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# End of Mission Statement of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance at the Conclusion of Her

# Mission to the Kingdom of Morocco

21 December 2018

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## **Introduction**

I would like to thank the Kingdom of Morocco (Morocco) for inviting me to undertake a visit from 13 to 21 December 2018, and for its excellent cooperation with respect to every aspect of my visit.

The terms of reference of my visit, which were established by the United Nations (UN) Human Rights Council, were to assess the authorities' efforts in eliminating racism, racial discrimination, xenophobia, and related intolerance in Morocco. As Special Rapporteur, I am independent from any government or organization, and I serve in my individual capacity.

During my visit, I travelled to Rabat, Tangier, Tetouan, Agadir, and Casablanca, where I met with many high-level representatives of the executive, demonstrating the importance Morocco attaches to the UN special procedures human rights mechanism, which I very much welcome. I also met with representatives of the National Human Rights Council, civil society, Amazigh communities, religious communities, migrants and refugees, individual victims of racism, discrimination and related intolerance, and representatives of the UN Country Team. In Tangier, I visited the forest north of the city where a large number of black sub-Saharan African migrants have increasingly been forced to live in recent months, as well as two police stations with detention facilities. I also visited the Ouled Ziane bus station in Casablanca, the day after a fire had destroyed the belongings of black sub-Saharan African migrants living in the market.

I wish to express my sincere gratitude to all those who took the time to meet me, some of whom travelled long distances from rural and other areas I was unable to visit, in order to share with me their harrowing but often inspiring stories of hardship and resilience. I want to be clear that the Moroccan authorities permitted me complete freedom of movement across the entire country, but that due to time and resource constraints I had to limit the places I was able to visit. I urge civil society and other

organizations working on issues related to racial equality, but who were unable to meet with me during my visit, to send me written submissions. This includes any groups working on racial equality relating to Sahraouis in Morocco, and others who may experience discrimination rooted in historical legacies of enslavement, including Harratines. I especially welcome written submissions from these and any other groups by March 1, 2019.

The following abbreviated observations are my *preliminary* findings, which I make in a spirit of open and constructive dialogue with the Government and other stakeholders. I will present a full report with more detailed findings to the Human Rights Council at its 41st session in July 2019.

### **Applicable International Human Rights Law**

By ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Kingdom of Morocco has committed itself to respect and ensure racial equality, and the right of all persons to be free from racial discrimination. Commendably, Morocco has also ratified several other international human rights treaties that prohibit racial and other forms of discrimination. These instruments create legally binding obligations for Morocco with regard to the principles of equality and non-discrimination. They also advance a substantive vision of equality—one that requires Morocco to eliminate intentional or purposeful racial discrimination, as well as to combat *de facto* or *unintentional* racial discrimination. Prohibited racial discrimination can occur even where there is no racial animus or prejudice in operation.

Indeed, ICERD stipulates that “*any distinction, exclusion, restriction or preference*” on the basis “*race, colour, descent, or national or ethnic origin*” must be prohibited as unlawful racial discrimination when it has “*the purpose or effect*” of impairing the equal enjoyment of human rights by all<sup>1</sup>. Under international law, the prohibition of racial discrimination is absolute and cannot be interpreted restrictively. This means, among other things, that: (1) racial discrimination is prohibited in the enjoyment of all civil, political, economic, social, and cultural rights<sup>2</sup>; (2) racial discrimination is prohibited under any circumstances, including in the

context of migration<sup>3</sup>; and (3) racial equality must be guaranteed for everyone regardless of ancestry or descent, including persons belonging to racial and ethnic groups, and non-citizens (regardless of their legal status)<sup>4</sup>. Achieving substantive racial equality also requires an intersectional analysis of the problem of racial discrimination and intolerance. An intersectional approach takes seriously the different experiences of racial discrimination that individuals endure because of their race, ethnicity, national origin, or culture, in combination with their gender, sex, sexual orientation, disability status, age and any other social category. Finally, under ICERD Article 1(4):

“Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved.”

