on a predetermined day to coordinate the running of the business of the work groups and the other committees. The following table clarifies the overall composition of the Commission:

---

<sup>1</sup> See chapter 1, Volume 1 for the mandate of the Commission.

# THE COMMISSION



## 1. The President

The president is the legal representative of the Commission before government institutions and third parties. He supervises the work of the Commission, chairs its meetings, and is its official spokesman. He gives authorizations in the name of the Commission, explains the mission entrusted to it, the activities organized by it and their results, and the decisions resulting from the deliberations of its general meetings.

The president supervises the administration of the Commission, the organization of communication with the public, government sectors and the public authorities, and keeps the Commission informed of the progress and results of this communication. The president is also responsible for authorizing the disbursement of the budget.

## 2. Work Groups and Ad-hoc Committees

### 2.1. Work Groups

The Commission formed three work groups:

- The work group in charge of investigations, which undertakes the following tasks:
  - Carrying out investigation into cases of enforced disappearance where the fate of the victim is unknown, whether the victim is alive or dead;
  - Gathering all information and documents, and receiving communications relating to the incidents as well as facts relating to the various types of past violations.

- The work group in charge of reparations, which undertakes the following tasks:
  - Studying and preparing draft rulings concerning the petitions relating to compensation for physical and moral injuries suffered by victims of grave violations;
  - Making recommendations and proposals relating to reparations for other injuries suffered by victims of grave violations.
- The work group in charge of research and studies, which undertakes the following tasks:
  - Conducting the research and studies necessary to accomplish the tasks of the Commission;
  - Gathering and analyzing data, information, and the main conclusions reached by the other work groups, to aid the Commission in preparing its Final Report.

## 2.2. Ad-hoc Committees

In accordance with its statute, the Commission took all the organizational measures it considered necessary. It created ad-hoc work committees, both permanent and temporary. It also entrusted specific tasks to some of its members as special rapporteurs.

According to its progress in achieving its tasks, the Commission created the following committees:

- The action plan committee;
- The communication strategy committee;
- The committee for recording and assessing the experience of the former Arbitration Committee;
- The committee for studying the legal problems relating to competence;
- The information system committee;
- The committee for organizing public hearings;
- The committee for organizing thematic debates;
- The committee for developing the approach to reparations for injuries
- The final report committee.

## 2.3. The Coordination Committee

In accordance with the statute, this committee was created to coordinate the conduct of the business of the Commission. The president of the Commission supervises its meetings, which are attended by the two general rapporteurs and the work group rapporteurs. Any other member may also attend its meetings.

### 3. The Meetings of the Commission and the Work Groups

In accordance with its statute, the Commission held its regular meetings and devoted other emergency meetings to dealing with specific subjects and issues that contributed to achieving its mission. The work groups also held periodic meetings according to the nature of the tasks of each team and the programmes that it set up in order to achieve those tasks. In addition, in order to facilitate coordination between all the activities of the Commission, the coordination committee held regular meetings, as well as special meetings whenever required.

#### 3.1. The Meetings of the Commission

##### 3.1.1. General Meetings

The Commission began to hold its general meetings immediately after its president and members were installed by His Majesty the King on 7 November 2005. Two types of meetings were held. The first were foundational, and the second were to evaluate the work accomplished and to take necessary decisions concerning files that were ready. In addition, general meetings were held to study specific subjects or issues falling within the mission and activities of the Commission. The number of general meetings held by the Commission before its ratification of the Final Report totalled 33.

##### a. Preliminary general meetings

The Commission organized these meetings directly after it was installed in the context of the first preparatory stage. These comprised the first five general meetings:

Meeting No.	Date	Place
1	7 January 2004	Agadir
2	8 January 2004	Rabat
3	9 January 2004	Rabat
4	10 January 2004 Rabat	Rabat
5	23-24 January 2004	Rabat

The Commission devoted these meetings to settling various issues relating to the preparatory, strategic and planning aspects of its work, including in particular:

- Looking for suitable ways to translate the directives contained in the King's speech that he gave on the occasion of the installation of the Commission into procedures, action plans and programmes, and to strengthen the principles and approaches spelt out in the recommendation of the Advisory Council on Human Rights;

- Making final decisions concerning urgent matters of high priority relating to the announcement of a new deadline for the deposit of requests for compensation and issuing a preliminary general statement about the beginning of the work of the Commission;
- Fixing the provisions regulating the running, the structure and the action plan of the Commission, on the basis of the mandate given to it;
- Forming partnerships with all parties operating, involved or concerned with the issue, including victims, human rights organizations, government departments, public authorities, economic and social stakeholders, as well as elements of the media and academia;
- Establishing a strategy for communication with victims, the media and public opinion;
- Defining the needs and the requirements of the administrative structure and all logistical issues necessary for the Commission to undertake its mission, as well as methods of work and organizing priorities and ways of handling them.

The Commission also devoted some of these meetings to consultation in order to examine ideas and opinions offered by members concerning the nature of the mission entrusted to the Commission, recalling the above-mentioned speech of the king and the lessons gained from experiences of truth commissions round the world. During this dialogue, members began to define some of the concepts and terms linked to the mission of the Commission. It was stressed that the bylaws which were about to be prepared should take a certain form, and that the method of dealing with the media should be clarified, whether at the level of the presidency or the members.

In the light of a number of discussions conducted during the first meetings, the Commission concluded that it should form two teams: a team to draw up a draft statute, and a team to draw up a draft action plan for the Commission. Both teams prepared the drafts that they were responsible for in coordination with the president of the Commission. The fifth meeting, which lasted two days (23-24 January 2004), was devoted to discussing and ratifying the two drafts.

When the draft statute was discussed, defining the terms used in relation to the competencies of the Commission, international standards, and the innovations of the former Arbitration Commission, took a long time. The discussion was characterized by rich interventions concerning the definitions and standards that the Commission must use in studying and settling the issue of the violations of the past. Everybody emphasized the importance, indeed the necessity, of innovation concerning the definition of the grave violations of human rights falling within the jurisdiction of the Commission. Attention was also drawn to the cases not dealt with by the previous commission, which require innovation by the current Commission, like the cases of torture and violations arising from the use of public force following social disturbances. In this context, it was proposed that the definitions found in the draft statute be interpreted flexibly so that the door of innovation may remain open. While the Commission evoked the definitions used by the former Arbitration Commission, it observed the new prerogatives it had been given with regard to other types of injuries

and other types of reparations. All this was to help to achieve reconciliation, to preserve the memory, and to ensure non-repetition.

#### b. Regular general meetings

After the preliminary meetings, which were held as described above, the Commission held regular meetings at a rate of one per month in accordance with its statute. All the regular meetings of the Commission were held at the headquarters of the Commission, apart from the 11th and the 14th meetings, which were held respectively in Marrakech (when the conference on state violence was organized) and in Tangier (when the conference on truth was held). Immediately after the Commission's statute was ratified by its members and submitted for royal approval, the Commission held the following meetings:

Meeting No.	Date	Place
6	5-6 February 2004	Rabat
7	26 February 2004	Rabat
8	25 March 2004	Rabat
9	8 April 2004	Rabat
10	14 May 2004	Rabat
11	11-12 June 2004	Marrakech
12	23 June 2004	Rabat
13	1 September 2004	Rabat
14	17 September 2004	Tangier
15	2 October 2004	Rabat
16	12 October 2004	Rabat
17	28 October 2004	Rabat
18	5 November 2004	Rabat
19	26 November 2004	Rabat
20	17 December 2004	Rabat
21	7 January 2005	Rabat
22	8 February 2005	Rabat
23	18 March 2005	Rabat
24	31 March 2005	Rabat
25	7 April 2005	Rabat
26	19 April 2005	Rabat
27	6 May 2005	Rabat
28	3 June 2005	Rabat
29	29 June 2005	Rabat
30	17 November 2005	Rabat
31	24 November 2005	Rabat
32	28 November 2005	Rabat
33	30 November 2005	Rabat

The Commission also held regular weekly meetings during August and September with those members who were able to attend in order to coordinate the activities that were going on at that time. It was not able to organize general meetings attended by all members because of the pressure of the activities programmed by the work groups and the ad-hoc committees.

These meetings were devoted to evaluating the work accomplished and the decisions taken concerning the files that were ready, by examining the proposals and projects submitted by the work groups and the ad-hoc committees. In addition, the plans for each stage, both general and those particular to each individual programme, were submitted to the Commission for discussion and ratification. It kept abreast of the interim results and some of the final results of the Commission. This helped to determine and overcome the constraints and the difficulties faced by the Commission in carrying out its mission. In most meetings, papers and documents relating to the relevant agenda or to other issues and tasks falling within the jurisdiction of the Commission were distributed.

In view of the richness and the variety of the subjects raised during regular general meetings, it was decided, from the beginning of the very first meetings, that the general rapporteurs should be responsible for preparing constructive reports about the proceedings in addition to each meeting being recorded.

The Commission's regular meetings were attended by its members, as well as those responsible for administrative units implicated in items listed on the agenda, whenever this was required.

### 3.1.2. Special Meetings

As part of its regular meetings, the Commission held special sessions to deal with particular subjects and issues. These issues appeared continuously in the agendas of each meeting that discussed the reports of the work groups and the ad-hoc committees. However, in view of the problems they posed and their importance for the mission entrusted to the Commission, they also became the subjects of special meetings. These subjects can be summarized as follows:

- The action plan;
- Communication strategy;
- Public hearings and dialogue sessions;
- Legal problems in the field of reparations for injuries;
- The Commission's approach to reparations for injuries;
- Preparing the final report.

### 3.2. The Meetings of the Work Groups

The work groups organized their meetings at a rate that varied according to the tasks entrusted to each of them. All members were allowed to participate in the activities of each work group when they so desired, while observing the constraints arising from members being entrusted with other thematic or crosscutting tasks.

#### a. The work group in charge of investigations

The work group in charge of investigations held its regular meetings twice a month, and whenever necessary. In addition to its meetings in the Commission's headquarters, the group held a number of meetings in the regions that it visited for purposes of investigation. In addition, the mini-committees and the group's special rapporteurs held meetings to study and debate specific subjects falling within the tasks entrusted to it.

#### b. The work group in charge of reparations

The group held two types of meetings on a regular basis once a week:

- Ordinary general meetings just for the group. These meetings were generally devoted to distributing tasks and monitoring progress, and to all matters related to the smooth running of the group. They were open to all members of the Commission who wanted to attend. The President of the Commission attended an important part of the proceedings relating to the discussion and development of the Commission's approach to reparations for injuries, and determining the criteria and standards of measurement for fixing financial compensation.
- Plenary general meetings (with the participation of other members of the Commission). These meetings were devoted purely to discussing specific subjects related to reparations for injuries, including in particular:
  - Legal problems linked to competency;
  - The Commission's philosophy towards and approach to reparations for injuries;
  - Criteria and standards of measurement for financial compensation.
- Deliberation sessions. These were the sessions that the work group devoted to deliberation of the files that were ready, to approve draft rulings, proposals and recommendations, and to submit them to the Commission for deliberation and ratification.

#### c. The work group in charge of studies and research

The group held a meeting at least once a week. Its members also held regular meetings, depending on the progress of the work of the Commission, with specialist researchers or specialists in the field whose help was sought in conducting research and studies. It



also organized continuous meetings with administrative and technical assistants whom the administration of the Commission had put at their disposal.

### 3.3. Meetings of the Coordination Committee

In order to coordinate the activities of the work groups and committees, and to ensure harmony in carrying out its different tasks, the Commission was careful, in accordance with its statutes, to organize regular coordination meetings, under the supervision of its chairman or his representative. In addition, in view of the linkage and the complementarity between the tasks entrusted to the Commission, the possibility was left open for all members to participate in the activities of all groups and committees.

## II. The Administration of the Commission

In accordance with its statute, the Commission created an administration composed of administrative, technical and support personnel, and sought the help of experts and consultants. The pressures generated by the number and the variety of its tasks and the limited time of its mandate forced it to use an administrative system appropriate to the requirements of carrying out its tasks depending on how it was progressing.

Thus, it used a flexible administrative structure corresponding to the needs of each work group and ad-hoc committee, increasing or reducing the number of personnel according to the progress achieved in accomplishing the tasks. Thus the administration of the Commission was subject to constant restructuring according the progress of the work.

### 1. The Administrative Structure

The Commission divided its administration into administrative units assisting the work groups, on the one hand, and on the other hand, administrative or technical committees in charge of handling matters of a crosscutting nature or accomplishing specific administrative or technical tasks linked to one of the specific tasks entrusted to the Commission, as follows:

**- Administrative units assisting work groups:**

- The investigation unit;
- The reparations unit;
- The study and research unit.

**- The administrative units in charge of handling matters of a crosscutting nature:**

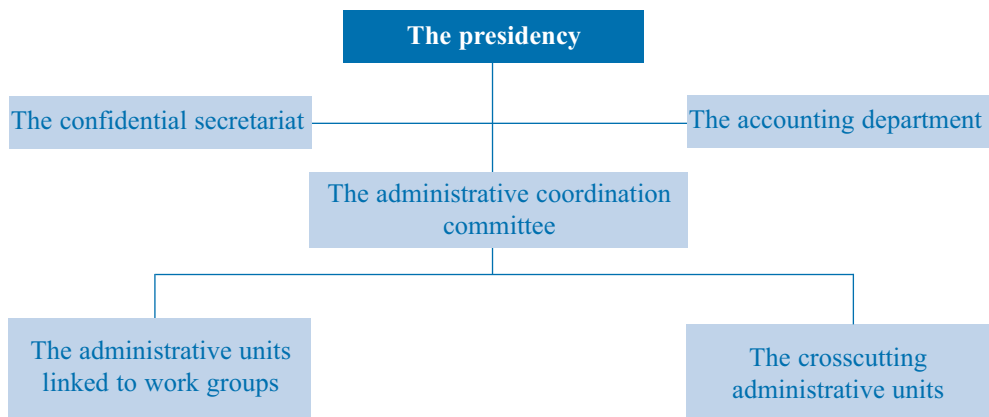
- The administrative coordination committee;
- The administrative and financial affairs unit;
- The information system unit;

- The unit responsible for managing files, documentation and archives;
- The communication and media unit.

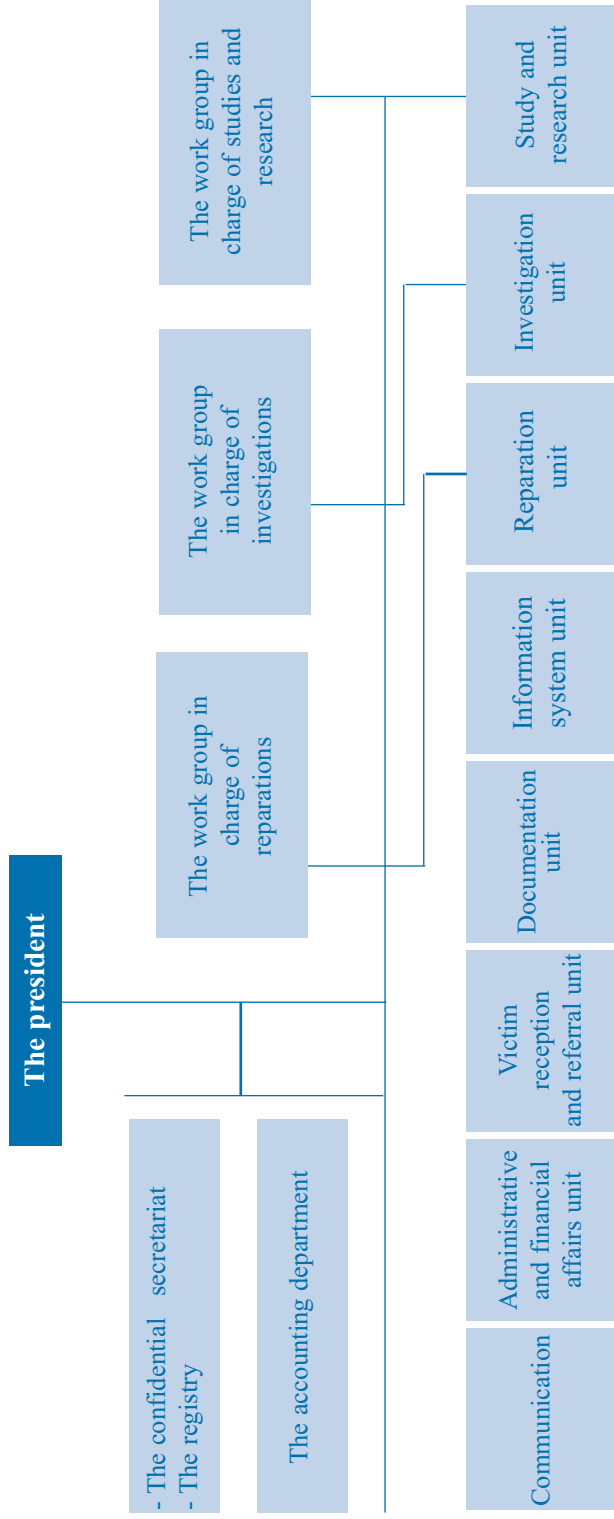
**- Units or administrative or technical committees entrusted with handling specific issues:**

- The reception, referral and counselling unit;
- The medical unit.
- The secretariat of the Commission and the presidency;
- The registry;
- The committee for the pre-analysis of files;
- Ad-hoc committees for the organization of conferences and public activities for the Commission;
- Committees for the organization of public hearings and dialogue sessions;
- The final report committee.

