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Morocco: UN expert urges action on anti-discrimination and racial equality commitments

08 July 2019

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GENEVA (8 July 2019) – The Kingdom of Morocco must implement a comprehensive plan to satisfy its obligations to eliminate discrimination and achieve racial equality, the UN’s expert on racism and human rights said.

In a report to the Human Rights Council, UN Special Rapporteur E. Tendayi Achiume said that Morocco’s international human rights law commitments and laudable constitutional provisions would languish without Government implementation through a domestic legal and policy framework.

Achiume praised the Moroccan Government’s 2011 Constitution for its “vision of a diverse but unified society, where all can enjoy full human rights and full political and social membership”. But she cautioned that this vision “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,” the Special Rapporteur said. “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.”

The lack of a comprehensive anti-racism framework hindered the enjoyment of human rights in Morocco, Achiume said. “Contrary to recommendations made by a variety of international and national stakeholders, Morocco has no comprehensive anti-discrimination legislation or specific law prohibiting racial discrimination.” This failure, and the lack of a national action plan to combat racism, racial discrimination, xenophobia and related intolerance, had deprived government actors at all levels of much-needed guidance.

“The adoption of a new law, or amendments to existing legislation, are urgently needed to fully implement the racial equality framework contained in the International Convention on the Elimination of All Forms of Racial Discrimination.”

Persistent discrimination faced by Amazigh communities further underscored legal shortcomings. Achiume said they experienced discrimination, structural exclusion and racist stereotyping on the basis of their Amazigh language and culture. “Amazigh women reported that they often experienced multiple and intersecting forms of discrimination on account of their gender and their Amazigh identity.”

The UN expert called on the Government to immediately ensure that individuals with Amazigh heritage enjoy, among other rights, equal access to justice, freedom of opinion and expression, freedom of peaceful assembly and of association, and economic, social and cultural rights. She also urged immediate adoption of the organic law required to implement Article 5 of the Moroccan Constitution, relating to the official language status of Amazigh language.

Further reforms were also needed to realise migrants and refugees’ rights to racial equality and to be free from racial discrimination. “Although national law and policy guarantees a range of rights to migrants and

refugees on an equal basis in all of these contexts, rights violations persist and discrimination remains a key barrier to integration.

“Some migrants and refugees, especially those of black, sub-Saharan origin, reported incidents of racist and xenophobic stereotyping when accessing health care, housing, education and employment, and in other settings.” Achiume also expressed concern over reports about forced relocations, evictions, and racial profiling and other forms of discrimination against migrant and refugee populations.

The Special Rapporteur’s report commended Morocco for its leadership and “tremendous steps to advance the human rights of migrants and refugees” and said she was heartened by the Government’s “political will” and “praiseworthy commitment” to protecting and integrating these vulnerable populations. She also praised the Government’s rejection of European Union attempts to locate offshore asylum processing or “regional disembarkation” centres within Moroccan territory.

She urged Morocco to stop 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, regional and international actors, in particular the European Union and its member States, must 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 organisations, including the International Organisation for Migration, must ensure that human rights are front and centre in al

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***Ms E. Tendayi Achiume** (Zambia) was appointed by the Human Rights Council as Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in September 2017. Ms. Achiume is currently a law professor at the University of California, Los Angeles (UCLA) School of Law, and a research associate of the*

African Center for Migration and Society (ACMS) at the University of Witwatersrand in South Africa.

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UN Human Rights, Country Page – [Kingdom of Morocco](#)

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