Morocco was due to report on its implementation of ICERD in 2014 but has not done so to date. I welcome the Minister of State for Human Rights’ statement that Morocco is now finalizing its combined reports to the Committee on the Elimination of Racial Discrimination (CERD), and I urge Morocco to submit these reports without further delay.

### **Moroccan Constitutional, Legal, and Policy-Framework On Racial Equality and Racial Discrimination**

The Constitution of Morocco, adopted in 2011, marks an important human rights achievement, including in advancing the Kingdom’s commitment to international human rights, equality, and non-discrimination. Notably, the legally-binding Preamble includes a commitment to prohibit and combat all forms of discrimination, and Article 23 explicitly prohibits all incitement to racism, hatred, and violence. Equality before the law and gender equality are protected in

Articles 6 and 19 of the Constitution. Furthermore, the rights of non-citizens are specifically protected in Article 30 of the Constitution, a remarkable and visionary provision which provides that foreigners under Moroccan jurisdiction are entitled to enjoy the fundamental freedoms granted to Moroccan citizens. In this way, the Constitution enshrines equality and non-discrimination principles and creates a firm foundation for legislative and policy developments, which are necessary to ensure that these human rights principles can be fully realized for all persons in Morocco. Of special importance, the Preamble of the Moroccan Constitution affirms that Moroccan national identity is diverse, incorporating the rich cultural and ethnic heritage that has characterized this Kingdom for centuries. This vision of a plural but unified society, where all can enjoy full human rights and full political and social membership, is one that the Government of Morocco—like all other governments—must continue to work hard to implement. Equality in law alone, does not ensure equality in fact.

A review of applicable legislation shows that Morocco explicitly prohibits certain manifestations of racism, racial discrimination, xenophobia, and related intolerance, including in its penal, labor, criminal procedure, press, and publishing codes. I learned that the pending asylum bill contains a non-discrimination provision that prohibits discrimination on various grounds, including on the basis of colour and race. Morocco has also adopted a national action plan for democracy and human rights (2018-2021), which addresses gender equality and discrimination on the basis of disability status<sup>5</sup>. These laws and policies are commendable; however, significant shortcomings remain. As yet, Morocco has no comprehensive antidiscrimination legislation fully implementing ICERD's racial equality framework, and existing law and policy fails to define racial discrimination in a manner that is in line with the Convention<sup>6</sup>. Furthermore, while Morocco has rightly committed to the Durban Declaration and Programme of Action, which calls for a national action plan specifically combatting racism, racial discrimination, xenophobia, and related intolerance, no such plan currently exists.

Impressively, the Government of Morocco has created a ministry devoted to equality (Ministry of Family, Solidarity, Equality and Social

Development), which has the task, among others, of mainstreaming equality considerations across all other government ministries and the public sector. This ministry is a valuable development worthy of emulation by other governments. In addition to the disability status and gender equality work on which this ministry has focused, it is important that it also takes concrete policy measures to include racism, racial discrimination, xenophobia, and related intolerance in its mandate.

## **Amazigh**

As previously mentioned, the Moroccan Constitution commits the Kingdom to a unified but culturally diverse national identity, which centrally includes Amazigh identity. Article 5 establishes Amazigh as an official language, and in this way, Morocco has implemented an important recommendation previously issued by CERD. However, Morocco still has not adopted the Organic Law necessary to implement this constitutional protection, and I call on the Kingdom to adopt and implement the Organic Law without further delay. The equality of all Moroccans guaranteed in the Constitution must be ensured as a practical reality.

I commend the establishment in 2001 of the Royal Institute of Amazigh Culture (IRCAM), where I had the benefit of attending a celebration of Amazigh women artisans and their beautiful textiles and artistry. I also commend the important work IRCAM is doing to strengthen written Amazigh through lexical and other developments, and to support the flourishing of Amazigh culture traditions.

