

Annual statement of the Amazigh Network for Citizenship - AZETTA AMAZIGHE – On the situation of Amazigh linguistic and cultural rights through 2013.

On the occasion of the 65th anniversary of the Universal Declaration of Human Rights

The Executive Office of the Amazigh Network for Citizenship "AZETTA AMAZIGHE," at the time that it evokes the 65th anniversary of the Universal Declaration of Human Rights, would like to congratulate, on this occasion, all the movements defending human rights and the rights of people desperate for an another Morocco and an another possible world where human rights prevail.

On this occasion, and inducing to deep significance embodied by this anniversary, which is an outstanding point in the history of mankind that is eager to achieve freedom and emancipation and enjoyment of all its linguistic, cultural, social, economic, political and environmental rights, without discrimination based on language, culture, sex, religion, color, ethnicity, political affiliation or other. Therefore, the Amazigh Network for Citizenship and as it has always done, sees that this point constitutes an opportunity to review the conditions and the development of Amazigh linguistic and cultural rights during 2013:

Therefore, and through the follow-up of the various general conditions related to the Amazigh case during this year , which has known political developments summarized in the government reshuffle, , the Ministry of Justice's dissemination of the Justice System Reform Charter contents, the launch of the ministry in charge of the relationship with Parliament and civil society to dialogue in the relevant associations and its public environment, and before that, the emergence of the initiative dynamic Rabat Declaration launched by associations of democracy in Morocco and parallel dialogue it has launched, and the election of Morocco as a member of the Human Rights Council, on the one hand, and the continuation of the state in

procrastination and reluctance to take out the regulatory law to activate the official nature of the HCA Mend the adoption of the amended Constitution in July 2011, and the withdrawal of the latter's proposal by a party that has already adopted the initiative of our association and deposited it with at the legislation and Human Rights Commission at the first Chamber of Parliament , the other hand, the Executive Office of the Amazigh network for Citizenship declares the following:

Despite the positive aspects of the constitutional marks on the position of Tamazight in the Moroccan identity and the demarcation of the Amazigh language, the reality of the Amazigh cultural and linguistic rights still teeming with violations. So "AZETTA AMAZIGHE " recorded the following:

First, in the area of the right to organize and freedom of opinion and expression and the right to legal personality and the right to a fair trial:

1 – that, and against the related requirements of international conventions on human rights and provisions of Chapters 12 , 25 and 29 of the amended Constitution , the right of organization , assembly and demonstration is still vulnerable to breaches where Amazigh associations, such as branches of the Amazigh network in Tnalt , Casablanca, Marrakech and the Souss Association for dignity and human rights in Agadir , are still deprived of the legal deposit receipt which is authorized by law , despite their using up of all legal methods affirmed in article 5 of Law No. 75 / 00 on public freedoms , which is a clear violation of the requirements of clause 9 of paragraph (D) of article 5 of the Convention on the Elimination of All Forms of racial Discrimination . The Chief of the government, and the former Prime Minister before him, is stalling to issue the decree of the public benefit for the Amazigh Network for Citizenship in spite of the fact that the file completed all the procedures since 2006 and deposited at the General Secretariat of the government for more than six years.

On the level of public gatherings and the right to demonstrate, several protests movements suffered from repression, arrests and unfair trials, in Assa, Larache, Azilal, Khenifra, and

Oulmass, and Imider, Towada Nimazagn Movement, 20 February Movement and the unemployed groups. Laws of public freedoms still allow the establishment of associations on an ethnic/family basis, like Chorafa league, and the political parties' law still prohibits the establishment of political parties on a geographic/regional basis, which hinders the freedom to adopt political positions and express them.

