



**International Convention on  
the Elimination  
of all Forms of  
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION  
OF RACIAL DISCRIMINATION  
Sixty-second session  
3-21 March 2003

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 9 OF THE CONVENTION**

**Concluding observations of the Committee on the  
Elimination of Racial Discrimination\***

**MOROCCO**

1. The Committee considered the fourteenth, fifteenth and sixteenth periodic reports of Morocco, due on 17 January 1998, 2000 and 2002, respectively, submitted as one document (CERD/C/430/Add.1 and CERD/C/430/Add.1 (Suppl.)), at its 1554th and 1555th meetings (CERD/C/SR.1554 and CERD/C/SR.1555), held on 3 and 4 March 2003. At its 1579th meeting, held on 20 March 2003 (CERD/C/SR.1579), it adopted the following concluding observations.

**A. Introduction**

2. The Committee welcomes the reports submitted by the State party and the additional information provided orally by the delegation. It commends the State party for submitting reports regularly. The Committee was encouraged by the fact that the Government was represented by a large, high-level delegation and that it provided frank and constructive responses to Committee members' questions and comments.

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\* Please note that the symbol CERD/C/Session No./CO/... replaces the symbol CERD/C/304/Add....

### **B. Positive aspects**

3. The Committee welcomes the State party's continued efforts to promote the culture of human rights, including the objectives of the Convention, particularly in the context of its national human rights education programme, which was launched in cooperation with the Office of the High Commissioner for Human Rights (OHCHR) and is now in its final stage.
4. The Committee also welcomes the establishment on 15 April 2000 by the Ministry of Human Rights, in cooperation with OHCHR and the United Nations Development Programme, of a human rights documentation, information and training centre.
5. The Committee notes with interest that the powers, composition and working methods of the Consultative Council on Human Rights, a national institution established in 1990, were amended in 2001 in order to enhance the Council's efficiency and independence in keeping with the "Paris Principles" endorsed by the General Assembly in its resolution 48/134.
6. The Committee also welcomes the establishment of an Ombudsman, known as the Diwan Al Madhalim, which is required, inter alia, to receive and consider complaints submitted by Moroccan citizens who consider themselves harmed by a decision or action taken by a State authority.
7. The Committee notes with satisfaction the increased attention being paid to the Amazigh culture, as illustrated by the establishment by His Majesty King Mohammed VI of the Royal Institute of Amazigh Culture on 17 October 2001.
8. The Committee welcomes the information provided by the State party on the amendments to the Code of Public Freedoms and the Press Code and on the ongoing revision of the Labour Code, as requested by the Committee in its previous concluding observations.
9. The Committee welcomes the steps taken by the State party to make the declaration provided for in article 14 of the Convention and to ratify the amendment to article 8, paragraph 6, of the Convention.

### **C. Concerns and recommendations**

10. While taking into account the State party's explanations concerning the difficulties encountered in determining the ethnic composition of the population, the Committee notes that information on this point is still lacking and urges the State party to provide information on the ethnic characteristics of the population of Morocco in its next report, in accordance with paragraph 8 of the Committee's guidelines.
11. The Committee invites the State party to provide information in its next report on the implementation of the provisions of the Code of Public Freedoms concerning the right of

association, according to which any association inciting racial discrimination shall be considered unlawful, and of the provisions of the Press Code that punish incitement to racial discrimination, in accordance with article 4 of the Convention.

12. Noting that the draft revision of the Penal Code has still not been completed, the Committee repeats its request to the State party to bring the Code into line with article 4 of the Convention.

13. The Committee requests that the State party include in its next periodic report statistical information on prosecutions launched, and penalties imposed, in cases of offences which relate to racial discrimination, and where the relevant provisions of the existing domestic legislation have been applied. The Committee reminds the State party that the mere absence of complaints and legal action by victims of racial discrimination may be mainly an indication of the absence of relevant specific legislation, or of a lack of awareness of the availability of legal remedies, or of insufficient will on the part of the authorities to prosecute. The Committee requests the State party to ensure that appropriate provisions are available in the national legislation and to inform the public about all legal remedies in the field of racial discrimination.

14. The Committee invites the State party to review the situation of the Amazigh, in keeping with international human rights agreements, so as to ensure that members of the Amazigh community can exercise their rights to their own culture, the use of their own language, and the preservation and development of their own identity.

15. While noting the replies provided by the delegation, the Committee requests the State party to take appropriate steps to put an end to the administrative practice of prohibiting the entering of Amazigh first names in the civil register.

16. The Committee is concerned at reports that members of Amazigh associations have suffered violations of the right to freedom of assembly and association.

17. The Committee also recommends that more programmes in Amazigh be included in the public broadcast media.

18. The Committee notes that the State party has expressed a willingness to provide information on socio-economic indicators relating to the situation of the Amazigh, Blacks, Sahraouis and other minorities and would like such information to be included in the State party's next report.

19. The Committee notes the submission in November 2002 to the House of Representatives of two bills: one relating to "foreigners' entry into and residence in the Kingdom of Morocco, illegal immigration and emigration", and the other to terrorism, and draws the State party's attention to the statement on racial discrimination and measures to combat terrorism adopted by the Committee on 8 March 2002 (A/57/18, chap. XI, sect. C).

20. The Committee recommends that the State party take into account the relevant parts of the Durban Declaration and Programme of Action when implementing the Convention in the domestic legal order, in particular in respect of articles 2 to 7 of the Convention, and to include in its next periodic report information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

21. The Committee recommends that the State party publish its periodic reports at the time they are submitted and, in the same way, publicize the Committee's conclusions in the main languages used in the country.

22. The Committee recommends that the State party submit its seventeenth and eighteenth reports in a single document, due on 17 January 2006, and that it respond therein to all the points raised in the present concluding observations.

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