Notwithstanding important constitutional, legislative, and policy commitments on the part of the Government, I heard from representatives of many who identify as Amazigh and Moroccan but who experience discrimination, structural exclusion, and even racist stereotyping and related intolerance on the basis of their Amazigh language and culture. Groups reported persisting, structural marginalization and discrimination against Amazigh communities, including in particular those residing in rural parts of the country, with limited infrastructure and state support for their basic needs, including water, sanitation, and adequate healthcare facilities. Ensuring the equal status of all in the Kingdom requires taking

necessary measures to protect the cultural and socio-economic rights of all communities. Those committed to the preservation of Amazigh language and culture should be no exception.

Amazigh communities reported that in some parts of the country, the predominance of Arabic and French in the absence of adequate Amazigh language facilities—including sworn, certified interpreters—remains a barrier to equal and effective access to justice for Amazigh speakers. The limited availability of qualified, certified interpreters creates communication difficulties for Amazigh speakers at every stage of the legal process, including during court proceedings, which can have serious consequences for the substantive adjudication of their cases. In order to ensure equal treatment and protection in the administration of justice, Morocco should strengthen its efforts to advance the use of Amazigh language in judicial and administrative proceedings and to guarantee the availability of interpretation services.

Amazigh representatives further reported experiencing racial discrimination in their enjoyment of economic and social rights—a concern that CERD has previously raised in its reports<sup>7</sup>. In particular, groups reported that those who are not fluent in Arabic and those living in rural areas face difficulties with regard to equal access to employment and health services. With respect to the education system, Amazigh organizations reported persistent shortcomings in: the adequacy of Amazigh language education at all levels of education; promotion of the use of Amazigh as the language of instruction; provision of sufficient numbers of specialized Amazigh teachers; and mainstreaming of Amazigh language and culture in school curricula. Amazigh speakers residing in marginalized rural areas also shared reports of very limited, and in some cases, entirely inadequate access to healthcare services.

With respect to land rights, Amazigh representatives reported land dispossession and environmental spoliation of rural areas across the country, by private and public authorities, including as a product of development projects that do not ensure sufficient benefit to these communities. They also reported that the cumulative effect of colonial-era laws and land ownership structures, combined with contemporary

agricultural and land use projects that undermine their cultural ties to the land, remain cause for serious concern in parts of the country. In these areas, cultural identity intersecting with rural economic marginalization seemingly creates regions where conditions for Moroccans residing there enjoy poorer quality of life, than those residing in urban areas. Some civil society representatives reported that stereotypes associated with rural inhabitants of areas where Amazigh language and culture are especially salient, often result in people in those regions facing discrimination when they attempt to settle in more urban areas. Representatives of Amazigh women reported their experiences of intersectional forms of discrimination, including, for example, as a result of inheritance customs that prevent some Amazigh Moroccan women from inheriting land. I intend to further review the conditions of Amazigh, and I remain available to receive submissions from both civil society and Moroccan authorities on these concerns pending the finalization of my report.

Finally, I received a number of allegations of violations of the rights to freedom of opinion and expression, of peaceful assembly, and of association encountered by Amazigh communities and activists in relation to, inter alia, marches being banned and undue restrictions being imposed on the establishment and functioning of associations, including political parties. I intend to bring the specific, individual allegations I received to the attention of the authorities, as they have assured me that they will respond with full details in advance of the finalization of my report.

## **Migrants And Refugees**

Morocco has taken tremendous steps to advance the human rights of migrants and refugees in its policy framework, building on the constitutional framework referenced above. As a matter of national policy, Morocco has displayed praiseworthy commitment to the human rights of migrants and refugees. Morocco's policies—which are still a work in progress—deserve international recognition, and in many cases, international emulation. They are, by and large, a welcome and necessary departure from the inhumane securitization of migration that is occurring in many regions of the world, in part as a result of the rise of ethno-

nationalist populism and other political currents elsewhere<sup>9</sup>. Morocco is also taking leadership in adopting an approach that takes seriously the need for research and investment to promote migration that centers Africa and the South-South dimensions of international migration. At the same time, serious challenges persist in the Kingdom, where important work remains to be done to protect migrants and refugees against racial discrimination and intolerance.