2 - Contrary to the promises made and the obligations of the Moroccan state in the field of human rights and peoples' rights , as well as the recommendations of the agreed upon mechanisms on Human Rights, of which Morocco is a party , including the Convention on the Elimination of All Forms of Racial Discrimination , during the review of the government report on (18 August 2010) and the Convention on Child Rights and the recommendations of the independent expert in the field of cultural rights, legal arsenal is not meet yet the requirements of these agreements . Whereas Amazigh are still are exposed to the worst kinds of discrimination because of language and national affiliation at the legislative, criminal and civil levels, and on the level of procedures in force in the justice system, where Amazigh are deprived of the of litigation in their mother tongue before the courts because of Chapter V of Law No. 3.64 on January 26, 1965 relating to the consolidation of the courts which makes the Arabic language the single language of litigation , and that is a blatant prejudice to the provisions of Articles 2 to 6 of the Convention on the Elimination of All Forms of racial Discrimination, and Article 5 of the amended Constitution .

It is contrary to what was expected of the Justice System Reform Charter in the part related to the Amazigh linguistic and cultural rights, where it has been limited the rights of Amazigh speaking citizens in the justice system in the courts continue to connect with them as litigants in proceedings marred by confusion, generality and ambiguity.

3 - the frequency of preventing the registration of Amazigh personal names despite the relative responsiveness with some applications, where the referral procedures to the Supreme Committee for Civil Status still violates the right of children to acquire Amazigh names as

quickly and smoothly as those with Arab names, "AZETTA AMAZIGHE " protested against these complexities many times, by issuing statements and sending correspondences to the concerned authorities, where ten cases of violation and confiscation of the legal personality right were monitored in the course of this year only, as Civil Status Officers refuse to register Amazigh first names , in Casablanca , Lille (France), Valencia (Spain), Brussels (Belgium), Driouch, Azilal, Khemisset , Ouarzazate and Inezgane . «AZETTA AMAZIGHE " sent complaints and open letters to the National Council for Human Rights, Ministerial Delegation in charge of Human Rights, Ministry of Justice, Ministry of Home Affairs, the Chief of Government, and the Ministry of Foreign Affairs and Cooperation. The association received answers from some of these bodies, but these answers are limited to follow the legal procedures set forth in the Code of civil Status, which we consider to be not compatible with reference to international human rights and call for it to be reconsidered in a way that guarantees to all, with no exception, the right to choose a personal name and acquisition of legal personality, without discrimination on any grounds.

4 - Arrests and unfair trials, which targeted opinion prisoners of the Amazigh cultural movement at the University of Meknes, and they were thrown in prison and sentenced (...). Unfortunately, despite referring these detainees' file to the Ministry of Justice, annexed with a report demonstrating the absence of a fair trial; the said ministry did not start the procedures vested to it by the law.

5 - the continuation of dealing with peaceful protests with repression, arrests and trials, as happened with activists of popular, social and political movement in Assa Larache, Azilal, Khenifra, Oulmass, and Imider, Towada Nimazagn movement, 20 February, the unemployed groups, and others.

6 - continued provocations and harassment of the Amazigh movement activists, their loved ones and their families, where many freedom fighters suffered from repression, intimidation and detention after raising Amazigh flags, The authorities booked the flags in both

Mawazine Festival in Salé and Haouz Festival in Tahnaout, which constitutes a flagrant violation of provisions of the Constitution and an obvious retreat on Morocco's international obligations in the field of human and Peoples' Rights.

Second - in the field of economic and social rights:

Continuation of the Chief of the Government, the High Commission for Water and Forests, the Directorate of Rural Affairs of the Ministry of the Home Affairs , in violation of the rights of the relevant groups stem concerning the use and ownership of land they have been living off for centuries, through the adoption of announcements by the High Commission for Water and Forests and decrees for the Chief of The Moroccan government that aim at opening a procedure to determine the so-called state property in various regions of Morocco. These regions include, based on the reports we received, the Prefecture of Chtouka Ait Baha, Tiznit, population of Ait Bamran, Ifni, Tnalt, Idakndif, Oulmass, Ait Sakiko, Hajeb, Midelt, and Tahla. , in order expropriate of lands from their inhabitants and turn them to hunting forests for after forcibly displace its population. These governmental policies have led to a rise of protest by the population of these areas and support of civil society organizations, and demand to respect for the decisions of Article 3 of the Universal Declaration of the Rights of Indigenous Peoples. The inhabitants of Oulmass / Ait Amar are still deprived of the right to benefit from mineral water that abounds in the region and the rest of its vast resources, which are unique to the Olmas Company (Sidi Ali). Also the demand for the right to social justice for population of Imider, which has been on a sit-in since beginning of August 2011 Mount Albane, is confronted with intransigence and indifference. These conditions made us, in "AZETTA AMAZIGHE ", express our concern regarding the current indicators on the level of economic rights (human development, health, education, unemployment, poverty ...) which reveal that Morocco is going through a difficult time and draw a bleak picture of the reality and the future of Moroccans.