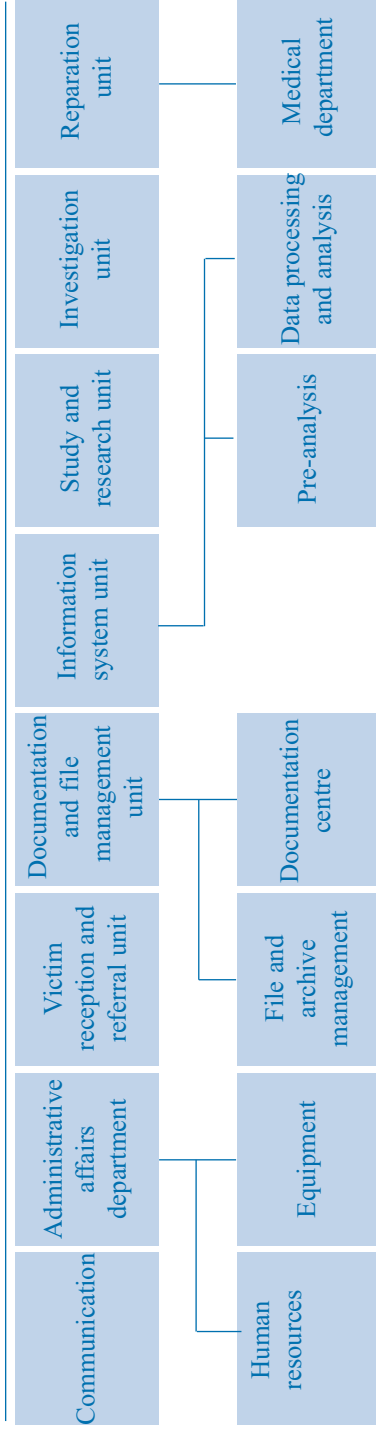
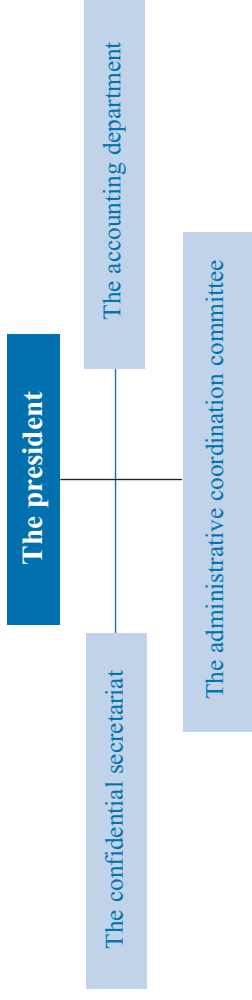
The following diagrams illustrate the administrative structure of the Commission and its administrative and technical units and departments, and the stages of development it went through as the work progressed:



# THE ADMINISTRATIVE UNITS OF THE COMMISSION

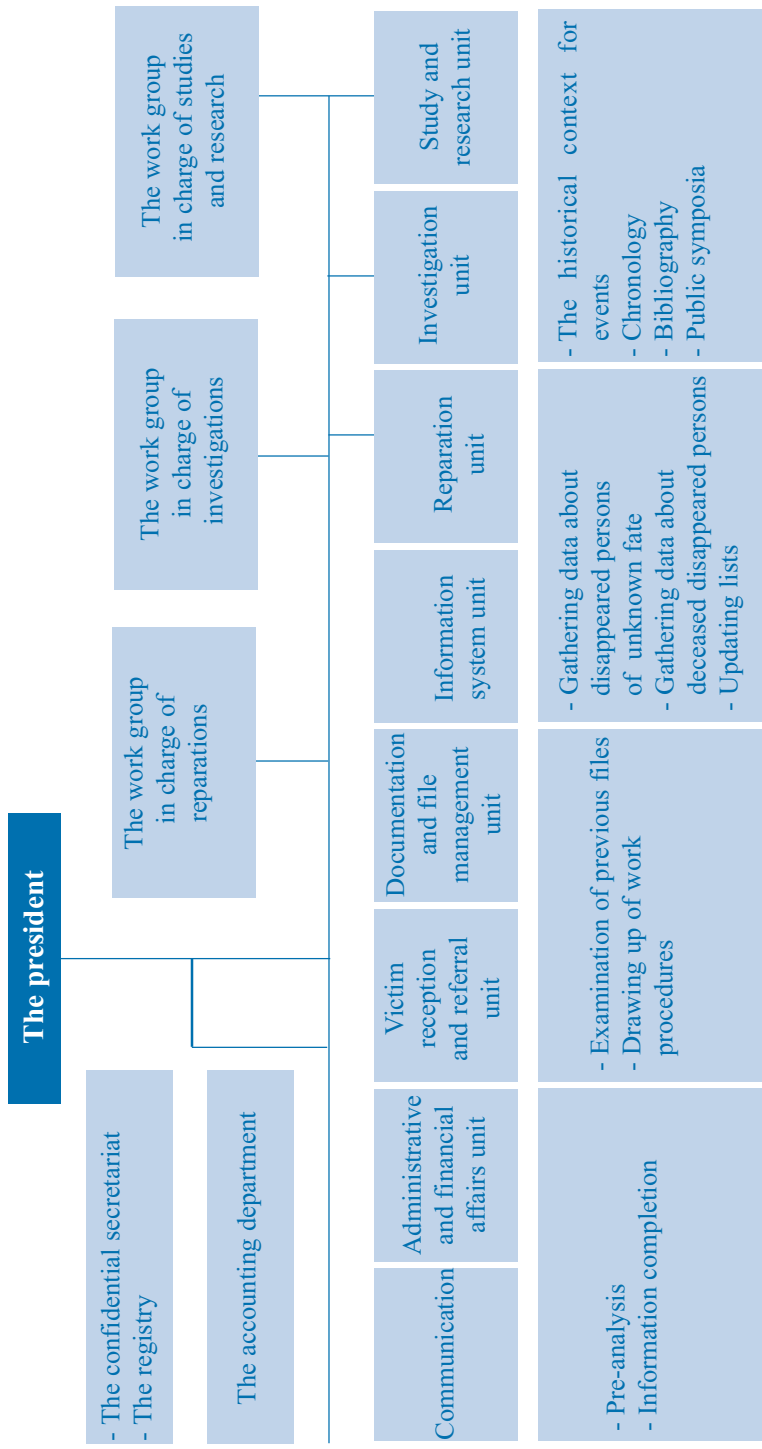


# ADMINISTRATIVE DEPARTMENTS

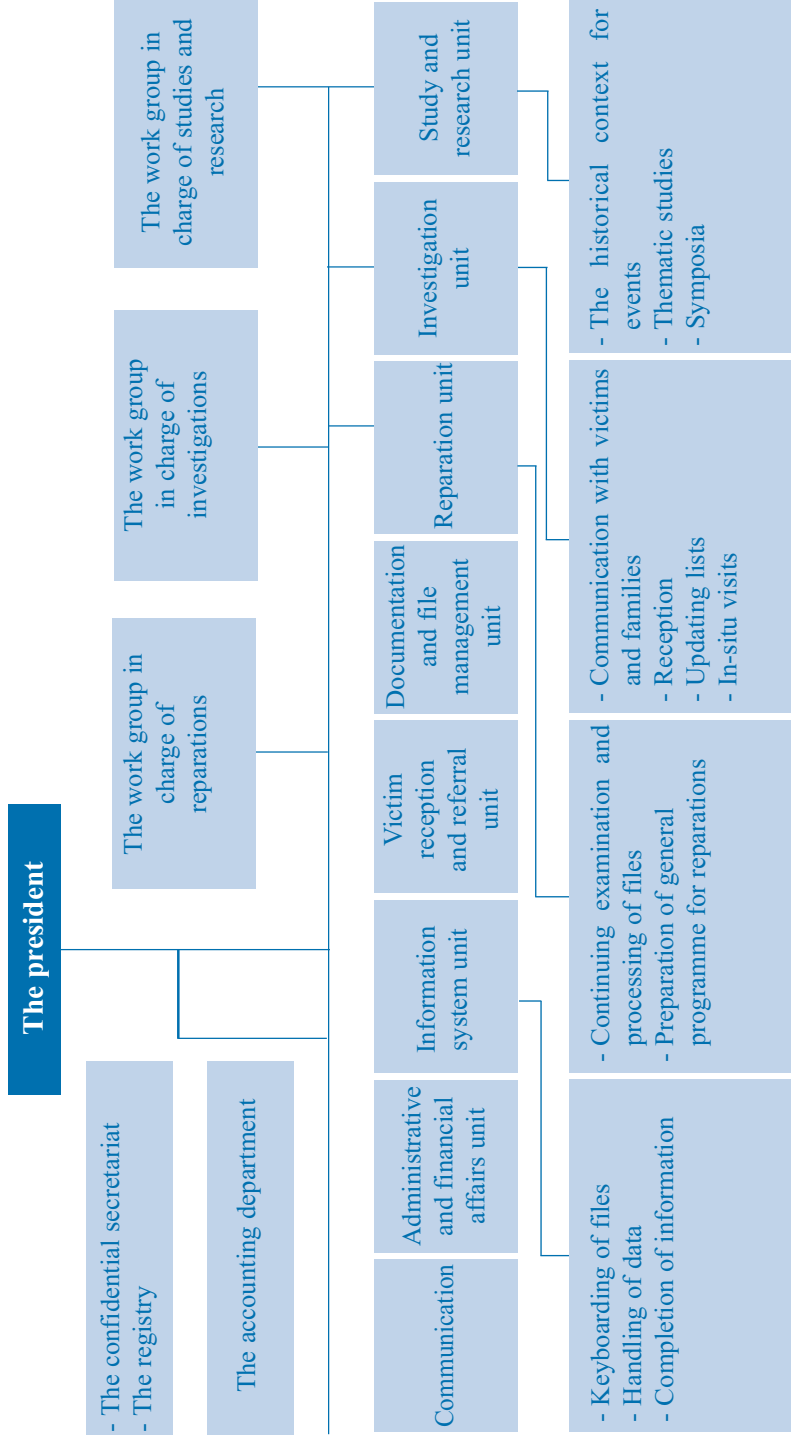


# STAGES IN THE DEVELOPMENT OF THE ORGANIZATIONAL AND ADMINISTRATIVE STRUCTURE

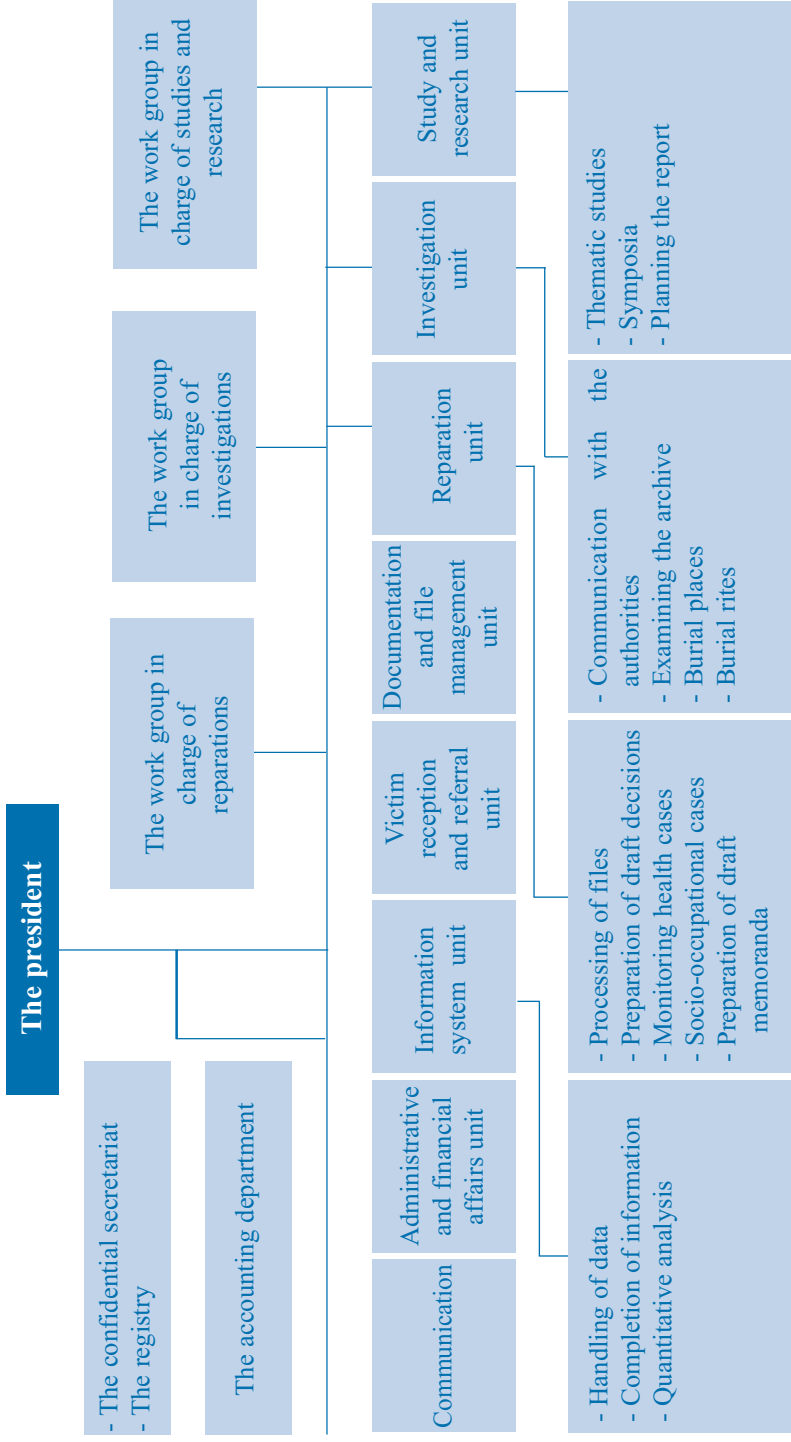
## STAGE 1



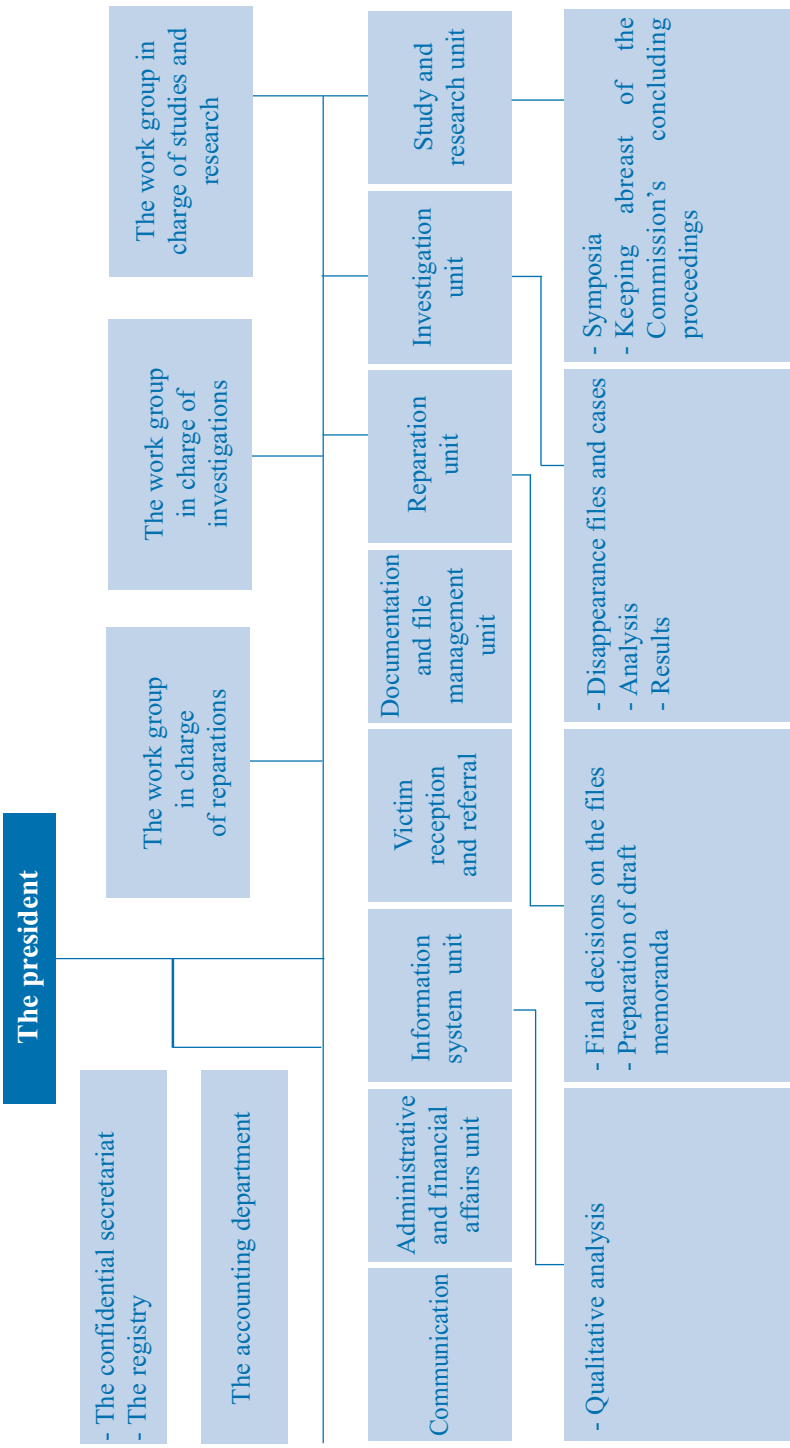
## STAGE 2



## STAGE 3



## STAGE 4





## 2. The Human Resources of the Commission

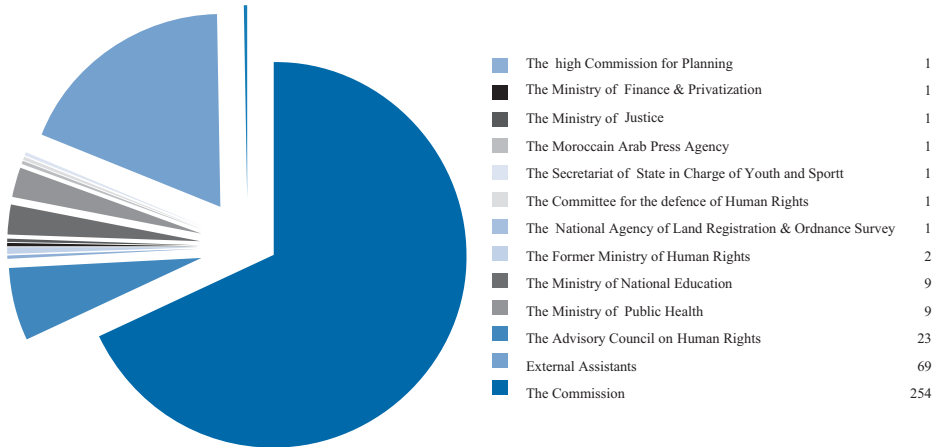
Given the nature of the tasks entrusted to it, their size and type, and the time frame set for them, the Commission adopted a flexible method of employment within the administrative units according to the progress of the work. Thus it recruited administrative staff and personnel with different specializations to monitor and implement its programmes. It also depended on skills put at its disposal by the Advisory Council on Human Rights, government departments and non-governmental and national organizations. The Commission also sought the assistance of Moroccan experts with different specializations to carry out studies, draw up reports and submit consultation documents, whenever necessary.

The Commission also mobilized significant human resources to monitor the implementation of the activities programmed within its action plan, in accordance with the goals and programmes specified for each stage of its work. The Commission employed about 319 administrative and technical staff and assistants, distributed among the following categories:

- Personnel employed directly by the Commission;
- Personnel placed at the disposal of the Commission by:
  - The Advisory Council on Human Rights;
  - Public departments;
  - Non-government organizations.
- University researchers;
- Consultants and experts;
- Assistants;
- Partners;
- Practitioners.

## THE FOLLOWING GRAPH ILLUSTRATES THE DISTRIBUTION OF STAFF AMONG THESE CATEGORIES

### The Commission's Administrative Team



With regard to its administrative and technical needs, the Commission opened the door to the greatest possible number of candidates with intellectual ability and moral integrity, based on academic and institutional relationships (the National Agency for the Employment of Executives, universities and colleges, and civil society) with knowledge and experience in human rights and related fields. It also observed the same criteria in employing assistants to process the files and organize the information system and documentation, in addition to requiring that they had qualifications in these tasks.

In general, the candidates were selected on the following basis:

- Job applications delivered directly to the Commission;
- Job applications received by the Commission from the National Agency for the Employment of Executives;
- Recommendations in the case of experts, consultants and legal assistants;
- From research students who have obtained a DESA or a PhD from Casablanca and Rabat Universities;
- Suggestions from civil society organizations.

The criteria were determined according to the tasks that the candidates would be entrusted with. The Selection Committee used the following criteria:

- Merit and ability;
- Sense of responsibility;
- Initiative;
- Academic experience in fields relating to human rights;
- The ability to work in a team.

Recruitment was done on the basis of decisions by the president of the Commission or on the basis of contracts, according to the categories of personnel and assistants who were employed during the mandate of the Commission, as follows:

- By decision of the president with regard to Commission personnel or personnel put at its disposal by public departments or other bodies;
- On the basis of contracts with regard to legal assistants and consultants in the various fields covered by the activities of the Commission.