In upholding its commitments within the framework of the Global Compact on Migration, and even prior to the adoption of this agreement, Morocco adopted measures worthy of emulation by other States, only some of which are mentioned in this preliminary statement. I commend the 2014 migrant regularization process that resulted in 23,096 people receiving formal status, and I also commend the regularization process that began in 2017, during which 28,400 requests were submitted<sup>9</sup>. These regularization efforts have been a multi-stakeholder process that have given important roles to the National Human Rights Council (CNDH), migrants rights advocates, and even migrants themselves in the adjudication of eligibility for regularization. This multi-stakeholder approach concretely implements human rights principles of participatory and representative governance. I also commend Morocco's decision to reject the warehousing of migrants in immigration detention centers, and instead generally to adopt a formal policy that aims to integrate migrants into its society. I further commend Morocco's recent decision to reject European Union attempts to locate offshore asylum processing or "regional disembarkation" centers within Moroccan territory. It is important that these and other human rights-based measures find permanent recognition in formal law.

Consultations with migrants and refugees, and organizations working with them, revealed that the 2014 and 2017 regularization initiatives, as well as the integration policies outlined in the National Strategy for Immigration and Asylum, have greatly assisted in fulfilling the human rights of these populations. However, some migrants and refugees, especially those of black, sub-Saharan origin, reported incidents of racist and xenophobic stereotyping when accessing healthcare, education, and employment and in other settings. Although national law and policy guarantees many rights

to migrants and refugees on an equal basis in all of these contexts, there are cases when these rights are not respected. I received testimonies from individual migrants who, on the basis of their skin colour, were subject to racist stereotypes, and in some cases this stereotyping resulted in racially discriminatory denial of their rights. Where such violations occur, it is important that the Moroccan Government strengthen its efforts to ensure accountability for rights violations.

Of great concern is the pressure that Morocco currently faces from Europe in matters relating to migration governance, in light of the geopolitical significance of the Kingdom's location. It is no secret that in recent years, Europe has escalated its efforts to restrict migration, especially from Africa. Some statistics suggest that Morocco is currently the second most prevalent route for irregular migration to Europe<sup>10</sup>, and efforts to prevent Africans—including Moroccans, but especially black sub-Saharan migrants—from reaching Europe have created a situation of serious human rights concern in Morocco. This situation is at risk of worsening, and Morocco must take proactive steps to avoid further escalation.

In the north of Morocco, migrants face severe restrictions on freedom of movement, and in recent months, immigration and related enforcement efforts have resulted in human rights violations against regular and irregular migrants, especially targeting black, sub-Saharan Africans. In the north of the country I received credible reports of harassment, arbitrary arrests and detention, excessive use of force, and forced relocation<sup>11</sup> that in some cases targeted regular and irregular migrants alike where officials employed racial profiling in the course of law enforcement. For example, forced evictions in August 2018 in neighborhoods in Tangier with predominantly black sub-Saharan migrants resulted in the destruction of property and migrant displacement, including of regular migrants, pregnant women, and children. I spoke to some of these people, who now reside under utterly inhumane conditions in a forest, with no sanitation or shelter despite freezing winter temperatures. Moroccan authorities informed me that the proportion of black, sub-Saharan African migrants transiting through Morocco has increased. Nonetheless, I express grave concern that these evictions violated the human rights of

many migrants, some of whom reported that notwithstanding legal or asylum seeker status, the colour of their skin put them in grave danger. Prohibited racial discrimination under international law does *not* require racial animus or prejudice—even measures that disproportionately affect or target groups on the basis of their race, national origin, ethnicity, and descent contravene international human rights law.

