



**Submission to the United Nations  
Committee on the Elimination of Racial Discrimination as  
Parallel report on the Kingdom of Morocco combined report of the  
nineteenth to twenty-first periodic reports**

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## General context

The Sahrawi NGO Coalition welcomes the publication of the combined report of the nineteenth to twenty-first periodic reports of the Kingdom of Morocco, and the opportunity to submit this parallel report to the UN Committee on the Elimination of Racial Discrimination.

The Sahrawi NGO Coalition consists of three organizations working in the field of human rights and freedoms in the North African region, especially in the Kingdom of Morocco, Algeria, and the camps in the Tindouf region and Mauritania.

- Africa Watch, is a civil structure, works in the field of preparing parallel reports to the United Nations treaty bodies, special procedures of the Human Rights Council and the universal periodic review mechanism, organizing activities on human rights topics and submitting thematic reports and annual reports that reflect the state of rights and freedoms in Morocco, Algeria, and the camps in the Tindouf region, with the aim of making this practice a major reference for information, whether for the United Nations mechanisms or international and regional organizations working in the field of human rights, as well as universities and research centers wishing to obtain reliable information about the human rights record in the region.

- The International Network for Human Rights and Development (RIDHOD) was established in 2020 by human rights defenders and activists in France, to raise awareness of human rights violations in Africa, and to track the paths of democratic transition in that region. The network is interested in studying and tracking a wide range of human rights and development issues in local communities.

- Defenders for Human Rights Organization, is a youth experience in South of Morocco, to support the activities of human rights defenders and to promote and protect civil and political rights, as well as ensuring access to economic, social, and cultural rights. In its interventions, Defenders for Human Rights focuses on examining solutions to the situations and violations that activists and human rights defenders are exposed to, in accordance with the rules of international human rights law and the national legislation of the Kingdom of Morocco.

The information contained in our parallel report was collected from national data and studies completed by the Research cell and preparation of studies and reports, as well as the database of NGOs operating in Morocco, as well as through dialogue and organizing panel discussions with communities, activists, and key stakeholders.

This submission forms part of the Parallel Report coordinated by Africa Watch. The partner organizations fully support the content of the parallel report of the Sahrawi NGO Coalition, and in this submission, we will examine the legislative and societal developments that apply to the Kingdom of Morocco as a state party to the International Convention on the Elimination of All Forms of Racial Discrimination.

Some components of the Sahrawi NGOs Coalition participated in the consultative meetings regarding the contents of the State Party's national report in 2019 and expressed their opinion on all aspects of the report, in order to enhance the Conventional practice in the Kingdom and strengthen the roles of all stakeholders, including non-governmental organizations working in the field of human rights.

### **1. Regarding the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination in the Kingdom of Morocco**

1. The Kingdom of Morocco adopted the International Convention on All Forms of Racial Discrimination on December 18, 1970 and accepted the competence of the Committee to receive and consider communications from individuals or groups of individuals within its jurisdiction claiming to be victims of a violation by that State Party of any of the rights set forth in this Convention, in 2006.

2. The review of the combined report of the nineteenth to twenty-first periodic reports of the Kingdom of Morocco, before the Committee on the Elimination of Racial Discrimination, took place in contexts and circumstances characterized by many political, legal, and societal changes in the Kingdom of Morocco, and many of the recommendations contained in the concluding observations issued on the occasion of the examination of Morocco's seventeenth to Eighteenth national report were implemented.

3. In the last two decades, Morocco has launched many constitutional, political, and legal reforms, as a result of intense demands from the political components and vital forces of society, in continuation of the path of democratic transition, starting with entering into a general political breakthrough, followed by the creation of an Equity and Reconciliation Body, which sought to reconcile with the past and turning the page on political repression and restricting opinion and political participation is its main goal.

4. The acceleration of events in the Kingdom of Morocco in the first decade of the third millennium constituted a decisive point in the path of democratization of the country, and the emergence of modern political and civil movements, which consolidated their presence more and more by demanding profound reforms, and contributing to the public debate about the necessity of carrying out profound political and constitutional reform, in order to ensure Rights, protecting freedoms, enshrining the rule of law, and strengthening national institutions.