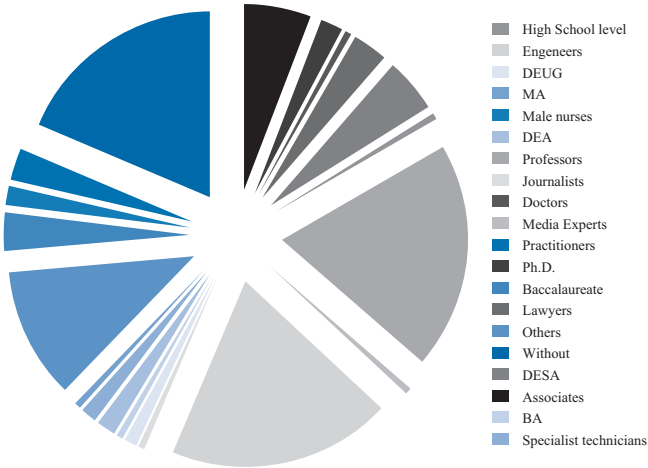
After candidates were accepted by the Commission, training days or periods were organized according to the nature of the tasks entrusted to them. They were distributed among the different units in a manner that generally respected the crosscuts between the various tasks. Technical personnel were also redeployed locally depending on the progress of the Commission. In general, human resources were distributed among the different administrative units, work groups and ad-hoc committees according to the following table:

### Distribution according to tasks

Administrative units	Number	Women	Men
Secretariat	2	3	5
Reparations	55	26	29
Investigations	3	2	1
Studies and research	11	4	7
Administrative and financial affairs	25	10	15
The accounting department	2	1	1
Information system	117	70	47
Documentation and file management	31	23	8
Reception and referral	3	1	2
Communication	9	6	3
The social and health unit	12	5	7
Hearings	5	4	1
The Final Report	3	0	3
The temporary centre in Laâyoune	5	4	1
Assistants	25	1	24
Practitioners	9	3	6
<b>Total</b>	<b>319</b>	<b>163</b>	<b>156</b>

The following graph shows the skills and academic qualifications of the Commission's administrative and technical team and assistants:

**SKILLS AND ACADEMIC QUALIFICATIONS OF THE COMMISSION'S ADMINISTRATIVE & TECHNICAL TEAM**



Involving a significant number of young people in achieving the tasks of the Commission, including a large number of university graduates and civil society activists, not only enabled the Commission to benefit from their skills but also gave them the opportunity to be involved in the Commission's project and the process of settling the grave human rights violations of the past, and to become more closely acquainted with human rights issues in general.



## **Chapter Two**

### **THE ACTION PLAN AND THE ACTIVITIES OF THE COMMISSION**

## I. Basic Principles

In its work, the Commission sought to implement the principles and criteria of international human rights law and international humanitarian law relating to the right to remedy and reparations, and the right to know the truth. It also sought to implement the major conclusions of national experiences around the world where nations were involved in processes of frank disclosure of the truth with the aim of reconciliation with self and with history. This was regarded as an open-ended pathway of preserving the memory, granting justice to the victims and strengthening national unity on all levels. Therefore, since its foundation, the Commission worked for justice and reconciliation starting from basic principles in order to realize strategic goals in accordance with a determined plan that was adjusted according to the various stages of the work.

These strategic goals were incorporated in the framework of supporting democracy and human rights and facing the future through reading the past with wisdom and insight. Thus, it used a non-judicial approach, depending on the principles of equity and the spirit of justice, and springing from an in-depth analysis of the uniqueness of the Moroccan situation, and from a deep-rooted faith in the extent of the contribution that the Moroccan experience can make to the development of international principles relating to transitional justice.

The purpose of the Equity and Reconciliation Commission as a "non-judicial mechanism" to deal with the grave human rights violations of the past was to dress the wounds, provide reparations for injuries, as well as reinstatement and reinsertion, and draw lessons for reconciling Moroccans with their history and themselves, and continuing to release their potential. All this was in the context of a holistic approach intended to confirm the facts, to provide a public acknowledgement of the human rights violations of the past and to put in place basic safeguards to ensure non-repetition and to promote the construction of a state based on law and institutions.

In order to achieve wider aims in the context of truth, equity and reconciliation, the Commission sought to include in its statute a broad interpretation of those aims by enunciating the following competencies and tasks:

- Establishing the categories and the degree of gravity of the past violations of human rights in their contexts and in the light of human rights criteria and principles, democracy and the rule-of-law state;
- Continuing to make inquiries regarding the forcibly disappeared whose fate is not yet known, and to make every effort to unearth details of events that have not yet been brought to light, to reveal the fate of those who have disappeared, and to find suitable solutions for those whose deaths are proved;
- Revealing the degree of responsibility of state or other apparatuses for the violations and the events object of its investigations;
- Granting compensation for moral and physical injuries suffered by victims or by their rightful claimants;

- Granting reparations for other injuries suffered by persons who were victims of enforced disappearance and arbitrary detention or attendant violations;
- Preparing a sort of official report containing the conclusions of the investigations and analyses undertaken concerning the violations and their contexts;
- Formulating recommendations and proposals meant to preserve the memory;
- Formulating recommendations and proposals meant to ensure non-repetition, to erase the effects of the violations, and to restore and strengthen trust in the rule of law and respect for human rights;
- Developing and enriching the culture of dialogue, and entrenching reconciliation as a support for democratic transition.

The main means of intervention are:

1. Investigations and on-site visits;
2. Reparation for injuries;
3. Hearings and communication with society at large;
4. Studies, investigations and reports.

The subjects that the Commission worked on in the context of broadening the understanding of its prerogatives were linked with basic violations leading to deprivation of the right to life, freedom, the right to legal personality, and prejudice of other rights.

The Commission included within its subject-matter competence all grave violations of an intensive and systematic nature in which the responsibility of the state was clear. By doing so, it sought to help to strengthen the foundations of comprehensive reconciliation. Even with regard to some cases that did not fall within its subject-matter competence, the Commission concerned itself with them through speaking to the bodies involved or submitting recommendations and proposals concerning them.



## II. Strategic Goals

In order to carry out its mission, the Commission segmented it in terms of strategic goals, as follows:

### **Strategic Goal 1: Establishing the nature and gravity of the human rights violations committed in the past**

#### **Procedural goals**

In order to realize this goal, the Commission defined a set of procedural goals, including:

- Continuing to investigate cases of enforced disappearance whose fate is not known;
- Investigating facts which have not been explained and uncovering the fate of the disappeared;
- Finding suitable solutions for those whose deaths have been proved;
- Revealing the degree of responsibility of state or other apparatuses for the violations and the events object of its investigations;
- Investigating whether the grave violations constitute a systematic pattern of human rights violations;
- Investigating the nature, causes and degree of gravity of the violations, by investigating the circumstances, the contributing factors, the context and the motives that led to violations being committed;
- Investigating the responsibility of apparatuses, authorities, institutions and organizations suspected of being involved in the violations;
- Investigating whether these violations were the result of intentional planning by the state, any of its apparatuses, any political organization or any other group;
- Coordinating and facilitating the gathering or reception of information either directly or through hearings of any person (victims or representatives of victims) in order to determine their identity, their fates, and the nature and extent of the injuries that they suffered.

#### **Procedures used**

- Documentary probes: analysis of reports, studies and official archives (judicial police transcripts, judgements issued etc.);
- On-site investigations: Hearing victims, families, and former and present officials, and investigating cases and places that had seen violations;
- Analyzing familiar examples: which do not require on-site investigation as much as they require investigation of the information available;

- Negotiation and consultation: concerning cases in which death has been established in order to undertake the administrative procedures in order to determine the burial places and find a way to deal with rightful claimants and the families; and concerning those of unknown fate, in order to determine their fate.

## **Strategic Goal 2: Reparation for injuries and justice for victims**

### **Procedural goals**

The procedural goals relating to this goal are as follows:

- Making final decisions concerning petitions submitted by victims, their families or their rightful claimants before 12 February 2004;
- Issuing compensation rulings for physical and moral injuries suffered by victims or their rightful claimants;
- Submitting proposals and recommendations to solve cases of psychological and physical rehabilitation and social reinsertion;
- Preparing recommendations to complete the process of solving the remaining administrative, employment and legal problems, and cases relating to dispossession;
- Conducting hearings of victims and witnesses concerning the cases submitted to the Commission;
- Preparing recommendations linked to the rehabilitation and reinsertion of victims;
- Preparing procedures linked to the implementation of recommendations and measures accompanying the process of reinsertion and rehabilitation;
- Making proposals and recommendations about community reparations for the regions that were harmed as a result of the occurrence of widespread grave violations and those where illegal centres were located where grave human rights violations had been committed.

### **Procedures used**

- Preparing the Commission's approach to and philosophy of reparations;
- Determining criteria and the units of account to be used in the calculation of financial compensation for victims of grave violations or their rightful claimants;
- Making final decisions concerning files and preparing draft rulings fixing financial compensation;
- Submitting proposals and procedural measures relating to health rehabilitation and social reinsertion;
- Submitting proposals concerning means of rehabilitation and restitution;
- Establishing on-going relationships with victims and families;
- Ensuring referral for victims regarding rehabilitation and reinstatement;

- Consulting and cooperating with associations working in the field of local development in order to prepare project proposals in the framework of community reparations for the regions harmed as a result of the occurrence of grave human rights violations.

### **Strategic Goal 3: Drawing up the final report**

#### **Procedural goals**

- Formulating recommendations and proposals meant to preserve the memory;
- Submitting recommendations and proposals concerning institutional, legislative, administrative and educational measures to ensure non-repetition and the erasure of the effects of the violations;
- Formulating recommendations and proposals meant to restore and strengthen trust in the rule of law and respect for human rights;
- Conducting research;
- Organizing conferences and workshops about the contexts and the circumstances and the concomitant factors.

#### **Procedures used**

- Research: examining writings composed by persons, universities and non-governmental organizations;
- Analysis: gathering and analyzing data, and historical, political, social and legal contexts;
- Reports and proposals: preparing a plan for the final report and proposing normative and organizational alternatives likely to promote reconciliation and strengthen the democratic rule-of-law state.

### **Strategic Goal 4: Launching dynamic dialogue and group thinking about the components of reform, reconciliation and the promotion of human rights**

#### **Procedural goals**

- Disseminating the values and the culture of human rights and citizenship;
- Promoting the culture of dialogue between society (victims, families, associations, universities) and the state;
- Establishing the ingredients of reconciliation between victims and their past, by making their voices and their sufferings heard;
- Organizing a national debate about the components of transitional justice through seminars and conferences;
- Organizing media activities to raise awareness of the human rights culture in educational institutions;

- Organizing public hearings for victims and public figures;
- Gathering written and audio-visual documentary material about subjects and issues relating to the prerogatives of the Commission.

### **Procedures used**

- Continuous communication: with public opinion through distributing press releases, placing advertisements, and preparing various communication aids;
- Creating news: by organizing publicity activities;
- Training and listening: by planning and programming so as to locate information and its sources, publish it, and generalize it where possible.

To realize these goals, the Commission was careful, from the very beginning of its first regular meeting, to lay out a general action plan, elaborated with thematic action plans for each stage. All the activities were organized round the main foci, the temporal competence, and the referential criteria of the Commission, while taking all the precautions necessary to implement its plan, and to introduce any adjustments necessitated by the progress of the work and the extension of the mandate of the Commission. The implementation of the programmes defined in the Commission's plan and the plans for each stage, relied primarily on cooperation and partnerships with the different components of society.

## **III. The Action Plan, and the Temporal Competence of the Commission**

The action plan deals with the period covered by the temporal competence of the Commission, which extends from the beginning of independence to the end of the 1990s. This period of temporal competence is longer than any found in the experiences of truth and reconciliation commissions around the world. For this reason, numerous constraints were encountered, in particular the scarcity of documented data and information concerning the events linked to the violations. The Commission had to document what it could of this period<sup>2</sup> by using a method of documentation and archiving that enabled it to create a data base for this period from different sources, especially those connected to the victims themselves and the main participants in the events concerned. Historical writings about the events that took place during this period are extremely rare, and those that do exist are not sufficiently well documented to make them suitable for the needs of researchers, scholars or anybody concerned about the subject. Even writings about political detention, which have seen significant growth in the last decade, are not sufficiently documented or specific.

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<sup>2</sup> See Chapter 5 of this volume about documentation, the archive, and the information system.

## IV. Main Fields of Activity and their Significance

The activities programmed in the action plan helped to integrate the work of the Commission within a general trend toward preserving the memory of the events of the past grave human rights violations on the one hand, and on the other promoting the changes and reforms necessary to ensure non-repetition.

To achieve this, the Commission developed many types and methods of investigation: analysis of files; on-site research; and specialized studies (legal, political and anthropological). It also developed a comprehensive approach to reparations, and ensured constant communication with the victims or their relatives and representatives, and with civil society activists and formers of public opinion.

Preserving the memory was a crosscutting task that was borne in mind in all the activities of the Commission. Whether in the context of the investigations and reparations, research, conferences open to the public, or dialogue sessions, the preoccupation with preserving the memory was a powerful factor. The Commission also created an archive that undoubtedly helped to respond to the same preoccupation.

The Commission focused on a set of principle axes to undertake this task, of which the most important elements can be summarized as follows:

- Giving a hearing to victims, their families and their representatives;
- Visiting enforced disappearance centres and places of illegal detention, and submitting proposals about converting them to preserve the memory;
- Research and analysis in fields connected with history and memory;
- Liberating the memory by means of public expression.

### 1. Investigation

Investigation is a basic component of the process of uncovering the truth. It requires skilled personnel familiar with all the problems connected with grave human rights violations, the activities of non-governmental organizations, local archives, or other sources of information. It also requires persons with legal skills and/or experience in law enforcement (judges, lawyers, etc.) and methods of communication and public relations.

In the course of its investigations, the Commission was careful to provide a structure for the reception of victims and their families. It also opened special offices in some regions for this purpose. This required significant human resources. Although the Commission overcame many constraints in this field, it also suffered from many deficiencies in terms of human resources with the capacities and skills required in the fields of psychology and the treatment of psychological and other symptoms. The axis of investigation, focusing on deceased persons, the determination of burial places and finding solutions for the resulting situations, required expertise and experience in fields relating to religion, psychology, forensic medicine and anthropology.

## 2. Reparations

In the course of carrying out its mission,<sup>3</sup> the Commission surveyed all the types of injury that victims had suffered, and developed a comprehensive approach to the subject that helped to restore dignity to victims and their families. In developing this approach, the Commission started off by evaluating the results of the experience of the former Independent Arbitration Compensation Commission, and examined the experiences of truth and reconciliation committees around the world. It came to conclusions of benefit to the Moroccan experience, as well as studying and analyzing memoranda and proposals about reparations received from human rights bodies and political parties.

## 3. Safeguards for the Future

From the beginning of its work,<sup>4</sup> the focus of the Commission's attention was on the future. It accomplished this by conducting a comprehensive analysis of grave human rights violations, and submitting recommendations about the legal and institutional reforms necessary and the safeguards required to ensure non-repetition.

## 4. Preserving the Memory

In dealing with grave human rights violations, preserving the memory is a major element for victims, families and society as a whole. Apart from the dimension mentioned above, preserving the memory also plays three basic roles. The first is pedagogical/educational; the second is to safeguard the future and protect it from grave human rights violations; and the third is its contribution to rewriting history. The Commission also identified enforced disappearance and arbitrary detention centres linked to a large part of the grave human rights violations committed in the past, in order to submit proposals and recommendations concerning converting them into spaces for preserving the memory in a positive manner.

### 4.1. Preserving the Memory and the Archive

In dealing with this subject, the Commission bore in mind from the beginning the importance of the archive in preserving the memory. Apart from the fact that its concern with it falls directly within its mandate, in that its statute provides for examining the official archives in order to uncover the truth while investigating past violations and cases of enforced disappearance, the subject of the archive is also linked to the task of drawing out lessons and truths in order to reconcile Moroccans with themselves and their history, and release their energies to help in building a modern democratic society.

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<sup>3</sup> See Volume 3 relating to justice and reparations for victims.

<sup>4</sup> Regarding the recommendations, see Volume 1 Chapter 4, and Volume 4 Chapter 3.

Reconciliation with history requires removing the barriers that prevent finding out about this history, organizing the reservoir of experiences that accumulates from generation to generation, and entrenching communication between them in such a way as to preserve the memory. All these are conditions closely linked to the subject of the archive. This task can only be achieved through a comprehensive review of the state of the public archives and through arranging for a radical reform of the way they are organized. This requires the effective involvement of those directly involved in the subject, and those aware of its importance for entrenching a state based on law and institutions.

#### 4.2. Preserving the Memory and Former Enforced Disappearance and Arbitrary Detention Centres

Here the Commission determined the location and state of illegal detention centres or locations that were formerly used for secret detention and enforced disappearance, and inspected them in order to take appropriate decisions concerning them in cooperation with the public authorities, and to consult national and local human rights associations. Thus the Commission organized visits to the regions where such centres were located, including in particular the Rif (Dar Bricha), the south east of the country (Agdez, Tagounite, Kelaât M'gouna, Sekkoura, Tamdakht, Imilchil, Tazmamart etc.), the Atlas (Khenifra, Tagleft, Oulmes, Moulay Bouazza, Leqbab, Sountat, Ahermoumou), Casablanca (Derb Moulay Cherif, Courbiss, the Complexe), and Rabat (Dar El-Moqri and the Fixed Points in the suburbs of Rabat).

In accordance with the nature of its mandate, the Commission sought to achieve two basic goals through these visits:

- Official recognition of the status of those centres, their former uses, the bodies responsible for them, the persons who were detained in them or injured because of their existence, and acknowledgement and dissemination of these facts;
- To help in broadening the scope of reconciliation between the inhabitants and their environment,<sup>5</sup> and between them and the state, by submitting recommendations and proposals to convert these places into socio-economic and cultural projects, so as to ensure positive preservation of the memory.

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<sup>5</sup> See the recommendations.

## V. Cooperation and Partnerships to Implement the Action Plan

In drawing up its action plan, the Commission started from a philosophy whose basis was that while the equity and reconciliation project was aimed primarily at victims and their families, it also affected numerous other parties and participants. Thus the process is a social concern in that the mission that has been entrusted to the Commission is not limited to it or to the victims, but rather involves all of society. What is required is not only to explain or record these subjects, but also for proposals and innovations to be submitted by all stakeholders and parties so as to build the future. To this end, the Commission sought to organize meetings and consultations, to conclude partnerships and cooperation agreements, and to draw up joint programmes with various national human rights organizations, local development associations in regions affected by violations, Moroccan universities, and the political class and trade union organizations.

### 1. With the Victims

The Commission organized meetings with the victims and their families, either directly or through groups and organizations representing them. These meetings took place during the receptions, involving both individuals and groups, and were organized continuously in the headquarters of the Commission, or during on-site visits organized in the regions involved. They also targeted groups of victims, families and their representatives both in Morocco and abroad. These meetings and communication sessions were organized<sup>6</sup> for different purposes, including mainly uncovering the truth, granting reparations, and giving testimonies and communications.

The activities of the Commission on behalf of the victims included organizing public hearings with a sample of victims of past violations, with the aim of giving them an opportunity to have their voices heard from a public and official podium, and to listen to their testimonies, as well as sending a pedagogical message by making people aware of the different types of violations and the sufferings resulting from them, and thus raising awareness of the necessity of exerting the combined will of state and society to prevent repetition. The first and second sessions, which were organized in Rabat, represented the beginning of the establishment of a 'national narrative' about the sufferings of the past, and thus constituted the main gateway for the reconciliation of Moroccans with their past and with themselves. They also helped to publicize the Moroccan experience and to re-emphasize Morocco's involvement and determination to embrace democracy and modernity.

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<sup>6</sup> See Volume 2 concerning truth and responsibility for the violations.



## 1.1. The Commission's Attitude to Honouring the Victims through Public Hearings

The public hearings gave priority to restoring dignity to victims whose rights had been violated, morally reinstating them, preserving the collective memory, sharing the sufferings, and alleviating the psychological repercussions of their sufferings. In addition to its educational role as regards those responsible, public opinion, society and succeeding generations, it also constituted a moment of great significance in the process of equity and reconciliation. From the end of the 1990s, there appeared numerous writings and publications dealing with the sufferings experienced by the victims as a result of the violations. They helped in great measure to disseminate the facts concerning the violations, their types and dates, and thus constituted one of the most important references for establishing the truth.