While Morocco has a sovereign right to enforce its immigration law, and an obligation to combat trafficking and smuggling where it occurs, this enforcement must be in compliance with international human rights standards that prohibit racial discrimination, including de facto racial discrimination. Even black, sub-Saharan migrants who reported having been well integrated into Moroccan communities in the north reported a shift in the enforcement climate in the region. I am deeply concerned that severe human rights violations against black sub-Saharan migrants and refugees in the north are occurring, and I urge Morocco to take steps to end these violations. I welcome the assurances I received from Moroccan authorities at the national level, of their commitment to strengthen human rights compliance of immigration-related enforcement across the country. These national assurances must take local effect. I also welcome and wish to highlight reports I received from Syrian refugees in the north, of their strong integration in communities there, especially among those Syrian refugees who benefitted from the regularization efforts of 2014 and 2017. Similar conditions are vital for all other refugees, irrespective of race or national origin.

Pressure to prevent migration from Africa to Europe also appears to be shifting the situation of migrants, refugees, and also Moroccans in regions in the south of the country. Although Morocco has rejected policies of immigration detention, the forced relocation of black sub-Saharan irregular migrants, and in some cases asylum seekers, from northern to southern regions appears to be creating de facto regions of migrant containment that will only become increasingly volatile. Such displacement is leading to human rights violations against these migrants in the southern regions to which they are relocated. Under the current conditions, the growing presence of these migrants risks escalating anti-migrant and xenophobic tensions within Moroccan communities that have

previously welcomed migrant and refugee populations. This volatile situation, which is closely tied to Morocco's status as an increasingly popular transit country for Europe, requires urgent attention. It requires Morocco to remain firm in an approach rooted in human rights, and to reject any part in doing Europe's dirty work. Morocco must cease any and all immigration enforcement policies that result in gross human rights violations, including in forests in the north and other regions close to its frontiers with Europe. At the same time, this situation urgently requires regional and international actors to take responsibility for the role they must play in ensuring migrants' human rights in Morocco. Europe must take active steps to create legal pathways for migration, including for Moroccans and other African migrants who seek to migrate. And international organizations, including the International Organization for Migration, must ensure that human rights are front and center in all of their work nationally and locally, with regular and irregular migrants.

### **Moroccan Religious Minorities**

The Moroccan Constitution guarantees to all the freedom of belief and recognizes the historically-rooted religious diversity of Moroccan Identity. I commend Morocco for the remarkable steps it has taken to ensure that Moroccan Jews have the full means to enjoy their rights to freedom of belief and association and other human rights. I even had the benefit of visiting the Jewish Museum in Casablanca, which I learned is the only one of its kind in the Arab world. However, I met with representatives of religious minorities, including Moroccan Christians and Baha'i, who reported facing restrictions on their rights to freedom of belief and association. I call on the Moroccan authorities to ensure that all Moroccans equally enjoy the right to freedom of belief.

### **Countering Extremism**

I was greatly impressed by the work undertaken by the Mohammadia League of Scholars (Rabita Mohammedia des Oulémas) (RMO), a widely respected religious institution across the country and the Arab world, with individuals in detention identified as religious extremists. RMO seeks to combat extremism in an innovative way by deconstructing radical

discourses and developing comprehensive interventions rooted in interpretation of Islam, which promote human rights principles including tolerance and reconciliation. These efforts have reportedly yielded positive results, and I am to review them further in my final report, for the guidance they can offer to other countries seeking to counter extremist violence while protecting human rights.

## **Interim Recommendations**

As I mentioned, Morocco has shown leadership in key areas regarding the achievement of racial equality. Notwithstanding recognition of these achievements, serious challenges persist and important work remains to be done to ensure racial equality and the right of all persons to be free from racial discrimination. My report to the Human Rights Council will include a more comprehensive analysis of my findings and recommendations. In the interim, I recommend that Moroccan authorities and other key stakeholders adopt the following concrete measures aimed at combatting racism, racial discrimination, xenophobia and related intolerance:

### ***To the Moroccan Authorities***

- Adopt a comprehensive legal and policy anti-discrimination framework that fully implements ICERD's racial equality provisions according to CERD's recommendations, including a compliant definition of unlawful racial discrimination in keeping with Morocco's obligations under international human rights law;
- Ensure adequate and effective access to justice for all victims of racial and xenophobic discrimination, and of racial, xenophobic and related intolerance;
- Collect reliable and disaggregated data based on indicators that accurately reflect the racial, cultural and ethnic diversity of the Moroccan population, including linguistic diversity that is better reflected by metrics that track oral language usage, in addition to literacy;

- Adopt without delay the Organic Law required to implement Amazigh's Constitutional status as an official language, and take interim measures to prevent and mitigate all forms of linguistic and cultural discrimination in all spheres pending the adoption of the requisite Organic Law;
- Intensify efforts to ensure that Amazigh are not subject to racial discrimination in the enjoyment of their human rights, including with regard to education, access to employment and health services, land rights, and the freedom of opinion and expression, of peaceful assembly and of association;
- Complete the 2017 migrant regularization process, and resume the review of applications and appeals in localities where this process has been suspended;
- Ensure additional, systematized pathways to migration, including pending the finalization of the national migration and asylum bills currently under review by parliament;
- Strengthen measures to eliminate administrative and other structural barriers to the integration of refugees and migrants;
- Strengthen preventative educational, training and awareness measures to ensure that those responsible for the administration of public services refrain from racism, racial discrimination, xenophobia and related intolerance, and more generally, to eliminate the racist stereotypes which may still prevail within society;
- Ensure that the national human rights-based policy on migration is implemented evenly at all local levels;
- Eliminate all practices of racial profiling and all other racially discriminatory immigration enforcement practices, including the forced displacement, arbitrary arrest and detention, regional containment of, and excessive use of force against black, sub-Saharan Africans;
- Provide emergency humanitarian support for all persons experiencing extreme human rights violations in the migration context, irrespective

of race, ethnicity, national origin, descent, or immigration status, especially for those at risk of intersectional discrimination on the basis of sex, gender, sexual orientation, disability or other status;

- Invite the Special Rapporteur on the human rights of migrants to conduct a country visit; and
- Ensure that all Moroccans, including those belonging to religious minorities, enjoy the right to freedom of thought, conscience and religion on an equal basis.

### ***To the National Human Rights Council***

- Take a leadership role in promoting deeper understanding of human rights in relation to manifestations of racism, racial discrimination, xenophobia and related intolerance, which all occur even in societies such as Morocco, with a historically diverse and multi-cultural national identity;
- Take a leadership role in the national adoption and implementation of a national action plan to combat racism, racial discrimination, xenophobia and related intolerance in accordance with the Durban Declaration and Programme of Action;
- Assist in strengthening capacity and expertise of regional CNDH offices to address racism, racial discrimination, xenophobia and related intolerance, paying particular attention to regional dynamics that affect racial equality; and
- Increase resources and facilitate training opportunities for regional CNDH offices on international human rights obligations to combat racism, racial discrimination, xenophobia and related intolerance, with special attention to local variation in the manifestations of these issues.

### ***To the European Union and its Member States***

- Cease putting pressure on African governments to restrict the freedom of movement of Africans, and to enforce inhumane European

migration border securitization priorities in Africa, including on a racially discriminatory basis; and

- Implement a human-rights based regional approach to governing migration that includes legal pathways to migration.

### ***To United Nations Agencies with Refugee and Migration Mandates***

- Urgently provide humanitarian assistance to black sub-Saharan migrants living in the forest in Tangier, and to other migrants experiencing extreme human rights violations across the country, including women and children who are the daily target of sexual and other forms of violence from smuggling and trafficking networks, and other actors; and
- Ensure that a human rights-based approach is front and center in all work nationally and locally with regular and irregular migrants, asylum seekers and refugees, with a particular emphasis on promoting their rights to non-discrimination and equality.

### Notes:

1. International Convention on the Elimination of All Forms of Racial Discrimination art. 1(1), Jan. 4, 1969, 660 U.N.T.S. 195 (hereinafter "ICERD").