5. These national and societal efforts culminated in the adoption of the 2011 Constitution, which formed a fundamental basis in the reform process, given that the constitutional document devoted an entire section to basic freedoms and rights, and this step was considered the beginning of a calendar of legislative and institutional reforms<sup>1</sup> that included all rights and freedoms, in addition to stipulating The multiplicity of national components of the Kingdom of Morocco, and considering this multiplicity as supportive of national unity, in equality between these various cultural and linguistic components<sup>2</sup>.

6. Perhaps recognizing the Amazigh language as an official language of the State alongside the Arabic language, and taking measures to demarcate it on the ground, despite the observed slowness in implementing these measures, especially in the areas of administration, education, courts, and transactions, this strategy clearly answered the question of reconciliation between all cultural and linguistic components of Moroccan society, and translated the strong desire to fuse its cultural components to build a state of law.

7. Despite all the legislative developments and the modernization of the Moroccan legal arsenal to promote rights and freedoms, addressing the issue of eliminating all forms of discrimination is still in its infancy, with the exception of stipulating the criminalization of discrimination in the preamble of the Constitutional Document of 2011<sup>3</sup>, and the creation of a body for parity and combating all forms of discrimination, to ensure that men and women enjoy equal rights and freedoms, there is an urgent need to prepare a standard legal framework regarding discrimination, whether on the basis of culture, language, regional or social affiliation, or gender.

### Recommendation:

**8. The Sahrawi NGOs Coalition notes the absence of legislation specifically to eliminate all forms of discrimination within Moroccan national legislation, and that the provisions related to the issue of discrimination in the Constitution and the Criminal Code are not sufficient to address this type of violations. Therefore, the Coalition draws the attention of the State Party to the necessity of enacting a specific legislation to the elimination of all forms of racial discrimination, in accordance with the requirements of Article 2, Paragraph (d) of the International Convention on the Elimination of All Forms of Racial Discrimination.**

<sup>1</sup> Institutional reform efforts in the Kingdom of Morocco has culminated in the establishment of a group of bodies aimed at protecting and enhancing the cultural aspects of the various components of Moroccan society. The demarcation of the Amazigh language and the creation of a Royal Institute for Amazigh Culture, a Center for Hassani Studies and Research, a Center for Sahrawi Studies and a Center for Andalusian Studies and Research are among the manifestations of the progress achieved by Morocco within the framework of its implementation of the Convention, in relation to promoting equality and justice and eliminating discrimination between the various ethnic groups that constitute Moroccan society.

<sup>2</sup> The Constitution of the Kingdom of Morocco stipulates that: "A sovereign Muslim State, attached to its national unity and to its territorial integrity, the Kingdom of Morocco intends to preserve, in its plentitude and its diversity, its one and indivisible national identity. Its unity, is forged by the convergence of its Arab-Islamist, Berber [amazighe] and Saharan-Hassanic [saharo-hassanic] components, nourished and enriched by its African, Andalusian, Hebraic and Mediterranean influences ..."

<sup>3</sup> The Constitution of the Kingdom of Morocco stipulates in its preamble "To ban and combat all discrimination whenever it encounters it, for reason of sex, or color, of beliefs, of culture, of social or regional origin, of language, of handicap or whatever personal circumstance that may be..."



## 2. Regarding the situation of immigrants, refugees, and asylum seekers

9. The United Nations declares that the phenomenon of migration constitutes one of the greatest challenges facing the world at the present time, as statistics recorded the presence of more than 258 million migrants and large numbers of internally displaced persons, refugees, and asylum seekers<sup>4</sup>, which poses intractable problems related mainly to the issue of protecting rights and freedoms of these groups, most notably the right to life, the right to physical integrity, health, food, and other basic rights, the absence of which may jeopardize their situation and cause trouble for them.