The Commission organized seven public hearings in seven regions of Morocco dedicated to listening to oral testimony about the grave human rights violations experienced by Morocco during the period between 1956 and 1999. These testimonies were presented in public by victims of violations before members of the Commission and in the presence of representatives of human rights, cultural, political and trade union organizations, public authorities and elected bodies, the audio-visual and written media, men and women of the press, and foreign and local guests.

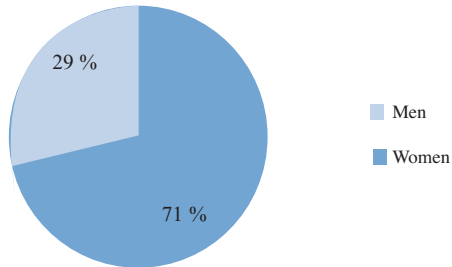
The thinking behind the organization of the hearings focused on their educational role in creating greater readiness and growing receptivity in society and the state, and entrenching in them the conviction that they must hold fast to, defend and protect the principles of human rights, and bring an equitable and final conclusion to the episode of grave violations, and prevent repetition. This was done by publicizing and acknowledging in an official and public manner the scale of these violations, the continuing sufferings that the victims, their families, relatives and friends continued to endure, and the psychological, moral and physical effects on the local and national levels.

These hearings were attended by victims who had been able to report and who wanted to express their sufferings before the public in the manner and the language that they preferred. The victims who participated were chosen by using a rough categorization taking into account the historical periods, events, and major trials. These sessions were divided into a number of time slots, during each of which one victim would share his testimony individually, accompanied only by the persons he chose for this purpose.

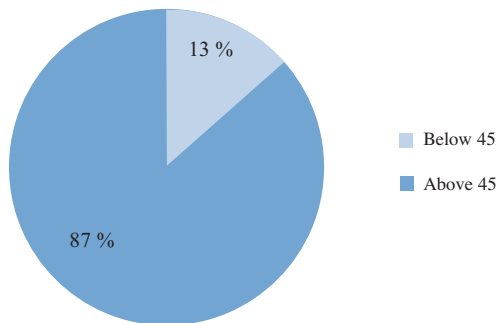
## 1.2. Basic Statistical Data about the Public Hearings

The above-mentioned sessions were organized during the period stretching from 22 December to 3 May 2005 in Rabat, Figuig, Errachidia, Marrakech, Khenifra and Al Hoceima. The diagrams below give some statistics about these sessions:

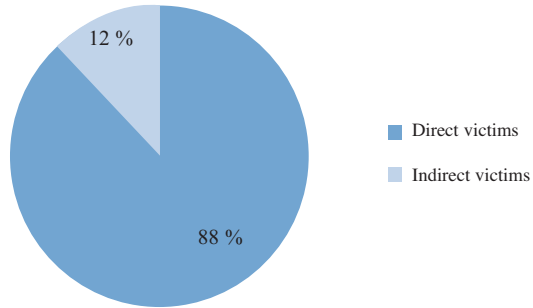
### Proportions of Men and Women



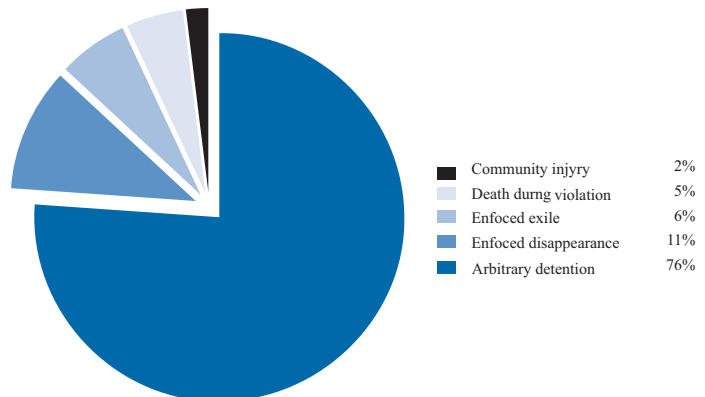
### Age Distribution



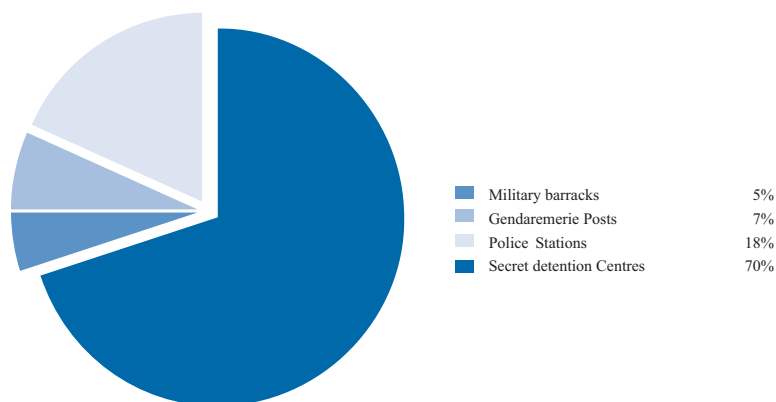
## Proportions of Witnesses Who Were Director Indirect Victims



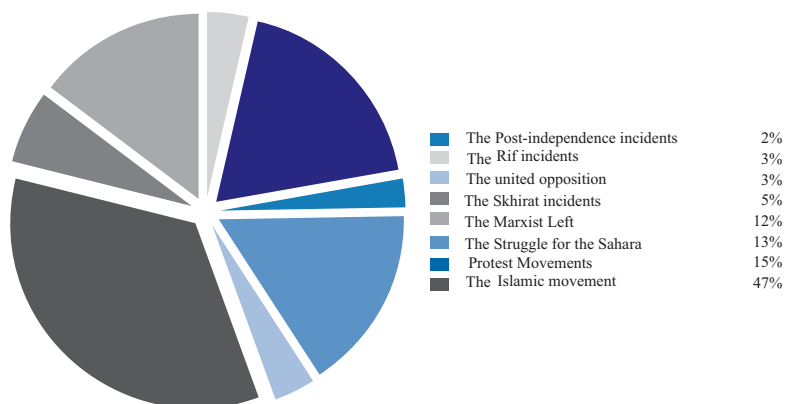
## Type of Violation Suffered by the Witnesses or their Relation



### Detention Centres where Witnesses and their Relatives were Held for the Logest Periods



### The Events to which the Violations were Connected and which were Mentioned in the Hearings



## 2. With Civil Society

The Commission dealt with all the components of the human rights movement, victims' associations, family coordination committees, and all the associations and centres concerned with human rights culture, the Moroccan Bar Association, and also local development associations in the regions where the former secret detention centres were located. It also organized meetings with associations for the defence of the human rights of Moroccans resident abroad, in particular Europe, and also with associations and representatives of victims in those countries.

Communication between the Commission and civil society associations took place through:

- The memoranda and the proposals the Commission received about its different tasks, in particular uncovering the truth and granting reparations;
- Meetings organized in the Commission's headquarters at the request of the Commission or of the associations involved;
- Many of those associations were involved in the different activities of the Commission, and members of these participated in the activities organized by some associations about subjects connected to the mission of the Commission;
- Meetings organized between the Commission on the one hand and the Follow-up Committee (composed of the Moroccan Organization for Human Rights (OMDH), the Moroccan Association for Human Rights (AMDH), the Moroccan Forum for Truth and Equity (FVJ) and the Civil Network for the Monitoring of Grave Human Rights Violations composed of 44 associations and the Victims' Families' Committee;
- On-site visits organized by the Commission to the regions involved in violations, which represented an opportunity to contact local civil society activists, and to develop partnerships in the field of community reparations;
- Conferences open to the public organized by the Commission;
- Conferences organized in cooperation with associations, especially "Trials and Prosecutions of a political character between 1956 and 1999" in partnership with the Moroccan Bar Association and in cooperation with the Faculty of Law in Casablanca.

## 3. With Public Authorities

In order to achieve the goals set out in its statute, the Commission sought to cooperate with the different government departments involved and the relevant public authorities. In fulfilment of its mandate, it organized a series of meetings with officials in the territorial administration, either centrally or at the level of provinces or governorates directly connected with the subject, especially provinces which served as locations for

detention centres where deaths took place, including in particular: Agdez, Tagounite, Kelaât M'gouna and Tazmamart.

Cooperation with the Ministry of the Interior's territorial administration services and with the Royal Armed Forces, in addition to examination of the archives, helped to achieve significant results in settling the violations of the past. These results focused in particular on discovering persons who had died, the places where they had died and were buried, and their names.

In cooperation with the territorial administration services, the Commission studied the proposals of local stakeholders with regard to economic and social development, analysis of the general policies for local development adopted by the external departments of the different ministries in these provinces, seeking to accelerate the pace of development, or unleash the dynamism inherent in projects concluded in the framework of local development plans.

The Commission involved itself in this because of its awareness that achieving reconciliation in these regions requires social, economic and cultural revival, since they were the settings for painful events or the locations for detention centres that negatively affected their image and delayed development.

The Commission also signed a partnership agreement with the Ministry of Health to handle health issues of victims who had suffered disappearance or arbitrary detention. Under the agreement, the two parties committed themselves to draw up a list of those benefiting from health services and to improve the health of beneficiaries. This agreement helped to create a framework of mutual cooperation between the ministry and the Commission, with a desire to improve the physical and psychological state of victims.

Aware of the importance of the media keeping abreast of its work in its various stages so as to communicate it to the public, the Commission concluded a partnership agreement with the Ministry of Communication and with the public media, especially Moroccan radio and television, Channel 2 (2M), and the Moroccan Press Agency (MAP).

#### **4. With the Political Class and Trade Union Organizations**

The Commission held meetings with a number of political parties and national trade union and professional organizations with the desire of acquainting them with its approach to the various issues that fell within its jurisdiction and to involve them in formulating the recommendations and suggestions of the Commission concerning reforms and guarantees of non-repetition.

These meetings sprang from the Commission's desire to launch a broad and bold national debate about the violations of the past and means of achieving equity and reconciliation, within a framework of disclosure and safeguarding the memory, so as to help strengthen the immune system of society and to ensure democratic transition and the construction of a rule-of-law state.

The goals set out by the Commission for these meetings can be summarized as follows:

- Understanding the positions of political and social stakeholders concerning the issue, their approach to analyzing the context of the grave human rights violations, and their suggestions regarding safeguards against repetition in the future;
- Completing the data concerning the historical events linked to the violations of the past identified by the Commission, through the studies conducted by the study group and the contents of communications received from the victims of those violations;
- Trying to record a joint memory by using a standard of equality when dealing with the numerous readings of these events by political parties and trade union organizations;
- Making sure the final report reflected a part of the political stakeholders' reading of events;
- Opening a dialogue with political stakeholders about their conceptions and suggestions concerning the components necessary for national reconciliation;
- Drawing the political stakeholders closer to the preoccupations and work of the Commission, insofar as they are some of the main stakeholders having a central role in implementing the recommendations of the Commission, especially through their performance in the legislative institution.

## **5. With Universities and Academic Research Centres**

The Commission sought to involve universities and national academic research centres in the different workshops it started as it tried to uncover the truth concerning the violations of the past and to provide safeguards against repetition, and encouraged them to become involved in the new dynamic that Morocco was witnessing in enshrining the democratic transition and consolidating the culture of human rights. It also tried to keep universities abreast of this process by initiating a group of studies about branches of transitional justice, modern history, the literature of political detention, and human rights in general.

As part of the activities of the study and research group, a group of research students were recruited to conduct the unfinished part of the group's programme dealing with reports on the historical context of the events linked to the grave violations of human rights. They were charged with preparing chronological and bibliographical data entry cards and summaries of the events involved. The group also sought the help of many

university researchers to conduct studies and to give advice on specific subjects relevant to the mandate of the Commission (public freedoms, justice, the constitution and human rights, public officials and the maintenance of order, arbitrary detention, enforced disappearance, civil society and human rights etc.). For their parts, the Information System Unit sought the help of a significant number of research students for the pre-analysis of files submitted to the Commission, and the work group in charge of reparations sought the help of a team of assistants most of whom were research students in law.

Throughout its work, the Commission organized meetings with university lecturers and researchers from different disciplines relating to its mandate to discuss and consult about intellectual, political and legal issues requiring experience and the contribution of Moroccan intellectuals, whether through research or studies, or suggesting subjects that must be dealt with in order for the Commission to accomplish its mission.

Seeking to increase the extent to which the universities were able to monitor its work, the Commission organized communication meetings with students, lecturers and research students of different levels and disciplines in a group of universities (Rabat, Casablanca, Settat, El-Jadida), to publicize the Commission in terms of the context of its creation, to explain the content of its statute, and to present its achievements stage by stage. These meetings were sponsored in part by members of the Commission, and were spiced with copious discussions about how to help the universities keep abreast of the studies, the analysis, and the academic research into issues connected with the process of reconciliation, in such a way as to enable them to help to follow up the process in depth after the Commission's mandate came to an end. During these meetings, the Commission emphasized the necessity of the Moroccan university playing its role in protecting society, consolidating the rule-of-law state and enshrining the human rights culture.

In view of the importance of Amazigh culture in Moroccan society, and in view of the fact that significant numbers of the victims and the regions involved in the violations were Amazigh, the Commission concluded a partnership with the Royal Institute for Amazigh Culture by virtue of a protocol of cooperation signed by the two parties in Rabat on 20 December 2004. This protocol aimed at "cooperation with the aim of ensuring simultaneous interpreting and translation of documents of the Commission and public hearings into Amazigh, and the exchange of expertise, and to help in preparing recommendations relating to safeguards for the protection of human rights as internationally recognized".

It also included "the exchange of information and experience and everything that might benefit their spheres of work, especially studies and monographs relating to certain regions and historical periods". It also aimed "to accompany the Commission in its field visits to some regions and carry out joint studies up until the Final Report, especially with regard to recommendations and safeguards against repetition, and the exchange of expertise concerning documentation and methods of exploiting oral narrative to understand the history of the violations".



The cooperation programme focuses especially on the fields of simultaneous interpreting and translation from and into Amazigh of the public hearings and the documents of the Commission, helping field researchers as they investigate the facts and receive testimonies in Amazigh, and contributing to the organization of conferences and hearings.

The cooperation also covers the submission of recommendations about safeguarding the exercise of linguistic, cultural, economic and social rights, and the exchange of expertise in the various fields of human rights, administration, anthropology, history, media and education. In this context, the Commission appealed to the Institute to think, alongside the Commission, about recommendations that may be beneficial regarding linguistic and cultural rights, in that this is an important issue that could represent a task for the Institute to follow up after the end of the Commission's mandate.

## **6. Centres and Bodies with International Expertise**

The Commission's general approach was to utilize the experience of mechanisms of transitional justice accumulated by national and international political and human rights bodies when settling the grave human rights violations of the past. Thus, after its installation and the beginning of its work, the Commission invited members and experts from similar international committees from different countries, Latin America and southern Africa for example, to exchange views, ideas and experience on many subjects. These visits generated specialized presentations and led to the organization of work sessions and concentrated training sessions in specific areas of the activities of truth committees, whether regarding methods of internal organization and work groups, communication strategy, investigations and individual hearings, public hearings and reparations.

The Commission was careful to ensure close cooperation with the International Centre for Transitional Justice and all parties connected with it in different fields. A contractual agreement was concluded with this body to benefit from their advice and their reports on specific subjects including: public hearings, communication and media strategy, reparations, preparing the Final Report, and preserving the memory. A flexible, open and participatory programme was agreed developing according to the progress and needs of the work of the Commission.

On the basis of a proposal by the truth committee experts, the Commission also hosted the Fifth International Conference of Truth and Reconciliation Committee Experts. Those experts considered the Commission a sort of added value in international processes of transitional justice, especially in the Arab Islamic region. The proceedings of the conference focused on three topics: communication strategy, public hearings, and methods of preparing the Final Report. The proceedings of the conference enabled the members of the Commission and representatives of national and international human rights organizations to consult and to exchange views on these subjects and thus to enrich the Moroccan experience.

The Commission also received experts, researchers and officials from other bodies and centres with experience in fields related to transitional justice.

## VI. Tables Detailing the Commission's most Important Public Events

### • Conferences and Symposia organized by the Commission

Subject	Location	Date	Topics
The Conference on Political Detention Writings	Rabat	21-22 May 2004	Detention literature and historical documentation
			Detention writings: concepts and problems
			Prison literature as a historical source: problems and approach
			“The years of coal and lead”: texts and dialogues about writing and prison
			Prison narrative: the discourse of multiple constraints
			Documentation through detention writings
			Self and the details of the cell
			Pain and threat in the poetry of Azaikou and Id Belkacem
			Writing against forgetfulness
			Shajar Murr (Bitter trees): a play
State violence	Marrakech	11-12 June 2004	The Code of Penal Procedure and deficiencies in the protection of individuals and groups from illegitimate violence
			The development of the concept of supreme national interest in political theory
			State violence between legitimacy and illegitimacy
			The symbolism of violence in the context of the sultanate state: the model of Moulay Isma'il
			Commodities and violence
			State violence: conceptions and practices
			The justice system and deficiencies in the protection of individuals and groups from illegitimate violence
			Public freedoms and the security question
			Penal protection of individual freedoms: the lack of certainty and precision
Can the law alone protect from violence?			

The Concept of Truth	Tangier	17-18 Sep 2004	Historical truth between the academic approach, the state and society
			Truth, what is it? And for whom?
			Truth and history: some cases from the history of Morocco
			Defining truth in mathematical logic
			The philosophical face of truth
			Between knowledge and politics: the necessity of truth
			Queries about the concept of truth
			Judgements and truth
Judicial prosecutions and trials of a political nature	Casablanca, in cooperation with the Moroccan Bar Association and the Faculty of Law in Casablanca	18-19 Feb 2005	Legal safeguards of personal freedom
			Trials on the basis of the 1935 and 1939 Dahirs
			Trials relating to association and party organization
			Prosecutions and trials linked to the press and cultural activity
			The trial of Noubir Amaoui
			The trial of members of the political office of the Socialist Union Party (1981) and the trial relating to the case of Anis Balafrej and co.
			Trials following the Rif disturbances
			The case of the “1963” plot
			The “1971” great Marrakech trial
			The “1973” trial of Dahkoun and co.
			Trials involving politico-religious groups
			The case of Serfati and co.
			Trials of left-wing groups
			Trials of left-wing groups
			Trials following social disturbances
The report on the proceedings of the symposium			

• **Meetings and Training Sessions**

Subject	Location	Date	Topics
Meeting of experts and directors of international truth committees: 'The fifth meeting'	Rabat in partnership with the International Centre for Transitional Justice	20-21May 2004	The Commission: goals, prerogatives and organization
			Truth committees: goals, prerogatives and organization
			Preparing a conception of investigations
			The process of drafting the Final Report
			Public hearings
			Communication strategy
Positively transcending the violations of the past	Rabat in cooperation with the Socialist group in the House of Representatives	28 Sep 2004	The Equity and Reconciliation Commission: roles and goals The components required to positively transcend the human rights violations of the past
Hearings and oral history	Rabat in cooperation with Royal Institute for Amazigh Culture	Two sessions Dec 2004, Jan 2005	The status of testimonies in the writing of history Problems of writing oral history How to utilize the oral memory in writing history
Transitional justice and the role of documentation and information	Rabat in cooperation with the Arab Institute of Human Rights	20-27 Dec 2004	Grave violations and international and regional protection mechanisms Transitional justice and grave violations Transitional justice and the democratic transformation Transitional justice and the role of non-governmental organizations Principles and techniques of investigation Hearings Preparing reports Documentation and information systems

• **Conferences participated in by the Commission or organized in partnership with it**

Subject	Location	Date	Topics
An international conference on the theme “Reconciliation: from grasping the past to cooperating for the future, regional and comprehensive challenges for reconciliation”	Berlin, The Directorate of German Technical Cooperation and the Friedrich Ebert Institute	2 Feb 2005	One slot in the conference was devoted to a presentation of the Moroccan experience of transitional justice and the work carried out by the Equity and Reconciliation Commission
The Agadir conference about transitional justice and issues relating to turning the page of the past in Morocco	Agadir in partnership with the Progress and Socialism Party (PPS)	25 Dec 2004	It tackled the subject of transitional justice and Morocco’s approach to turning the page on the grave human rights violations of the past.
The Conference on penal policy in Morocco: present situation and future possibilities	Meknes organized by the Ministry of Justice	9-11 Dec 2004	A study of the state of penal policy in Morocco, especially as regards the criminalization and punishment policy adopted by the Moroccan legislator.
A dialogue session about “the Equity and Reconciliation Commission – what contribution to consolidating the rule-of-law state?”	The Faculty of Medicine, Casablanca in cooperation with the Modernity and Democracy Grouping	3 Dec 2004	It discussed “the general philosophy and goals behind creating the Commission”, “the Equity and Reconciliation Commission and the process of uncovering the truth”, and “the Equity and Reconciliation Commission and democratic transition”.
A press conference about the Equity and Reconciliation Commission for participants in the ‘International Summit of the information society in the countries of Africa and the Arab world	Marrakech, organized by the Equity and Reconciliation Commission in partnership with the Ministry of Communication	23 Nov 2004	The approach and philosophy of the Commission towards uncovering the truth about past violations, reparations and the Final Report was explained.