2. International Covenant on Civil and Political Rights art. 2, Dec. 16, 1966, 999 U.N.T.S. 171; International Covenant on Economic, Social and Cultural Rights art. 2(2), Dec. 16, 1966, 993 U.N.T.S. 3; *Id.* art. 5; *see also* Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 20, *Article 5 of the Convention*, 48th Sess., 1996, U.N. Doc. A/51/18, para. 1 (Mar. 14, 1996).

3. Hum. Rts. Comm. Gen. Comment No. 29, *States of Emergency (Article 4)*, CCPR/C/21/Rev.1/Add.11, para. 8 (Aug. 31, 2001); Report of the Independent Expert on Minority Issues, Promotion and Protection of All Human Rights, Civil, Political, Economic, Social and Cultural Rights,

Including the Right to Development, U.N. Doc. A/HRC//23, para. 35 (Feb. 28, 2008); ICCPR art. 4(1), *supra* note 1; Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, U.N. Doc. A/72/287, para. 47 (Aug. 4, 2017); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 30, *Discrimination against Non-Citizens*, 65th Sess., 2005 (Aug. 19, 2004).

4. See Hum. Rts. Comm. Gen. Comment No. 18, *Non-Discrimination*, 37th Sess., 1989 (Nov. 10, 1989); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 22, *Article 5 of the Convention on Refugees and Displaced Persons*, 49th Sess., 1996, U.N. Doc. A/51/18 (Aug. 23, 1996); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 23, *Rights of Indigenous Peoples*, 51st Sess., 1997 (Aug. 22, 1997); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 25, *Gender-Related Dimensions of Racial Discrimination*, 56th Sess., 2000 (Mar. 20, 2000); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 27, *Discrimination against Roma*, 57th Sess., 2000 (Aug. 16, 2000); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 29, *Article 1, Paragraph 1, of the Convention (Descent)*, 61st Sess., 2002 (Aug. 23, 2002); Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 30, *supra* note 3; Comm. on the Elimination of Racial Discrimination Gen. Recommendation No. 34, *Racial Discrimination against People of African Descent*, 79th Sess., 2011, CERD/C/GC/34 (Oct. 2, 2011); Comm. on Econ., Soc. and Cultural Rts. Gen. Comment No. 20, *Non-Discrimination in Economic, Social and Cultural Rights*, 42nd Sess., 2009, E/C.12/GC/20 (July 2, 2009).

5. Plan d'action national en matière de démocratie et des droits de l'Homme [National Action Plan on Democracy and Human Rights] (2018-2021), <http://didh.gov.ma/fr/publications/plan-daction-national-en-matiere-de-democratie-et-des-droits-de-lhomme-2018-2021>.

6. Concluding observations of the Committee on the Elimination of Racial Discrimination, CERD/C/MAR/CO/17-18, paras. 9-10 (Sep., 13 2010); Concluding observations of the Committee on Economic, Social and

Cultural Rights on the fourth periodic report of Morocco, E/C.12/MAR/CO/4, para. 13(a) and 14(a) (Oct. 22, 2015); Report of the Working Group on the Universal Periodic Review, A/HRC/36/6 (Jul. 13, 2017).

7. Concluding observations of the Committee on the Elimination of Racial Discrimination, CERD/C/MAR/CO/17-18, para. 11 (Sep., 13 2010).

8. Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, U.N. Doc. A/73/305 (Aug. 6, 2018).

9. Morocco's Migration Policies and the Global Compact for Safe, Orderly and Regular Migration, p. 26 (Dec. 7, 2018). I learned from Moroccan authorities that in total, around 50,000 migrants have been regularized.

10. Morocco's Migration Policies and the Global Compact for Safe, Orderly and Regular Migration, p. 11 (Dec. 7, 2018).

11. I understand that forced relocation of irregular migrants is permitted under Moroccan law, which raises serious human rights concerns. Moroccan authorities communicated that this legal policy is subject to ongoing reforms, and I welcome further details in this regard.

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