10. Due to the spread of armed conflicts on the African continent and political instability, the phenomenon of irregular migration towards the European continent through Moroccan territory has become widespread, as Morocco has moved from a source country for immigrants to a transit and settlement country for hundreds of thousands of immigrants and refugees at the same time, taking into account the challenges that arise are related to the scarcity of financial resources necessary to cover the humanitarian needs of these people, and the pressures to settle their legal status, amid a sharp decline in international support and the setting of unfair requirements by international donors that contradict their duties to protect humanity from the dangers facing it.

On this basis, the Kingdom of Morocco worked to settle thousands of migrants from sub-Saharan countries in implementation of a strong royal will to adopt and implement a national strategy for migration and asylum in 2014<sup>5</sup>.

11. Likewise, the Moroccan government deals with cases of asylum and seeking asylum, as statistics from the United Nations High Commissioner for Refugees in Morocco amounted to 9,702 refugees and 8,400 asylum seekers<sup>6</sup>. The security concerns of North African countries raise serious concerns about the protection of refugees, especially with regard to access to national borders, and operations. of identification of asylum seekers and stateless persons, as well as the constraints associated with exercising their rights, and finding appropriate solutions that preserve the dignity of these people.

<sup>4</sup> The number of international migrants has reached 281 million, according to statistics from the International Organization for Migration, constituting 3.6% of the total world population.

<https://www.iom.int/about-migration>

<sup>5</sup> In 2014, by royal instructions, the Moroccan government began implementing a new national strategy for migration and asylum, aiming to regularize the status of tens of thousands of irregular migrants, within the framework of two exceptional operations that culminated in regularizing the status of more than 50,000 migrants from more than 100 nationalities.

<sup>6</sup> Statistics regarding the number of refugees and asylum seekers in Morocco up to December 31, 2022.

See UNHCR website, Morocco, January 2023.

<https://reporting.unhcr.org/morocco-factsheet-french>



## Recommendation:

**12. The Coalition of Sahrawi NGOs, while noting with satisfaction the migration policy adopted by the Moroccan government, calls on the Moroccan authorities to continue integrating migrants and refugees into the economic, social and cultural tissue, without imposing discriminatory restrictions that may prevent individuals from enjoying the rights stipulated in the International Convention on the Elimination of All Forms of racial discrimination.**

### 3. Regarding the situation in the southern provinces of the Kingdom of Morocco

13. The southern regions of the Kingdom of Morocco are subject to the same development indicators applied to the northern Moroccan regions<sup>7</sup>, and they have been the focus of development strategies and programs since their recovery in 1975. It should be noted that sustainable development indicators were non-existent during the Spanish colonial period for more than nine decades<sup>8</sup> in the Sahara regions.

On this basis, and in order to achieve a rapid integration of the Sahara regions into the path of national development, the Moroccan authorities allocated generous support to that region, directed to combating the poverty hotspots spread in the Sahara, by adopting various programs in addition to sectoral policies that were devoted to providing infrastructure consistent with the requirements of relevant national and international standards, such as constructing modern roads to connect the southern provinces with the northern regions<sup>9</sup>, establishing networks of potable water and liquid disinfection<sup>10</sup>, and building hospitals<sup>11</sup>.

<sup>7</sup> See poverty statistics and rates in the southern regions for October 2022 on the Oxford Poverty and Human Development Initiative (OPHI) database.

[https://ophi.org.uk/wp-content/uploads/CB\\_MAR\\_2022.pdf](https://ophi.org.uk/wp-content/uploads/CB_MAR_2022.pdf)

<sup>8</sup> The Sahara region was subjected to a Spanish occupation that lasted 91 years, and it never invested except to serve its security and logistical needs to support its war effort and establish its presence in the vast desert space, which was subjected to unjust plundering of the country's resources, such as phosphate and fish resources, in addition to strengthening the ranks of its army with locals to control the rebellion of the tribes and the rejecting local population for any foreign presence on their land.