The conference on 'the analysis of the historical contexts of past violations	Rabat, organized by the Moroccan Organization for Human Rights (OMDH) with the support of the Equity and Reconciliation Commission and the Friedrich Ebert Institute.	19-20 Nov 2004	The conference studied the historical contexts of human rights violations, the gains that had been achieved until now and the work of the Equity and Reconciliation Commission in this regard.
A workshop for experts on updating the principles for combating impunity	Geneva	18-19 Nov 2004	Discussion and exchange of ideas with the aim of updating the international principles for combating impunity
An international conference on "policies of reconciliation and preserving the memory"	Montreal	20 Oct 2004	A part of it was devoted to discussing Moroccan experience in the field of reconciliation and transitional justice.
A conference in Amsterdam on "the process of searching for the truth and granting reparations in Morocco"	Amsterdam, organized by the Association of Moroccans for Human Rights	8 Oct 2004	The conference dealt with the subject of the process of searching for the truth and granting reparations in Morocco during the period from 1956 to 1999 and the role of the Commission in the process of bringing final closure to the issue of grave human rights violations.
A conference on "truth and reconciliation experiences: the Moroccan experience"	Rabat, with the assistance of the Commission and organized by the International Federation for Human Rights and the Follow-Up Commission for the Recommendations of the National Symposium on Grave Violations of Human Rights held in November 2001	25-27 Mar 2004	Truth and democratic transformation committees in international experience, and "combating impunity, reparations, and reconciliation", "Morocco: lessons learned from the past and current expectations", "challenges faced by truth committees", and "the necessary political, institutional, judicial and administrative reforms".

<p>“Morocco: impunity, the Equity and Reconciliation Commission and the International Criminal Court</p>	<p>Rabat, organized by the International Federation for Human Rights with the assistance of the Equity and Reconciliation Commission and in cooperation with the International Coalition for the International Criminal Court, the Truth and Equity Forum (FVJ), the Moroccan Organization for Human Rights (OMDH) and the Moroccan Association for Human Rights (AMDH)</p>	<p>1-3 Oct 2004</p>	<p>The role and mission of the Equity and Reconciliation Commission within the process of democratic transformation in Morocco: a discussion of the subject of forming a national alliance to urge the Moroccan government to ratify the Rome Convention creating the International Criminal Court</p>
<p>An international workshop in Rabat on “transitional justice”</p>	<p>Rabat, with the assistance of the Commission and organized by the International Centre for Transitional Justice and the Centre for Information, Documentation and Training in Human Rights (CDIFDH)</p>	<p>19-25 July 2004</p>	<p>The proceedings of the workshop dealt with international experience of transitional justice, with the participation of representatives of human rights organizations, associations for the defence of human rights, and civil society from Algeria, Yemen, Sudan, Iraq, Lebanon and Morocco</p>

• **Work sessions held by the Commission with local and foreign delegations**

Subject	Location	Date	Topics
A delegation from the Spanish House of Representatives led by the speaker of the House	Rabat	18 Mar 2005	A presentation of the experience of the Equity and Reconciliation Commission and the progress that it has made
A delegation from the German parliament	Rabat	2 Mar 2005	A presentation of the experience and mission of the Equity and Reconciliation Commission and the progress that it has made
A delegation from the Foreign Affairs Committee of the British House of Commons	Rabat	8 Feb 2005	A presentation of the work undertaken by the Commission, and the Moroccan approach to turning the page on the past violations of human rights
The French association “Médecins du Monde”	Khenifra	5 Feb 2005	It studied methods of consolidating cooperation in giving medical support to victims of human rights violations
A delegation from Amnesty International	Rabat	9 Jan 2005	A discussion about the Commission’s approach to uncovering the truth about past violations
The Truth Grouping, which brings together a number of Moroccan immigrant associations and Moroccan human rights associations in Europe	Rabat	28 Dec 2004	It studied how to settle the problems faced by expatriates and former exiles at border posts when they move in and out of Morocco.



A delegation from the Royal Institute for Amazigh culture	Rabat	20 Dec 2004	The signing of a protocol of cooperation focusing in particular on the translation of the hearings and the working documents of the Commission into Amazigh
The Minister of Communication, the official government spokesman	Rabat	25 Nov 2004	A work session about the communication policy followed by the Commission as it handles issues that fall fair and square within its mandate
The Syrian Minister for Immigrants	Rabat	25 Nov 2004	A presentation of the Moroccan experience in handling the issue of the grave human rights violations of the past and the work of the Commission
A delegation from the Royal Institute for Amazigh Culture	Rabat	16 Nov 2004	A study of the possibility of cooperating in fields falling within the scope of the work of the Commission
The Cairo Centre for Human Rights Studies	Rabat	14 Oct 2004	A study of cooperation in the media field, studies in the field of human rights and an Arab symposium on mediation mechanisms
The Arab Institute of Human Rights (Tunis)	Rabat	14 Oct 2004	A study of cooperation programmes between the two parties in the field of training and documentation courses in the field of transitional justice
The International Centre for Transitional Justice	Rabat	21 Oct 2004	A study of fields of cooperation between the Commission and the International Centre for Transitional Justice
The Rehabilitation Centre for Victims of Torture in Morocco	Rabat	24 Oct 2004	A consultation about the Commission's programmes for rehabilitating the health of victims of past grave human rights violations
Officials from the European Commission monitoring the Euro-Mediterranean partnership and the new policy of European dialogue	Brussels	27 Sep 2004	A presentation of the work undertaken by the Commission and its programmes for the coming months
The former and the new regional directors for North Africa of the International Committee of the Red Cross	Rabat	16 Sep 2004	study of cooperation between the Commission and the regional office of the International Committee of the Red Cross in fields of common concern
The International Fund for Promoting Human Rights	Rabat	14 Sep 2004	Opportunities in Morocco for financing and supporting the work of human rights defence organizations

The assistant director of the King Fahd ben Abdul Aziz al-Sa'oud Institute	Rabat	13 Sep 2004	A study to consolidate cooperation in the field of academic research and studies in fields lying at the heart of the mandate of the Commission
The former director of media and communication of the Truth and Reconciliation Committee in South Africa	Rabat	30 Aug - 3 Sep 2004	Plenary meetings held about public hearings, the Final Report, and studies and research, and the relationship of the Truth Committee in South Africa with the press, and the media strategy that it used during various stages of its work
The International Centre for Transitional Justice The International Centre for Transitional Justice	Rabat	6-14 July 2004	Three internal workshops with members of the administrative team focusing on the subjects of public hearings, the relationship with non-governmental organizations and the Final Report
The International Centre for Transitional Justice	Rabat	16 July 2004	A study of a cooperation programme between the Commission and the Centre, and a number of intellectual issues
The International Centre for Transitional Justice	Rabat	4-14 June 2004	Plenary meetings about issues connected with the philosophy of reparations which the Commission will adopt in handling the issue of the grave human rights violations of the past
The International Centre for Transitional Justice	Rabat Rabat	June 2004 June 2004	Defining the broad outline of a programme of cooperation between the Commission and the Centre
The International Federation for Human Rights	Rabat	June 2004	A presentation of the Moroccan experience in the field of transitional justice and the role of the Commission in promoting democracy and human rights in Morocco
The UN High Commission for Human Rights	Rabat	May 2004	Publicizing the Commission and the state of human rights in Morocco and especially the legal and administrative status of the Centre for Documentation, Information and Training in Human Rights
The International Centre for Transitional Justice	Rabat	May 2004	Completion of the consultation about the future cooperation programme between the International Centre for Transitional Justice and the Commission
The executive secretary for UNESCO's Félix Houphouët-Boigny prize	Rabat	Mar 2004	A presentation of the mission of the Equity and Reconciliation Commission and its approach to uncovering the human rights violations of the past and promoting democracy
The International Centre for Transitional Justice	Rabat	Mar 2004	Deliberations on issues linked with truth committees around the world and the agreement on joint work programmes

The French National Audio-Visual Institute	Rabat	Mar 2004	Study of a project to produce a film and to film the activities of the Commission from the beginning until the end of its work. The National Audio-visual Institute will oversee the production of the film on the basis that the Commission will benefit from the raw material gathered to produce the film
The Euro-Mediterranean Human Rights Network	Rabat	Mar 2004	A study of the opportunities for cooperation in the field of promoting human rights
The Canadian Rights and Democracy Centre		Mar 2004	A study of methods of cooperation between the Commission and the Centre that is preparing the action plan in Morocco focusing on assisting in the consolidation of human rights and democracy in partnership with non-governmental organizations
The International Centre for Transitional Justice	Rabat	Mar 2004	A study of opportunities for cooperation between the Commission and the International Centre for Transitional Justice
Human Rights Watch	Rabat	Feb 2004	An exchange of views on means of joint cooperation between the Commission and the organization
A former expert in the Peru Truth Committee and the International Centre for Transitional Justice	Rabat	Feb 2004	Plenary work sessions held with members of the Commission and a number of individuals from the administrative team about administrative matters and the management of the work, dealing with methodological issues, investigations, the relationship with the media, and the Final Report
The Norwegian ambassador to Morocco	Rabat	Feb 2004	An exchange of views about the state of human rights in Morocco and the work of the Equity and Reconciliation Commission in terms of its mission and the prerogatives vested in it.
The International Centre for Transitional Justice	Rabat	Jan 2004	Discovering opportunities for future cooperation between the Commission and the Centre
A group of young professionals working abroad – the Hassan II Foundation	Rabat	Jan 2004	Introducing the Equity and Reconciliation Commission
An anthropology researcher from the University of Berkley	Rabat	July 2004	A work session about testimonies and oral memory
The European Cooperation and Security Organization	Rabat	Dec 2005	Introducing the Commission and examining the possibilities for cooperation regarding the recommendations of the Commission

A meeting with Médecins du Monde	Rabat	Feb 2005	A study of cooperation with the Commission in the medical care of victims
German lady parliamentarians	Rabat	Mar 2005	Introducing the Commission in terms of its prerogatives and mission
Human Rights Watch	Rabat	Apr 2005	Explaining the progress of the work of the Commission and studying the possibilities of future cooperation
A delegation from Amnesty International	Rabat	Jan 2005	Explaining progress made in the work of the Commission, theoretical and intellectual issues falling within the competence of the two institutions, and methods of cooperation between the Commission and the Amnesty International

## VII. Precautions Taken in Implementing the Plan

- The victim was made the focal point of the work of the Commission;
- Special attention was given to relationships with victims, healing wounds, helping to restore confidence and promote a sense of reinstatement;
- The Commission was careful to give psychological support during public hearings, not only to victims but also to members and to the whole administrative and technical team who were involved in organizing the hearings;
- Communication was maintained continuously with human rights associations and local development associations in the regions that witnessed the occurrence of grave violations. Many associations were considered as partners in the Commission's programmes, whether investigations, reparations, or submitting proposals and recommendations about the reforms necessary;
- The Commission's communication strategy constituted one of the main supports of its activities. Despite time constraints, the Commission sought to utilize a special strategy for this. It sought the help of experts and professionals in the field of communication and media, through creating a communication unit that worked continuously throughout the term of the Commission.

## VIII. The Stages of Implementation of the Action Plan

The time period for the implementation of the action plan was originally divided into four stages:

- Stage 1 from February to July 2004;
- Stage 2 from August to October 2004;
- Stage 3 from November 2004 to February 2005;
- Stage 4 from March 2005 to November 2005.

During the first stage, stretching from the date of its installation until its statute had been published in the Official Gazette, the Commission concentrated on drawing up its statute and its action plan, the mechanisms of its own internal workings and equipping the headquarters that had been put at its disposal with the necessary tools and offices. Thanks to the tireless work of its members and the administrative team, it was able to move on to implement its priority programmes.

The third stage focused on the study and research aspects and the fieldwork linked to three main issues:

- Reparations and reinstatement;
- Uncovering the truth;
- Consultation and exchange of experience.

In the view of the Commission, these issues involved two strategic issues:

- A participatory approach based on consultation and communication with those directly involved in the work of the Commission and with public opinion;
- A developing programme and a flexible administrative structure based on a model of management in accordance with goals linked to each of the above issues.

The short-term goals laid down for this stage were:

- Conducting pre-analysis of the files;
- Preparing a data base;
- Preparing work tools - forms, questionnaires etc.;
- Constructing a website for the Commission;
- Drawing up internal work procedures;
- Setting up a documentation centre;
- Establishing a structure for receiving and counselling victims.

To achieve this, a programme of tasks was drawn up for each field as follows:

### **Investigations**

- Individual file processing for special cases of persons of unknown fate;
- Drawing up a list of persons who disappeared during the 1990s and beginning to investigate their cases;
- Preparing a file about the cemeteries of Tazmamart, Kelaât M'gouna, and Agdez, and preparing a provisional plan of how to conduct the funeral rites;
- Drawing up a reference list for persons of unknown fate in the Saharan regions and starting investigations on their account;
- Drawing up a preliminary reference list of disappeared persons concerning whom the Commission has received petitions from their relatives or who are mentioned in lists circulating among national and international organizations;

- Drawing up a list of those who died in other detention centres;
- Preparing a rough action plan on irregular detention centres where detention or maltreatment took place.

### **Reparation and reinstatement**

- Creation of a medical unit to handle urgent cases;
- Study of files concerning which rulings have been issued by the former Arbitration Commission;
- Opening discussion about the general philosophy of reparations through reading and evaluating the earlier experience.

### **Studies and research**

- Preparing a political chronology on the basis of the incidents falling within the competence of the Commission;
- Preparing a comprehensive bibliography of the incidents;
- Preparing reports about the historical context of the events falling within its competence;
- Organizing a series of consultative conferences open to the public.

After the Commission of Equity and Reconciliation had made significant progress in its work, in that it had been able to assume a foundational position in the public discussions on the one hand and in the institutional fabric on the other, necessity required that it move on to the next step to complete its mission according to its strategy, which sprang from the nature of its mission, the positive and developing interpretation it gave of its prerogatives, and the degree of progress it had achieved in its work. Its interventions, which resulted from the progress it made, focused on four major transitions which we can list as follows:

- From managing petitions to analyzing the contexts and the events, and probing below the surface of events;
- From individual victims to group victims: towards added value in the field of reparations;
- From proclaiming the facts about the extent, type and nature of grave violations, to laying the foundations for reconciliation;
- From completing the life cycle of the Commission to safeguards against repetition.

**The first transition** required, after pre-analysis, processing the files for final decisions according to the method laid down in Volume 3 Chapter 4, which deals with the procedures used to process the files and make final decisions about them.

**The second transition** was linked to an advanced interpretation of the concept of compensation and reparations, based on the non-judicial nature of the Commission, which presumed a new way of dealing with the victim in accordance with the principles

of justice and equity, and taking all components of the truth into account in rendering justice and granting reparations. However, the added value sought by the Commission went beyond the traditional form which focused on the individual, to initiating concrete procedures for community reparations for regions which experienced grave violations and which were punished because of this through marginalization and not benefiting from development projects, having had their image tarnished by the presence of detention centres. Thus the Commission sought to reinstate the group victim by proposing the conversion of some detention centres into socio-economic projects in the framework of a positive approach to preserving the memory. (See Volume 3 Chapter 3 about the Commission's approach to reparations).

**The third transition** required accelerating the pace of examination of files kept by official bodies and cooperating with the authorities involved in order to submit the preliminary results relating to persons of unknown fate, whether living or dead, concerning whom the Commission continued to make investigations. (See Book 2)

In the final stage of its work, the Commission was forced to think about **the fourth transition**, what happens after the Commission, the introduction to which is represented by the Final Report. In accordance with the provisions of its statute, the Report is not simply a descriptive and narrative document of what happened in the past, but aims to raise people's eyes to the future after a bold and objective reading of it and a reconstitution of its parts in accordance with the requirements of the present. Thus, what happens after the Commission is linked to the vitality of the Final Report and the seriousness and effectiveness of the proposals and recommendations that it contains. Thus there is a close link between the requirements for preparing the Report and the submission of proposals relating to safeguards against repetition, and taking into consideration the added value of the Commission in comparison with other international experiences, and its value at the national level in relation to democratic transition.

The challenge facing the Commission in the last stage of its term was to ensure the linkage between the four transitions and directing them towards the Final Report, and what follows the end of the Commission's work. These programmes can be summarized under three major issues:

- Truth
- Justice for victims, reparations and reconciliation
- The Final Report, means of protection, and safeguards against repetition

The first programme included completion of the investigations concerning the suspended cases that remained linked to persons of unknown fate, continuing the consultations and publishing the results of all that.

The second programme focused on implementing the programme of the Commission relating to compensation and reparations on the individual and group levels.

The third programme related to preparing the Final Report through the formulation of the parts and the sections, and the areas of political and legal support for the recommendations and proposals it would contain.

In view of the delicacy of this stage, which coincided with the organization of public hearings, with all their deep significance in giving a frank, public and official expression of what happened in the past, and despite the expanding circle of interventions whether in terms of activity, geographical coverage, and the resulting delays, whether with regard to groups of victims or public opinion, the Commission was able in the fourth stage of its term to undertake a comprehensive assessment of its work and to survey its achievements. On this basis, it sought to complete what remained of its mission in the time laid down.





# **Chapter Three**

## **THE DOCUMENTATION AND INFORMATION SYSTEMS**

## I. Documentation and Archiving

The Commission gave special attention to the work of documentation and the archive relating to the field of its work. Since it first began to plan out the steps involved in accomplishing its mission, it created an administrative structure in charge of documentation and the archive, as a crosscutting organization at the service of all its programmes and activities.

The archive was very diverse and the short-term goals aspired to through the production and collection of these documents were very varied. However, the political goal that governed the organization of this vast collection of documentary resources was to help preserve the institutional memory and through that the collective memory. To do this, the archive was considered as a homogeneous mass that must be processed and preserved in such a way as to put it at the disposal of society, in accordance with a comprehensive vision embodied in respect for the principles of human rights and in such a way as not to conflict with respect for privacy or the provisions of national law.

The Commission defined the basic task of the unit as to collect, process, classify, preserve and manage access to all the information and documents whether produced by the Commission or received in the course of carrying out its mission. It sought to draw up specific guidelines and principles to regulate access to the archive, seeking to preserve the institutional memory of the Commission. Thus, the unit was entrusted with the following tasks:

- Centralizing and managing the files and petitions received by the Commission;
- Creating and managing the archive covering the fields of work of the Commission;
- Organizing the institutional archive of the Commission;
- Organizing and processing the audio-visual archive.

### 1 .The Organizational Structure of the Documentation and Archive Unit

The documentation and archive unit was composed of:

#### 1.1. The File Management Department, whose tasks included:

- Receiving petitions and monitoring the process of analysis and processing;
- Preserving files and managing the demand for them;
- Receiving additional and new documents, recording them and incorporating them in the files.

### 1.2. The Documentation and Information Department, whose tasks were to:

- Centralize and handle the preservation of the institutional archive of the Commission;
- Acquire, handle and preserve archival materials covering the fields of work and concerns of the Commission;
- Process and preserve the visual archive.

### 1.3. The Audio-visual Archive Unit, which is responsible for:

- Keeping abreast of all the programmes of the Commission and documenting them audio-visually;
- Collecting, processing and preserving audio- and audio-visual recordings;
- Copying the recordings.

For the work in the unit, there was a team of workers and professionals totalling between 10 and 35 depending upon the number of documents and the pace of work within the unit. It presented the work and programmes at different stages of the activities of the Commission, beginning with receiving the petitions, completing the details, studying and processing the files, conducting the investigations, organizing public or internal hearings, and analyzing the historical contexts, and continued until the data analysis and Final Report preparation stage was reached. The unit had to keep abreast of all these programmes in order to provide them with the documents and information necessary for their work to progress.

## 2. Work Methods and Tasks Achieved

### 2.1. Managing the Files

The Commission drew up a broad outline of the process of handling the files, taking into consideration the different stages that they would pass through, and the progress of the Commission's work. In addition to the fact that study of the files represents a primary stage in the work of the Commission as a basis for the reparations programme, it is also important to preserve this mass of documents because of the information it contains, which enables cross-checks that are helpful in analyzing contexts and discovering the truth. This is also what makes it important material for researchers and citizens to utilize in the future.

Below are the stages that were followed in processing and preserving the files:

- Registering correspondence and accompanying documents in the registry;
- Entering information into the data base;
- Pre-analysis of files depending on the structure of the data entry form;
- Checking the accuracy of information in the data base;

- Classifying the files and preserving them in the archive;
- Sending requests for completion of details, either by a visit to the site or immediately within the confines of the Commission headquarters;
- Selecting additional documents, registering them and inserting them in the files;
- Providing the reparations unit with files for study and processing;
- Entering the Commission's decisions and recommendations, after ratification, in the data base and inserting them in the files;
- Final archiving of the file.

The team in charge of managing the files was divided according to their main tasks, as follows:

- The group in charge of receiving correspondence and entering it into the data base;
- The group in charge of classifying the files, arranging them in the hall dedicated to preserving the files, and managing access to the archive;
- The group in charge of managing requests for files, preparing lists and checking the forms for borrowing and returning items;
- The group in charge of coordinating the work.

The necessary tools were prepared (a data base, lists, forms etc.) to enable control and monitoring of the large quantity of petitions received by the Commission, and also for laying down guidelines and controls to organize the conduct of work within the unit, and to ensure coordination with the other units.

For this purpose, a mini-committee was created in charge of coordination at the level of the information system unit, the reparations unit and the unit in charge of managing the files to ensure the maximum amount of coordination and harmony.

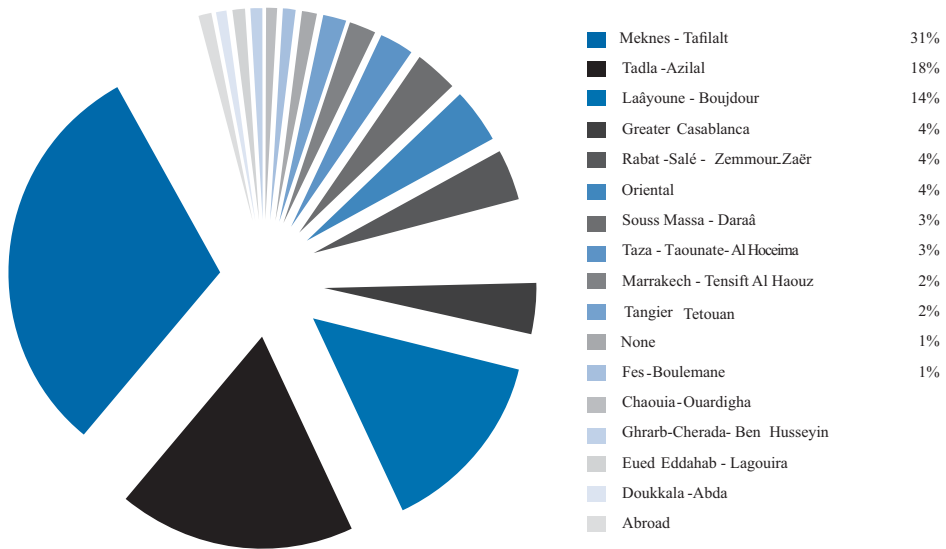
The main tasks in the first stage, which lasted about six months, from the beginning of February 2004 to the end of August 2004, were as follows:

- Receiving petitions and details, or additional documents, whether arriving by post, deposited directly at the Commission headquarters, or referred to by the Advisory Council on Human Rights;
- Registering items in the registry;
- Controlling operations relating to the reception and handing over of files for purposes of initial analysis and entering information in the data base;
- Recording petitions and accompanying documents in the data base;
- Classifying and arranging files in the archive devoted to them. A list of initial categories was used according to the groupings followed in the initial analysis and in the data base, to ensure the maximum degree of consistency;

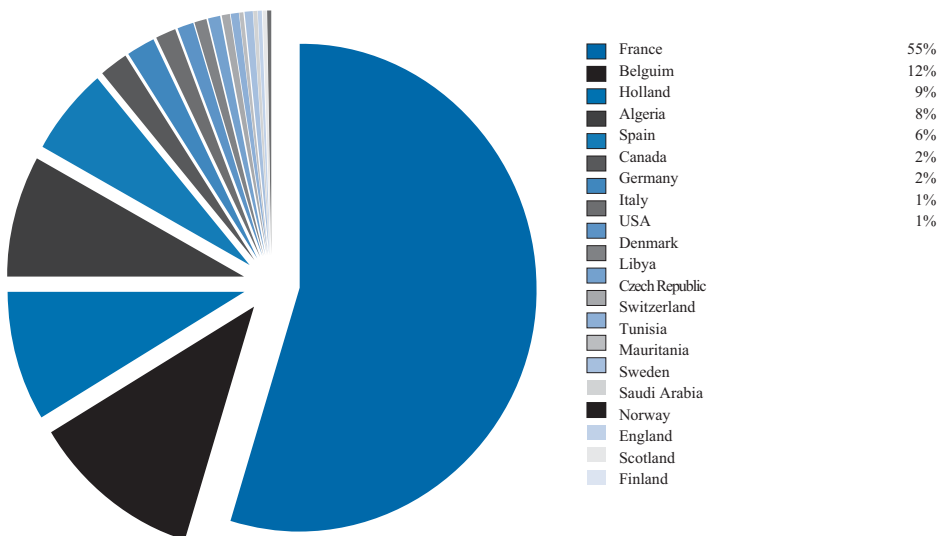
- Managing requests for files (especially by the Information System Unit in the first stage). The following table shows the increasing amount of correspondence received by the Commission and registered in the registry:

Year	Month	Number	Total
2003	4	2	707
	5	1	
	7	1	
	11	9	
	12	694	
2004	1	2,444	17,780
	2	7,243	
	3	746	
	4	828	
	5	908	
	6	907	
	7	411	
	8	237	
	9	523	
	10	340	
2005	11	247	43,473
	12	2946	
	1	4735	
	2	9451	
	3	6249	
	4	4464	
	5	13614	
	6	4185	
7	775		
Total			61960

## Correspondence Received Classified according to Region



## Correspondence Received from outside Morocco Classified according to country



Daily work on the files led to the discovery of important documents that were of benefit to the tasks of the Commission work groups, so a team was formed to extract these documents. This enabled an archive to be assembled consisting of judicial judgements, newspaper cuttings and pictures, whose classification and analysis was later entrusted to the reparations unit and the documentation unit.

In the second stage, the Commission began to follow up information completion operations, whether through keeping abreast of the work of teams on the field, or the reception unit, or by selecting additional documents received by post. Thus the process of receiving and classifying documents was organized according to groups, and then the documents were recorded and referred to the Information System Unit to enter details into the system before inserting them into the files.

The following table shows the increasing number of additional documents that were selected and added to the files received within the deadlines:

**Table showing the increasing number of additional documents received relating to the files**

Month	No. of additional documents
Feb 2004	161
Mar	222
Apr	295
May	230
June	205
July	132
Aug	72
Sep	184
Oct	142
Nov	181
Dec	5,273
Jan 2005	1,066
Feb	2,592
Mar	6,819
Apr	2,119
May	675
June	6
<b>Total</b>	<b>20,174</b>

Sources of information included:

- Correspondence received by the Commission, whether brought directly to commission headquarters or sent by post, which included documents added to files referred to the Commission;
- Data entry forms filled in by the reception unit;
- Data entry forms filled in while completing information in the regions.



It is worth pointing out that this task required great accuracy in controlling the process of borrowing and returning documents and files at each stage. Therefore, the unit used special forms for this purpose, and all information that helped to monitor this process was transferred to a special data base.

### **The increasing number of data forms received by reception and as a result of field visits**

Year	Month	Number
2004	Jan	10
2004	Feb	5
2004	May	42
2004	Oct	20
2004	Nov	456
2004	Dec	982
2005	Jan	4,175
2005	Feb	275
2005	Mar	8,559
2005	May	414
<b>Total</b>		<b>14,938</b>

In the third stage, the Commission began to carry out the task linked to the work of the reparations team by referring the files to it for processing and consideration in order to make a final decision.

In the period from 2-21 June 2005, the Commission entrusted a team with extracting and doing an inventory of the medical documents contained in victims' files with the aim of handing them over to a medical team that had been set up to take on tasks relating to the study conducted by the Commission about the health situation of victims.

Regarding the archive, the Commission organized the documents and the halls set aside for the files to ensure the greatest degree of order and to make it easier to study them. In the final stage of its task, the Commission received, recorded and managed the archive of files that it had received after the deadline set for depositing petitions, in addition to:

- Carrying out a complete check of files classified outside the deadlines to make sure that the dates were correct and to reclassify them if required;
- Carrying out a complete inventory of the files, whether those referred to the reparations team or those kept inside the unit, in order to check the consistency of the statistical table of files against the data base, and to examine any changes that may have occurred.

## 2.2. Documentation and Information

Since the beginning of its work of preserving the documents prepared by it and those it had received, the Commission was aware of their value and benefit, both in the short term in terms of facilitating the activities and programmes of the Commission, and in the long term in enshrining the principle of transparency and preserving the collective memory as regards grave human rights violations.

To this end, the Commission carried out a set of technical operations necessary to preserve the archive, as well as drawing up a rough plan of how to manage this collection in the future.

## 2.3. The Audio-visual Archive

The Commission also collected and preserved audio- or audio-visual recordings dealing with the activities and programmes of the Commission or received from other bodies dealing with subjects relevant to the work of the Commission. The audio-visual collection contains about 526 hours.

The recordings were all copied and processed in accordance with special forms. After that the details of each recording were then entered into the data base, and finally an index was made of these recordings.

The following table shows how the recording hours were distributed between subjects:

Subjects	Duration
Dialogue sessions	8 hrs 48'
Private hearings	210 hrs
Public hearings	13 hrs 37'
Conferences, meetings	106 hrs 20'
Press conferences	8 hrs 42'
Visits	13 hrs
Meetings	110 hrs
Miscellaneous (documentaries, radio broadcasts, testimonies etc.)	92 hrs
Total number of recordings	616 tapes
<b>Total duration</b>	<b>562 hrs 27'</b>

## 2.4. The Picture Archive

The Commission's picture archive contains 4,672 pictures, classified in files each of which bears the name, the subject and the date of the pictures. Each picture bears a distinctive number. This collection contains the following:

- Pictures of meetings with political parties and trade unions;
- Pictures of meetings that took place in the headquarters of the Commission and which included members of the Commission and national or international guests;
- Pictures of Commission or work group meetings;
- Pictures of public hearings organized by the Commission in Rabat, Figuig, Errachidia, Khenifra, Marrakech and Al Hoceima;
- Pictures of all the members of the Commission and those working there;
- Visits and on-site fact-finding missions conducted by the Commission in secret detention centres;
- Press conferences and meetings held by the Commission in and away from its headquarters;
- Thematic and dialogue sessions, organized in the headquarters of the Advisory Council of Human Rights;
- Personal pictures of a group of victims extracted from their files held by the Commission and recorded under their original numbers.

All the pictures were stored in JPG 1280 pixels format with a size of 45.16 x 21.17 cms. Special copies were also posted on the website in JPG 800 pixel format with a size of 28.22 x 21.17 cms.

No. of pictures	Subject
224	Meetings with political parties and trade unions
775	Public hearings
164	Dialogue sessions
378	Commission meetings
140	Meetings and visits in the Commission HQ
708	Field visits
1,295	Meetings and conferences
988	Miscellaneous
<b>4,672</b>	<b>Total</b>

### 3. Arranging the Archive before the End of the Commission's Term

Before the date set for it to complete its mission (end November 2005), the Commission finished organizing the collection so as to facilitate using it in the future, and also established a system for managing and developing it, and regulating its use.

To this end, the Commission supervised the completion of the following tasks:

### 3.1. Managing the Files

It continued carrying out the following tasks:

- Receiving, recording and preserving correspondence, classifying additional documents and referring them to the work group in charge of reparations and managing requests received from the various units concerning files;
- Comparing the survey carried out on the files with the data collected in the data base and the lists prepared by the various units, as well as monitoring changes and correcting mistakes that may occur;
- Inserting documents as additions into the relevant files;
- Reclassifying and arranging all the files and correspondence received after the deadline set by the Commission for the submission of petitions so as to facilitate locating them;
- Monitoring and organizing the process of returning information and files that were ready;
- Keeping abreast of corrections to the data base, and updating the lists of files;
- Gathering and storing work tools.

### 3.2. Documentation and Information

It continued carrying out the following tasks:

- Completing the revision of information in the data base and documents, and correcting any mistakes;
- Preparing a list of all documents (hard or electronic copies) produced by the Commission or those received by it in the course of its work, fixing the way they should be organized until it finished its work;
- Completing the processing and classification of the picture archive and preparing thematic albums;
- Completing the processing and classification of the audio-visual archive and preparing final lists;
- Preparing a comprehensive approach to policy regarding preserving and managing the Commission's archive after the end of its mission.

## II. The Information System

To facilitate the mission entrusted to it, the Commission prepared various programmes to gather, process and analyze the data and information, in order to uncover the truth and grant physical and moral reparations for the injuries suffered by victims and their rightful claimants. To facilitate handling the information and data obtained from different sources (petitions received by the Commission, investigations, hearings, testimonies and communications, studies and research), the Commission used an information system whose main goals were to set up a data base on victims to help in managing the files, and processing and analyzing the information.

The data base the Commission set up from the very beginning of its work was a principal tool for checking the data and facilitating access to information in as short a time as possible. It also permitted the extraction of statistics that helped the work groups, the ad-hoc committees and the administrative units to carry out their tasks, as well as to prepare analytical, classificatory and statistical reports of violations. To help data to circulate within the Commission, a local network was established separate from the public network of the Commission which was linked to the Internet.

A general conception of the data base was drawn up, bearing in mind the mandate of the Commission and the method and means used to establish the type and gravity of the violations of the past, in their contexts and in the light of international human rights criteria.

The task of setting up an exact and comprehensive information system was not easy, in the absence of any previous experience similar to that of Morocco. This meant that special efforts and innovations had to be made by the members and the Commission's administrative and technical team to design the architecture of a data base corresponding to the needs of the Commission.

The implementation of the information system required a major mobilization of human and material resources under the supervision of the members of the Commission. More than 100 professionals and assistants were employed during the first three months of the implementation of this system (July-September 2004). Advanced information system equipment was acquired for this and special rooms were prepared. Drawing up and implementing the information system required the following stages:

- Studying the Commission's needs in the field of computing and organization;
- Categorizing and standardizing the information;
- Preparing the necessary documents to complete the information;
- Preparing computer programmes specific to the design of the data base;
- Gathering the data;
- Completing the information;
- Obtaining, checking and using the data;
- Analyzing the data both in terms of quality and quantity.

## 1. Goals of the Information System

The Equity and Reconciliation Commission's information system can be defined as a set of data, computer programmes and procedures, as well as a communication network and human and material resources whose aim is to gather, store and preserve information and use the data in an automated manner to help the Commission to complete its mission.

### 1.1. The Functions of the Information System

The functions of this system can be summarized under the following basic processes:

- Data gathering: covering the process of gathering and capturing data;
- Processing: organizing the data so that information can be obtained in the shortest possible time;
- Storing: reminding, and recovering information at the appropriate time;
- Communicating: ensuring connections between the various units, the work groups and the ad-hoc committees.

### 1.2. Other Goals of the Information System

In addition to the main goals of the information system, namely to use modern scientific means to process data and to help in the development of research and studies in the field of human rights, we can summarize the most important practical goals as follows:

- Creating a data base about victims of past human rights violations, opening a file for each victim;
- Capturing all the information relating to each victim from various sources;
- Checking the information and extracting it when necessary;
- Managing victims' files;
- Defining what is required easily, accurately and in the fastest possible time;
- Deriving summaries containing all the information captured about each victim;
- Extracting the statistics necessary to prepare analytical reports of the data, in terms of quantity and quality, in a manner that responds to what the Commission needs to carry out its mission and with the aim of responding to the requests for research and study after the end of the Commission's term.

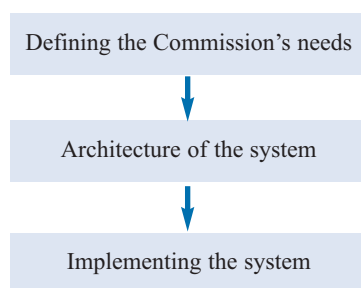
In addition to these goals, the data base enabled the Commission to carry out tasks, including in particular:

- Checking for duplicate files with the help of data such as the name, national identity card etc.;
- Gathering in one file all the information relating to the same victim but coming from different sources;

- Updating data by completing missing information;
- Automatic checking so as to avoid mistakes and check the accuracy of information;
- Monitoring the progress of files between the various work groups, ad-hoc committees and administrative units.

## 2. Work Methodology

The Commission's information system was set up in stages. A methodology was followed based on checking the results obtained in one stage before moving on to the next stage. The most important of these stages can be summarized as follows:



### 2.1. Defining the Commission's needs

To achieve the goals desired from this system, a preliminary study was carried out to define the Commission's needs regarding information and organization. To this end, elements drawn from the process of pre-analysis were used as well as the results of meetings with members of the Commission, work groups and officials from the administrative units within the framework of the Committee for Administrative Coordination. Members also familiarized themselves with the experiences of other truth and reconciliation committees.

#### 2.1.1. The Process of Pre-analysis

To enable the Commission to obtain information about the nature of the files and to make a preliminary classification of grave violations, it carried out a preliminary study (pre-analysis) of a sample consisting of 8,420 petitions. This involved petitions received directly by the Commission within the legal deadline (12 Jan - 13 Feb 2004) and also petitions that were referred to it by the Advisory Council on Human Rights, recorded after the deadline set by the former Independent Compensation Arbitration Commission (after the end of December 1999).