<sup>9</sup> The Kingdom of Morocco adopted a new development model, which came in response to a royal order requiring the necessity of reconsidering the development strategy in Morocco, and making the Sahara region a top priority in this project. The modern road link axis is considered the most important project of the new development model, linking the north of the Kingdom with the Sahara regions, starting from the city of Tiznit. The project includes the completion of a highway and the restructuring of National Road No. 1 along a length of 1,055 kilometers that passes from all urban areas to the Sahara regions, with a financial envelope exceeding 7 billion and 250 million dollars.

<http://www.equipement.gov.ma/AR/projets-phares/Pages/Tous-les-Projets.aspx?IdNews=6>

<sup>10</sup> The National Office of Electricity and Drinking Water has invested two billion eight hundred million dollars in implementing water, liquid disinfection, and electricity projects in various regions of the Sahara, since its recovery in 1975.

Sources from the National Office of Electricity and Water indicate that the production flow in the water sector did not exceed 5,000 cubic meters before 1975, while 15 stations were established in the last four decades, including seven stations for desalinating seawater and another for removing metals, so that production capacity moved to more than 160 thousand cubic meters per day.

<http://www.onep.ma/news/2022/CDP-13-10-2022-Laayoune-DG/accueil.html>

<sup>11</sup> The Moroccan authorities have built 59 health units in the provinces of Sahara, since 1975, including regional hospitals, dispensaries, blood transfusion centers, and blood filtration centers, in addition to health centers belonging to the private sector. Great efforts have been made since the beginning of 2021 to build a university hospital in the city of Laayoune, in addition to a Faculty of medicine and pharmacy.

[http://cartesantitaire.sante.gov.ma/dashboard/pages2/agregat\\_2021.html](http://cartesantitaire.sante.gov.ma/dashboard/pages2/agregat_2021.html)

14. The Moroccan government has spared no effort to support the incomes of Sahrawi families and support their purchasing power, by making a decision to grant continuous financial aid amounting to 200 US dollars to poor families, in various regions of the Sahara, to support them in bearing daily expenses and facing the requirements of urban life<sup>12</sup>, in addition to a large-scale distribution process for residential homes and plots of land<sup>13</sup>, for the most vulnerable groups of the Sahrawi population, within the framework of the Villagers' Housing Program, in support of stability in the Sahrawi cities, and a contribution from the Moroccan state and its local administrations in bringing education and health services and the right to adequate housing and development to the residents of the region.

15. Despite these efforts, the Sahrawi population still suffers from high levels of fragility. This is due to the loss of 16 years of development time due to the ongoing conflict over the Sahara with the Polisario organization and its incubator, Algeria, a conflict that has had direct and clearly visible effects on the standard of living and well-being of the local population. However, the Kingdom of Morocco was able to remedy the matter after stopping the ceasefire agreement in 1991.

### **Recommendation:**

**16. In order to bridge the development gap between the southern regions and the rest of the northern regions of the Kingdom of Morocco, the coalition of non-governmental organizations draws the attention of the Moroccan government to the need to adopt policies and measures that ensure the delivery of aid and support allocated to vulnerable groups in the Sahara to those who deserve it.**

17. Dealing with cultural and linguistic diversity is a matter that requires effective tools to manage this diversity in a peaceful manner, with the aim of building true citizenship that enhances the sense of belonging. The Moroccan authorities have accumulated best practices in the field of managing diversity and promoting a culture of peace, as the Constitutional Document of 2011 is an effective guarantee of coexistence among the various components of Moroccan society.

Therefore, the State Party needs to create legal frameworks that create a climate to consolidate and protect that diversity, and to combat any emerging forms of discrimination, to ensure equality between all cultural components of Moroccan society without discrimination, in complete harmony with the requirements of the International Convention on the Elimination of All Forms of discrimination.

<sup>12</sup> This aid was granted to families without income, because most of them are characterized by the Bedouin character that prevailed in the Sahara region before its recovery by the Kingdom of Morocco, and the amount of these grants per month exceeds 15 million dollars, according to a statement by officials at the Moroccan Ministry of Interior.