The goals of this study included:

- Defining and classifying the petitions received by the Commission according to type of violation;
- Copying information into a data form previously prepared for this, designed to reveal the type of petition and the physical nature of the violation, and its special features. During this process, the difficulties that may be faced while copying should be deduced;
- Recording all the requests and the type of injuries suffered by the victims that were not recorded on the form;
- Recording all types of violations so that they may be analyzed and categorized.

The administrative team was put in charge of this process, and it took two months. The results enabled extraction of information about the petitions, the grave violations and the hindrances related to technical and object concepts. In jointly studying and assessing this process, the following points were focused on:

- Preparing a preliminary list of categories relating to the nature of the petitions and the types of violations and injuries suffered by the victims, as well as their requests;
- Specifying the types of violations which it was impossible to classify because of the competence of the Commission but concerning which it had to take a decision.

### 2.1.2. The Results of the Regular Meetings

Based on the results obtained from the pre-analysis, a number of meetings of members of the Commission, work groups and officials from the administrative units were devoted to defining the needs of the Commission in terms of information and methodology. The discussions focused on the following:

- The form of the file;
- The type of information that would be captured by the data base;
- Sources of information;
- Checking and making concepts more precise;
- Methods of gathering information;
- Units taking part in the system;
- Securing the data base;
- Procedures for managing the data base.

The assessment that was carried out revealed that all aspects of the information system (lay-out of the form, the type of information to be gathered, copying the data and transferring it to the data base, the concepts used etc.) must be reviewed, taking into account the tasks and needs of those utilizing the system, to give the Commission an



integrated and comprehensive system so that it can select the data and information it needs to carry out its mission. It transpired that the estimation of the human and material resources required to analyze the petitions was linked to the final form of the technical file and also the overall conception of the information system.

## 2.2. The Architecture of the System

The conceptual stage is the most important one in the design of an information system, since the former determines the development of the system. The conception of the Commission's information system constituted a basic stage in establishing the data base for the following reasons:

- The absence of an experience similar to the Moroccan one which it could benefit from or familiarize itself with;
- The time pressure in accomplishing this stage;
- The large number of events and the variety of violations linked to them, stretching over a period of 43 years (1956-1999);
- The scarcity of national studies and data concerned with the contexts of all the incidents and violations.

The stage of conceptualizing the system involved the following steps:

- Classifying and standardizing the data;
- Preparing the forms;
- Conceptualizing the model and the technical design of the data base and the computer programmes;
- Defining the human and material needs.

### 2.2.1. Classifying and Standardizing the Data

The study of needs focused on defining the nature of the data that had to be gathered from different information sources. These sources were defined as follows:

- Petitions received by the Commission;
- The investigation team;
- Documents from associations and national and international organizations;
- Hearings, whether held in the Commission HQ or during the process of completing the details and conducting field visits;
- Official sources (information coming from any official body).

In addition to these sources relating to information about the victims, two other sources were created. The first had to do with testimonies and communications from individuals who lived through the violations, and the second had to do with the context of the incidents and violations and was created in response to the needs of the study and research group.

After defining concepts, they were translated into variables that could be technically exploited, and classifications were prepared relating to them. This process is an organizational stage of great importance in the development of an information system in terms of its effectiveness and the quality of its information.

### 2.2.2. Composing Forms to Gather the Data

A data entry form was composed for the victims of violations "to gather information about each victim coming from different sources (the petition, investigations, hearings, documents from associations, organizations or official sources), as well as the form for testimonies and communications, and the form for information about the violations". Two guides were also prepared for information and classification to ensure uniformity of concepts and work methodology.

#### a. The data entry form for victims of violations

The data form was the result of technical and theoretical efforts in coordination with the work groups each of which contributed according to their particular task. At the same time, the specificities of the Moroccan experience and the relevant international standards were borne in mind. In its design, it was ensured that a separate file could be opened for each victim who submitted a petition or on whose behalf a petition was presented, containing information received from different sources. This data entry form contained information gathered under the following headings:

- The source, and information about analysis, hearings and investigations;
- The identity of the victim;
- The social situation of the victim before and after the violation;
- The identities of those who deposited the petition, those given hearings and those who took part in investigations;
- The types of violations and information about them: the nature of the violation, the centres where the violation took place, the body considered responsible for the violation, and the means of torture in case the victim was tortured;
- The witnesses on behalf of the victim and the victim's testimony on behalf of others;
- The physical and moral injuries suffered by the victim;
- The requests made.

In addition, a special form was designed dealing with the victim's health, another form to enable monitoring of the steps that the Commission took on behalf of victims, and another one containing information about any previous settlement of files by the government or those concerning which the Independent Compensation Arbitration Commission had issued a ruling.

#### b. The information guide

A sort of guide was prepared and put at the disposal of all those working in the Commission so that concepts and basic definitions relating to incidents and violations might be standardized. In addition, the work methodology was spelt out as well as the method for obtaining information, in order to achieve accuracy and harmonization. This document also contained a set of examples to be referred to when information was being gathered from different sources by analysts so that they might fill in the data entry forms.

#### c. The classification guide

The data entry form contained variables which had a closed set of answers like: the state of the victim (living, deceased, or fate unknown); sex (male or female); the marital status of the victim (bachelor, married, divorced, widowed); the capacity of the depositor of the petition (direct victim, rightful claimant, heir, authorized representative etc.), and variables with an open set of answers like: profession, place of birth, detention centre(s), requests, injuries, means of torture etc. This required that a functional classification guide be compiled so as to standardize the terms and expressions used when entering the information into the data base.

### 2.2.3. The Architecture and the Technical Design of the Data Base

As is the case with all information systems, the Commission's system focused technically on three main components:

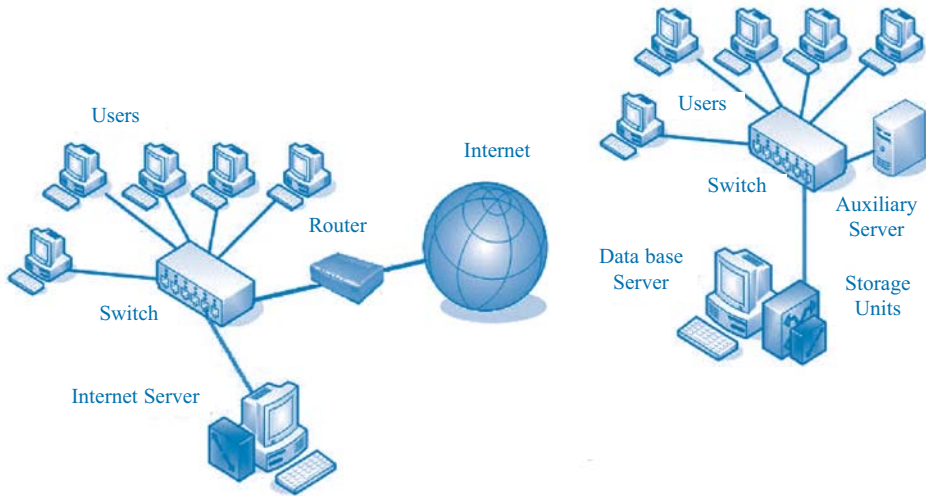
- The information system network: this is a group of computers for obtaining, modifying and reviewing the information linked to a central computer for storing the data;
- A data base: this is a logical way of representing the data in tables to enable addition, modification and review of information easily and at any time;
- A computer programme: this is an advanced tool to enable users of the data base to interact with it easily.

#### a. The architecture of the information system

The Commission adopted an information system that conformed with internationally recognized standards to facilitate shared use of the information and the printers by different users of the network and the work groups, and at the same time to have easy access to the internet.

The Commission also isolated the data base network from the other network, in view of the importance of the information stored in the data base and in order to ensure that confidentiality was maintained. For this reason, the latter had to be protected from any

external or internal leak. The Commission used more than 50 advanced computers and more than 20 printers managed by a central computer. The following diagram shows the design of this network:



#### b. The architecture of the Data Base

To safeguard the management of a large number of files, the Commission commissioned a specialist company to design the architecture of a data base that would enable a space to be created for recording details and for processing them automatically.

#### c. The design of the Computer Software

The company developed a special computer programme for the Commission to process the information gathered, to manage the files and to monitor their progress until a final decision was issued concerning them. The information system enabled the data base to be fed with the information by capturing and exploiting this information.

The information system was composed of a number of modules devoted to all the files relating to the violations, the incidents, the towns and the regions. A guide was compiled to show how to use these modules.

#### 2.2.4. Material and Human Resources

On the basis of the design concept and the study of the work involved in developing the information system, a list was prepared of the equipment needed: halls equipped with a communication network, two routers, computers, printers, computer software, tools for backing up the information, etc.

Regarding the human resources needed, it was decided to contact various bodies so as to obtain the maximum number of candidates on the basis of previously prepared job descriptions. Candidates were sought from academic and other types of institutions (the National Agency for the Employment of Executives, universities and colleges etc.) The human resources required to implement the information system during the conception stage was estimated at about 140. However, experience showed that the need was greater than that, because 193 people were eventually employed to cope with unexpected tasks that had not been allowed for.

### 3. Implementing the System

To implement this system, the information system unit organized the work under two main tasks. The first consisted of capturing data and the second consisted of utilizing the data base and maintaining the computers. The job of copying data received from different sources was carried out by a pre-analysis and processing group under the supervision of members of the Commission in addition to on-site completion of information and hearings in the Commission headquarters.

After analysis, the petitions were summarized and missing details were completed under tight management in conformity with the information system so that they were ready for utilization by the Commission and the work groups as they carried out their tasks and activities (hearings, investigations, reparations, the Final Report) until the final decisions were ratified.

#### 3.1. The Analysis of the Petitions

The task of supervising the process of analyzing the files was entrusted to one of the members of the Commission, assisted by some officials from the administrative units. To help in this, meetings were held in order to study the process of analysis of the files and to standardize concepts and terms, as well as the work methodology, so as to avoid the difficulties mentioned above. The group entrusted with this task was known as the pre-analysis and processing unit. The possibility of redistributing tasks within the group was maintained according to the needs and requirements of each stage.

This process started at the beginning of July 2004 and took about three months of continuous work to complete. By the beginning of August, about 90% of the preliminary statistics were extracted from the group of petitions received by the Commission. It is worth mentioning that the process of analysis did not stop as long as

the Commission was at work but was carried out whenever needed. The group in charge of it was entrusted with the following tasks:

- Classification of the petitions according to the mandate of the Commission and the type of violation;
- Reading the petitions in order to extract the names and the depositors of the petitions;
- Copying the data onto the data entry form from the petitions and the documents available;
- Recording the problems and difficulties faced during the analysis.

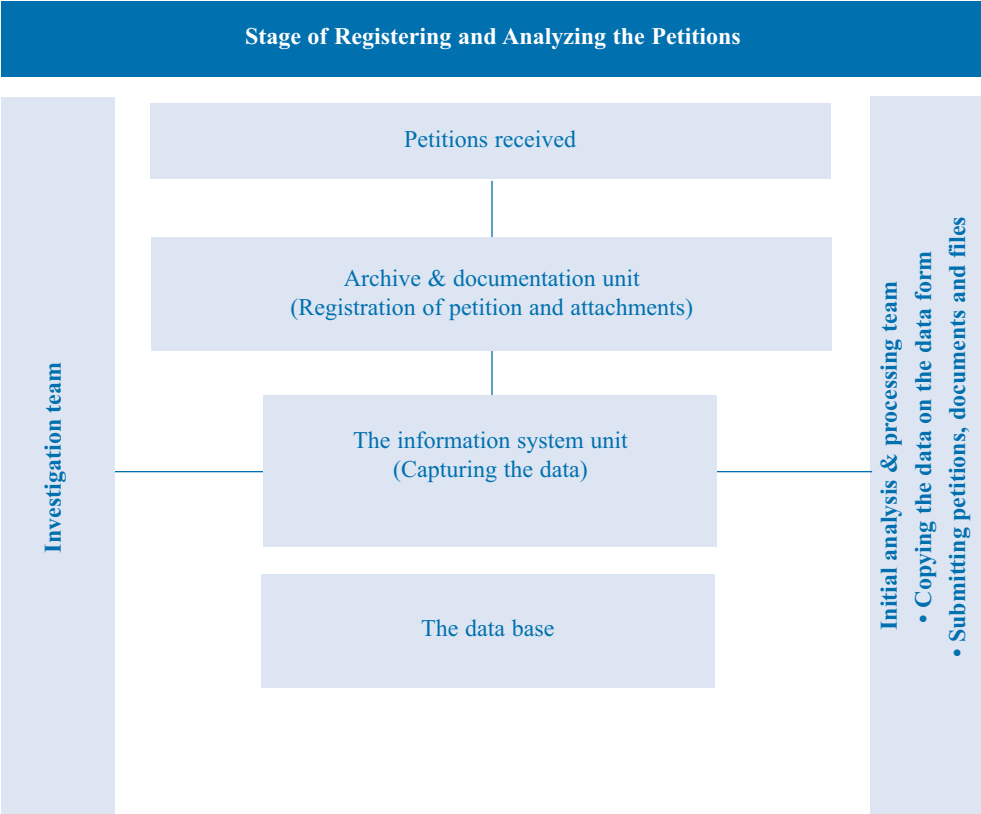
In addition to the petitions and the attachments, the analysis team depended, while copying the data, on other sources of information, in particular copies of judgements issued, newspaper reports and anything that might help in completing the information relating to the files.

This task was entrusted to a team composed of people who had worked alongside the Commission in a previous stage. An internal mixed committee was formed including members of the Commission and those responsible for administrative units to select assistants on the basis of the job descriptions. This process, which lasted a week, resulted in 67 assistants being chosen, most of whom were university students and researchers in the fields of human and political sciences. Training sessions were held for the people who had been selected, to acquaint them with the mandate and tasks of the Commission and the tasks that they were being entrusted with. Methodical and practical applications were made on a variety of specimen petitions, and they were trained in the techniques of entering data into the data base. In addition, the Commission tried to raise their awareness about the responsibility placed upon them in copying the data. This was done by examining the petitions carefully, paying attention to every detail, and impressing on them their duty to maintain the confidentiality of the work of the Commission.

Before the end of this process, a pressing need appeared to create a unit in charge of controlling the files, information relating to which had been stored in the data base, so as to ensure the accuracy and correctness of the information captured. This used a strict system of validation, using a team consisting of ten of the best people to have participated in the process of pre-analysis and processing. This consisted of checking the operations of analyzing and capturing by comparing the data on the data entry form with the information found in the petition and the attachments, on the one hand, and its conformity with what was contained in the data base using the data summary form on the other.

In parallel with that, another team was formed to analyze the petitions classified as ones for review (these were petitions which had already been the subject of a final decision by the former Arbitration Commission) as well as including the information in the file of the same victim concerning whom numerous petitions had been received. This process required great efforts to check the information to make sure that it had been included during the process of capturing. This revealed the existence of more than 2,000 duplicate petitions. However, sometimes it was difficult to be certain that some petitions had been included in files previously captured for lack of information. This meant returning to the original petition to make sure it had been included. The process also included identifying victims for whom more than one file had been opened in view of lack of information proving identity or because of mistakes contained in the petitions, particularly those submitted by rightful claimants. This was the case with 1,116 files, and this task required a long time to complete.

Before referring the petitions to the pre-analysis and processing team, they were recorded, along with any attached documents, by the archive and documentation unit. The operations connected with this stage are illustrated in the following diagram:



### 3.2. Capturing the Data

In parallel with the process of pre-analysis of the files, the process of capturing the information began on 14 July 2004. This operation was the basis of the information system, in view of the volume of information available and the degree of accuracy required. This was carried out by a method depending on tasking the typists to capture the data, while taking account of the comparison of information contained in the summary of facts.

To carry out this task a team was employed specialized in capturing based on a procedure that organized the process of receiving applications and carrying out written and oral technical examinations in this field, based on previously defined job descriptions. 52 typists were required to capture data in stages and according to the needs and the nature of the work. Before beginning work, the typing team took a training course that concentrated on defining the mission of the Commission, the role given to it, and the obligation to maintain confidentiality.

This team was in charge of the following tasks:

- Opening a file for each victim;
- Summarizing the information contained in the data entry form or other documents;
- Printing a summary of the information;
- Looking for the index numbers of the victims' files;
- Typing correspondence to complete the details;
- Checking and capturing information regarding the files to be included or checked;
- Capturing additional information coming to light as a result of completing the details or the hearings.

### 3.3. Completing the Details

During the stages of analyzing and capturing the data in the data base it became clear that a group of petitions relating to violations received by the Commission from different parts of the Kingdom and abroad were lacking in information and documents. The Commission therefore decided to carry out this operation in order to prepare the files of the victims and the contexts of the incidents, to establish the truth about the violations, to gather evidence and to hold direct meetings with the victims.

This task was carried out in two ways. The first was to conduct field visits. Some regions were chosen taking into consideration the number of petitions received from them and the seriousness of the incidents that occurred there. The second was to send letters to the petitioners by post. In order to facilitate the process of correspondence, an integrated computer programme was developed. Regarding petitioners targeted by the information completion operation, they were informed of the date and the place of the meeting and of the documents that they should bring with them. These operations



included rural communes and towns in provinces: Azilal, Beni Mellal, Al Hoceima, Nador, Laâyoune, Boujdour, Es Smara, Dakhla, Tan-Tan, Tata, Guelmim and Assa-Zag. These field visits took place between December 2004 and April 2005.

The table below indicates the regions and the reception centres covered by the operation, according to province and the dates when they were carried out:

Province	Commune or town where the reception centre is	Date
Azilal	Anergui Commune	13-15 Dec 2004
	Zaouiat Ahensal Commune	17-19 Dec 2004
	Tilouguit Commune	21-27 Dec 2004
	Afourar Commune	29 Dec 2004
	Ouaouizeght Commune	13-19 Dec 2004
	Ait Ouqebli Commune	21-25 Dec 2004
	Azilal town	27-28 Dec 2004
	Tagleft Commune	13-28 Dec 2004
Beni Mellal	Beni Mellal town	13-14 Dec 2004
	Taghzirt Commune	15-20 Dec 2004
	El Ksiba Commune	21-24 Dec 2004
Laâyoune	Tarfaya Commune	4-6 Feb 2005
	Laâyoune	4-13 Feb 2005
Boujdour	Boujdour	8-9 Feb 2005
Dakhla	Dakhla	11-12 Feb 2005
Tan-Tan	Tan-Tan	4-7 Feb 2005
Assa-Zag	Assa-Zag	9 Feb 2005
Tata	Tata	11 Feb 2005
Guelmim	Guelmim	11 Feb 2005
Es-Smara	Es-Smara	4-11 Feb 2005
Nador	Nador	26-30 Apr 2005
Al Hoceima	Al Hoceima	26 Apr 2005

The behaviour of the local authorities and elected officials in all the reception centres towards the work groups entrusted with this task was positive. They provided them with all they needed to carry out their work successfully. In addition, the positive reaction of the victims and their rightful claimants made this another opportunity for the Commission to communicate with victims and their families.

The process of completing the information in the southern regions coincided with conferences and meetings held by the chairman and members of the Commission with elected officials, notables and civil society activists, as well as with victims and their relatives, and also with a concern about those with urgent medical conditions. Thus it left a positive impression on the victims and all those who were heard. This operation was overseen by a member of the Commission from the region of Tadla Azilal, and two members from the Rif, where the operation coincided with preparations for public hearings in Al Hoceima.

This operation was a part of the work method adopted by the Commission, not only in order to complete the details but also to search for the truth, to gather all information relating to the facts of the violations themselves, and to deepen the study of the contexts of incidents linked to those violations.

It is worth pointing out that the Commission sent letters to all the victims or their rightful claimants not living in regions where on-site information completion was carried out as well as to victims living outside the Kingdom. A special form was prepared explaining the information lacking and the documents required.

### 3.4. Receiving People in the Commission Headquarters

The Commission considered hearings a principal source for completing details and gathering data, whether regarding information relating to victims themselves, or so as to gain a complete picture of the historical contexts of the incidents.

Reasons for victims visiting the Commission headquarters became more numerous and various as its work developed. In the beginning, new petitions were deposited by the victims or their rightful claimants. The petitions were received, and the visitors were hosted and given a copy of the petition carrying the date of deposit. Replies were also given to their questions and queries. Subsequently, the role of receiving people was not limited only to depositing new petitions but also began to include:

- Requests for information about the file;
- Adding documents or information to the file;
- Submitting urgent medical cases;
- Submitting requests relating to the settlement of administrative status;
- Submitting requests relating to social reinsertion;
- Giving expression to suffering and presenting oral testimonies about the violations.

It was remarked that the number of visitors received increased when the Commission began to write to the petitioners or their rightful claimants to complete information and provide documents relating to their files. About 32 visitors came each day and sometimes the number was more than 100, so the Commission reinforced the team in charge of reception and hearings according to the need. During the months of February and March 2005, hearings were organized jointly with assistants from the reparations unit to check some information needed by the team to process the files for final decisions.

Some hearings were attended by victims who had had a role in incidents or who had witnessed them. Reception was also one of the main sources for choosing witnesses who gave their testimonies during public hearings, and the reception and hearing team made suggestions about victims fulfilling the criteria laid down by the committee organizing the public hearings.

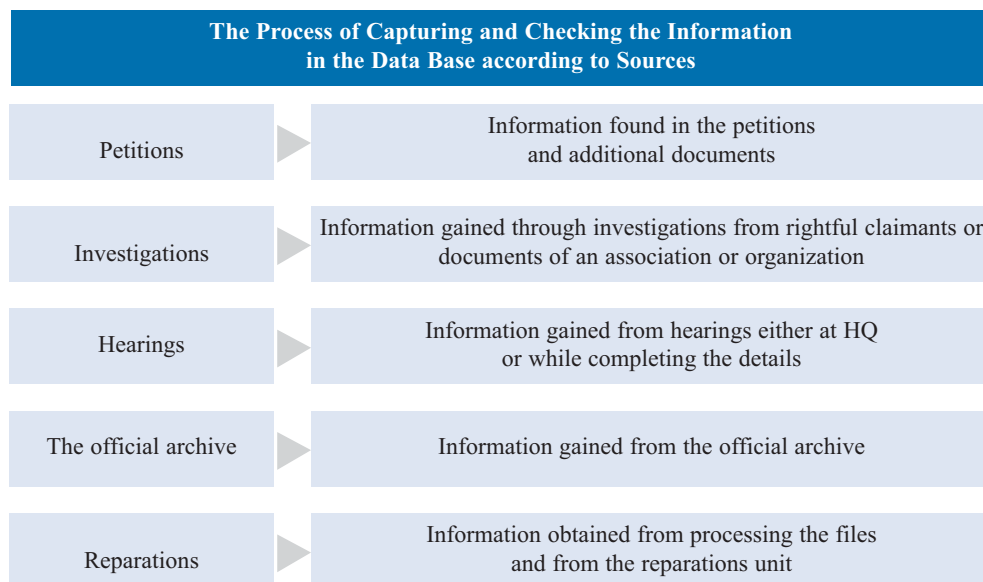
When the stage of processing the files was finished as regards documents and information, the reason for most victims' visits to the headquarters of the Commission became to enquire about the fate of their files and the date when the final decision would be made. Others wanted to know the fate of their requests concerning settlement of administrative status or to present health situations. The latter were handled in coordination with the Commission's medical unit.

The Commission's reception department also replied to telephone calls from victims. The person's identity and information contained in the petition was checked, and then he was provided with the information he wanted or he was informed of the documents missing from his file. In most cases, victims who telephoned were living in distant towns or outside Morocco.

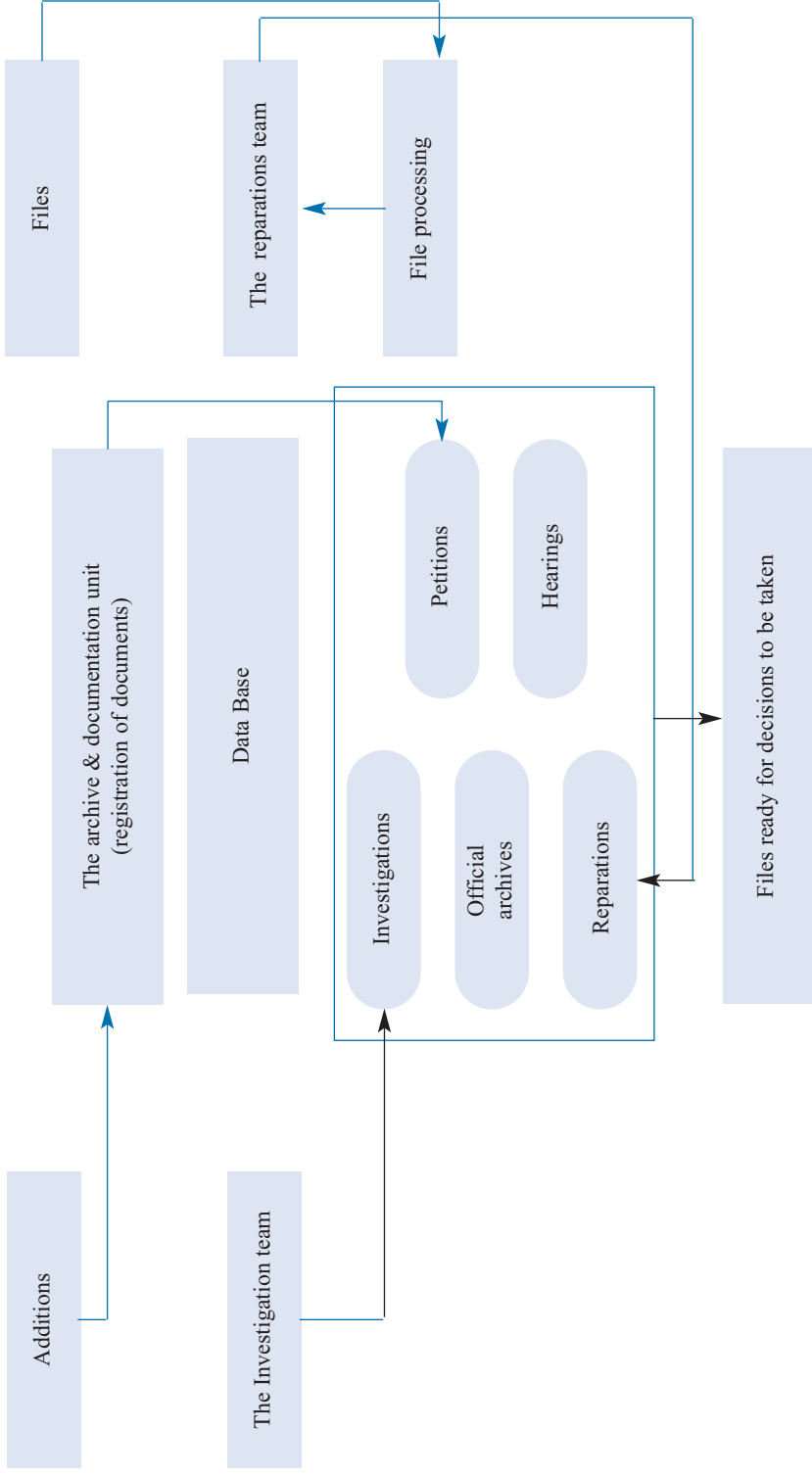
### 3.5. Processing the Files

When the analysis and the information completion were finished, another team was formed to process the files under the supervision of the work group in charge of reparations. This task helped to provide the data base with information deriving from the processing of files and final decisions taken regarding them, by creating another source in the information system for receiving that information, called reparations. This is how the information available was captured after the files had been processed and final decisions had been taken concerning them. This source enabled the Commission to extract reliable statistics.

The two following diagrams show the sources of the information found in the data base and the procedures followed to capture the data:



# The Initial Processing Stage



### 3.6. Utilization of the Data Base and Analysis of the Data

Specialized computer engineers and technicians managed the data base from the time it was first set up. They were also made responsible for maintaining the computers. They were charged with the following tasks:

- Installing the SQL router and the user tools, and creating the data base;
- Ensuring the maintenance and modification of the data base;
- Maintaining and controlling user access to the data base;
- Ensuring the integrity of the system;
- Validating the results from the data base;
- Drawing up a plan for preserving and backing up the data base;
- Managing the information system network of the Equity and Reconciliation Commission.

The technical team also undertook to keep sifting and checking the data stored in the data base on the basis of a number of conformity criteria among a number of different variables, and to design computer programmes for extracting preliminary statistics in parallel with the work groups, the ad-hoc committees and the administrative units.

As far as the analysis of data was concerned, the previously designed 'cubes' method was used, based on measurement units and analysis axes, and a computer programme was designed to apply this method. The measurement unit is an index indicating a set of data relating to a quantitative or qualitative variable (e.g. number of victims, number of violations etc.). The term 'analysis axes' refers to all explanatory variables that enable analysis of a measurement unit. For example, the measurement unit could be the number of victims and the analysis axes, age, sex, type of violation, injuries etc. This required the Commission to pre-determine units of measurement and analysis axes in accordance with the requirements of the Final Report.

### 3.7. Managing the Files

The computer programme contained a basic component to manage and record the progress of all the files between the different work groups and administrative units. The purpose of that was to register the following data:

- Type of task with regard to a file or a group of files;
- Those responsible for passing on and receiving the files;
- The date of receipt and return;
- The work group or unit that received the files.

Thus it was possible to observe the overall progress of each file from its creation in the information system until the Commission made a decision on it.

## 4. Constraints, Difficulties and Appropriate Solutions

In spite of the efforts exerted by the personnel of the Commission during the stages of defining the needs and conceiving the information system, the stage of implementing this system and completing the work linked with it was faced by constraints and difficulties that were all overcome after the information completion process. During the stage of implementing the information system, problems appeared that required decisions to be taken by the administrative coordination committee, which was not able to hold regular meetings due to the pressure of the work entrusted to its members. This slowed down the progress of the work.

The most important difficulties faced by the information unit and the solutions adopted can be summarized, according to stage, as follows:

### 4.1. Analysis and Control

As the data entry forms relating to victims of violations were being filled in, the process of analysis of the petitions received by the Commission faced difficulties that the supervisors of the unit had to face and adapt to as the work was in progress. They can be summarized as follows:

- The petitions contained numerous forms, types and criteria relating to violations, injuries and requests that were impossible to classify. This required the use of temporary classifications in attendance of a final decision on the subject by the Commission;
- Petitions had been classified on the basis of sets of authorized classifications and ad-hoc sub-classifications. So a regular process of revision and refining of the ties and links between the sets had to be carried out to classify them within the larger classifications that had been adopted;
- In the petitions, numerous names were used for the same detention centre, which necessitated study of the incidents and the centres used;
- It was difficult to copy the contents of some petitions into the data entry form. This was because they lacked the relevant information, or they were unclear, as a result of differences in the levels and categories of victims' petitions, because of differences in the contexts and circumstances of the events that Morocco lived through between 1956 and 1999. There were as many empty and uninformative petitions as there were clear and fully detailed ones;
- In two types of cases, it was sometimes difficult to determine the class that the victim's file belonged to. The first was when the victim stated that he had been subject to a number of violations during different incidents, and the second was when the violation was linked to more than one incident. The decision was therefore taken to classify them taking into consideration the incident, the type of violation and the duration;

- It was difficult to distinguish between the victim and the injured party and whether the depositor was the victim or one of the rightful claimants. This required that the file be held back until the results of the information completion process were available so that an appropriate decision could be taken;
- During the analysis process, it was sometimes impossible to record the name of the victim and his identity. In this case, the data form was filled in depending on the relationship of the victim to the depositor while recording in a box the phrase 'known as' in attendance of the results of the information completion operation;
- It was difficult to determine the victim when the depositor was the injured party and did not mention the name of the victim, which required much time to check.

## 4.2. Capturing the Data

The process of capturing data in the data base faced many technical and subject-matter difficulties, the most important of which were:

- Sometimes the name was not specified because it was not mentioned in the petition. This prevented capture by the data base of the other information relating to the identity of the victim;
- Sometimes the same national identity card was used for more than one victim, since some petitions carried the same national identity card number;
- It was difficult to take a decision whether to include some files because they lacked relevant information;
- The process of including petitions relating to the same victim but received from different parties took a long time, both for processing and capturing;
- Some information contained in the petitions contradicted information from other sources.

## 5. Conclusion

The information system established by the Commission was one of the main tools it depended on in handling the information relating to victims of violations. It helped set up a data base that assisted all the work groups and administrative units in carrying out their tasks. In view of the vast quantity of information that was gathered from different sources and the limited time set for accomplishing its mission, the information system played an important role in controlling and checking the data, and coordinating and organizing the work, despite the difficulties. The data base also helped the Commission to achieve its mission by managing and preserving the information, and utilizing and analyzing the data.

The difficulties faced in implementing the information system were due mainly to the time factor and the large number of tasks, in addition to the developing needs of the work groups and the administrative units in step with the progress of the work, which required the creation of a data entry form specifically for the investigation team and the creation of two other secondary data bases, the first for the reparations unit, and the second to deal with victims' health requirements. Although these data bases were created independently of the information system, all the data captured by them was used by the general information system of the Commission and the data base linked to it.

The Commission's archive is an important source of information which can be used for research and studies because of the data it contains about the violations committed in the past and the victims of those violations.





## **Chapter Four**

### **THE COMMUNICATION PLAN**

## Introduction

The Commission began to lay down its communication plan from its sixth regular meeting, based on papers prepared by members of the team in charge of this issue and a study prepared by an expert in communication. In preparing this plan, it respected the context of the process of settling the file of the violations of the past and the general political and social context. Goals were set for it so as to ensure broad involvement in the process. To achieve these goals, numerous and various means were used appropriate to conveying the content meant to be communicated. It also organized general and specific activities helping in the process of communication and information. The implementation of the Commission's communication plan faced a number of constraints and difficulties that it overcame by being flexible, and careful to avoid unstudied interventions by the press.

### I. The Special Context

In accordance with its statute, the Commission was careful to draw up a communication plan to ensure the involvement of all sectors of society in following its work and interacting with it, and so as to ensure continuous communication with victims, their families and representatives, the audio-visual media and the press, and the other components of civil society. On the basis of its prerogatives and mission, and in implementation of its general action plan, the Commission considered communicating, informing and creating an on-going relationship with public opinion as one of the main tools for achieving those tasks and realizing the goals of the partnership and cooperating with the different parties in the process of settling the violations of the past and moving on to the future. In preparing this plan, the Commission bore in mind the general Moroccan context within which various points of view were at work, and the fact that they were characterized by numerous conceptions, impressions and expectations that led to diverse attitudes towards the Commission.

In view of the nature of its mission, and the fixed period of its term, the Commission was flexible in programming communication activities, so as to give it the opportunity to interact with the programmes planned by the Commission when they occurred on the one hand, and to deal alertly with different events and reactions, and to ensure that it listened carefully and interactively with the environment on the other hand. The considerations borne in mind by the Commission in preparing its communication plan can be summarized as follows:

- Effectiveness;
- Efficiency;
- Flexibility;
- Appropriateness to the general political and social situation;
- Interaction with the programmes established to implement the action plan;
- Keeping abreast of and alert to events.

## II. The Main Goals of the Communication Plan

The main goals of this plan were:

- To involve public opinion in collective and constructive thought about the importance of the mission of the Commission;
- To help to rationalize free pluralistic public discussion of political and social events and their contexts linked with the mission of the Commission;
- To send messages of convincing symbolic weight to preserve the memory;
- To ensure clarity and transparency regarding the criteria and procedures used by the Commission;
- To promote the credibility of the Commission and improve its image;
- To continuously publicize the results and the progress of the Commission's work;
- To give accurate and convincing answers to the queries of complainants, partners and public opinion;
- To take all necessary precautions to prevent disruption of the work and activities of the Commission;
- To control the circulation of communication materials produced by the Commission and directed to different components of public opinion involved, by different media and communication means;
- To encourage media and communication professionals to become involved in and to enrich the Commission's activities, especially concerning the subjects of investigations and their results, and awareness-raising and education in the fields of reconciliation and human rights culture.

## III. Sectors Targeted

The creation of the Commission aroused the enthusiasm of society and uncovered a sort of support and positive response to this historic initiative. It was this climate that the Commission sought to utilize in the media to communicate with the different sectors including victims and their families and representatives. The Commission sought to define priorities in the first stage of its communication plan including for example focusing on some cases of special symbolic importance (e.g. receiving the families of Benbarka and Almanouzi and giving them a hearing). The plan also focused on human rights bodies and non-governmental organizations, and political parties and trade unions, in addition to organizing communication meetings with universities and academic research centres.

The sectors targeted by the Commission's communication plan can be summarized as follows:

- Victims and families: The first group targeted was the victims and their families, and the rightful claimants, since they had to be heard and their expectations given priority, and clear and convincing answers had to be given to queries arising from these expectations;
- Non-governmental organizations involved, whether national or international, so that they would be able to continually keep abreast of the work and activities of the Commission;
- Civil society activists in local development in the regions especially involved in the violations, to ensure their involvement in the process, especially as regards community reparations;
- The public authorities directly involved in the mission of the Commission: to raise their awareness of those tasks and the constraints and expectations of the victims, through holding information and negotiation meetings that were mostly characterized by a constructive and participatory spirit;
- National public opinion: to involve it in the process of reparations, rehabilitation, reinsertion and reconciliation;
- International public opinion: to publicize the activities of the Commission and the Moroccan experience in settling the issue of past violations;
- The national and local press in the regions involved in the violations;
- Universities and academic centres;
- Education institutions.

#### **IV. The Media Used**

Since the beginning of its work, numerous media outlets helped in covering and keeping people informed of the Commission's activities. The two public television channels played a principal committed and long-term role, not only in covering the Commission's activities but also in producing programmes devoted to subjects connected to the mission of the Commission. So the Commission concluded partnership agreements with both of them to define the fields and conditions of their partnership in its activities. In addition, the national radio, in both Arabic and Amazigh, and some regional radio stations became continuously involved long-term in covering the activities of the Commission and producing special programmes. The Commission also entered into contracts with young film directors to produce documentaries of its activities. In general, the Commission tried to vary the means used in its communication plan according to the topics, the sectors targeted, and its progress in accomplishing the tasks entrusted to it.

The media used can be summarized as follows:

- The telephone, through the telephone reception centre in the Commission headquarters, on the one hand to enable petitioners and all partners and different parties involved to seek information, and on the other hand to enable the Commission itself to pass on its messages and the information needed by them;
- The Commission website and e-mail;
- Publications devoted to the activities of the Commission;
- Limited individual and group hearings, apart from public hearings;
- Clubs, statements and press conferences;
- Information and consultative meetings;
- Radio and television dialogues and discussions;
- Special events with symbolic weight with regard to settling the file of past violations to enable people to keep abreast of the work of the Commission, like managing issues relating to human remains, places of burial, and uncovering the fate of the forcibly disappeared etc.;
- Exhibitions;
- Documentaries and documentary videos of Commission activities;
- Audio-visual recordings;
- Groups of written documents.

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