<sup>13</sup> The number of houses and plots of land that have been distributed, according to reports from the focal points of the African Organization, has reached 50,000 housing units and plots of land, since the recovery of the desert by the Kingdom of Morocco in 1975.

## Recommendation:

**18. The coalition encourages the Moroccan government to move forward in eradicating and correcting deficiencies in policies, programs, and proactive plans in the fields of education, employment, housing, and media, to enhance tools for preventing the spread of hate speech and racial discrimination, by strengthening education efforts on human rights and citizenship, in addition to establishing effective oversight mechanisms on sectoral policies in order to integrate these principles and approaches into relevant public policies.**

**19. The coalition recommends that the government ensure strict enforcement of the law against individuals and groups who advocate or adopt speeches of violence, hatred, discrimination, and racism, on issues related to rights and freedoms, which are published through a series of statements and comments circulated on social media networks, or through dialogues and materials published on some websites. Any delay in preparing and implementing a law to eliminate hate speech and racial discrimination will provide an environment for the spread of racist crimes in the future.**

20. In connection with the protection of cultural rights, the coalition notes the governmental efforts made in this regard, which are mainly linked to the constitutionalizing the Hassani cultural component as a component of the Moroccan identity<sup>14</sup>, along with other components that enrich Moroccan cultural pluralism and enrich its diverse tributaries on the basis of the principles of moderation and tolerance that frame the dialogue of civilizations.

21. Despite the explicit stipulation in Article 5 of the Constitutional Document that the Hassani oral expression of the inhabitants of the Saharan region is considered an integral part of the unified Moroccan cultural identity, and the State undertakes to protect it and works to harmonize its public policies in this regard so that it assumes its proper place.

However, there is still hope to allocate sufficient financial resources to fortify, enrich and promote the Hassani culture by studying it and directing university and academic research to explore its depths and its characteristics, to disseminate knowledge of the culture of the people of the Sahara, their ways of living, their dealings and their style of thinking, in order to enrich the diversity and cultural richness that constitute a factor of strength and unity for the Kingdom of Morocco.

<sup>14</sup> See the preamble to the amended Constitution of the Kingdom of Morocco of 2011.



## Recommendation:

**22. The coalition considers it necessary to allocate an appropriate amount of space from the general budget to support and strengthen the Hassani culture within the government's plans and strategies related to cultural affairs. It also calls for the adoption of this culture in the education and training system, and the inclusion of additional materials in academic curricula on the history, geography, customs, traditions, literature, and culture of the Sahara region, to preserve it from disappearance and extinction.**

**The coalition considers it necessary to redouble the efforts directed at supporting and strengthening the Hassani culture within the government's plans and strategies related to cultural affairs. It also calls for the adoption of this culture in the education and training system, and the inclusion of additional materials in academic curricula on the history, geography, customs, traditions, literature and culture of the Sahara region, to preserve it from disappearance and extinction.**

23. The southern regions are considered among the regions with the highest political participation in Moroccan electoral elections, as they have representatives in the Moroccan Parliament in its two chambers, regional and local representative bodies, whose mission is to represent the local population in the administrations and implement economic and social programs and plans for their benefit, plan to develop cities in the south and provide public services, in addition to manage issues related to civil transactions, as well as services related to roads, water, electricity, and sanitation.

24. As for access to other civil and political rights, Moroccan law and practice did not leave the possibility of distinguishing between individuals and groups according to their cultural or regional affiliation. Every person has the right to exercise his right to expression, to belong to an association or political party, or to move freely, in accordance with the requirements of the law. We have previously recorded any significant violation related to the enjoyment of civil and political rights in the Sahara region of southern Morocco.

25. However, the enjoyment of economic, social and cultural rights came gradually, given the general weakness of resources in the region due to its desert character, and its lack of economic structures capable of absorbing unemployment. From this standpoint, the Moroccan state has launched several national and international initiatives to encourage investment in the region with the aim of its residents benefiting from the returns of these investments, strengthening their families' purchasing power, and raising their monthly incomes to confront the causes of poverty.