Third - the right to information, education, human dignity and the right to participate in political and cultural life:

- We note with deep regret the continuation of both chambers of parliament to prevent deputies of the first Chamber of the Parliament to address the government or ask oral questions in Amazigh language, with the absence of the means of translation as well as the exclusion of our association's proposal aimed at integrating linguistic justice approach to domestic law to the House of Representatives.
- Adoption of a regulations' book by the National Company of Radio and Television reduces the share of broadcasting in Amazigh language in public channels speaking in Arabic and foreign languages from 30% to less than 20%.
- Continuation of prejudice of government media organizations such as Maghreb Arab Press agency, and their circulation of racist and exclusionary terms
- Poor performance, cost-effectiveness and budget of the channel 8 of Amazigh, and the continuation of prejudice against its journalists, in addition to retaining the six-hour broadcast per day, and not take any measures to raise this share pursuant to the decisions of the regulations book for 2012.
- Issuance of a joint resolution in the Official Journal (No. 6086 dated September 27, 2012) Resolution Number 2490.12 of 19 September 2012, between the Minister of Communication the government spokesman and Delegate Minister to the Minister of Economy and Finance in charge of the budget, on the determination of the conditions, standards and ways to support the production of cinematographic works. This text was unfair to the Amazigh language and cinema. As clause 3 of Article 4 of the said resolution, states the following: "the file must include: the scenario project with dialogue in the language used in the film, and the scenario must be accompanied with a copy in Arabic language in the case it was presented in another language." Although Arabic language is not the only official language

in the constitution of Morocco, and despite the fact that Arabic is not privileged to other languages (constitutional and others), the two ministers have favored to be the single language for reading the script and support cinema in Morocco.

- Obstruct teaching in Amazigh in the sixth primary since 2010 , and failure of the Ministry of National Education and the Royal Institute of Amazigh Culture, by virtue of the Convention which share, to take the necessary measures for the continuation of the process of teaching in the following levels, and the continuation of the process of teaching Amazigh language in reductionist terms that its coverage does not exceed 5 % of the total primary schools in Morocco, and within some regions, with its absence in private education. That is a prejudice to the provisions of Article 13 of the international Convention on the economic, social and cultural rights, and Articles 12 and 13 of the Convention on the Rights of the Child, and the continuation of the Ministry of national Education in enabling students and teachers to receive school curricula and pedagogical regulations, as well as the weak rate of jobs allocated to professors of the Amazigh language among posts of the Ministry of National Education , in addition to the absence of a clear, in-depth and adequate training for teachers , and the stumbled university teaching of the Amazigh language which is organized in the form of specialty belonging to other departments , such as French department, without being a specific department . But in some colleges (Mohammed V in Rabat as model), Amazigh language is being taught without including the Tifinagh character, which raises the question about the credibility and reference of the training.
- The limited literacy programs and adult education and non-formal education to learn the classical Arabic language, in complete exclusion of the Amazigh language, despite its importance and efficacy in this area.
- Exclusion of Amazigh language from education programs for Moroccans abroad to open the door of the competition "to teach Arabic and Moroccan culture to the children of the Moroccan community residing countries of Europe," and who will be placed at the disposal

of the Hassan II Foundation for Moroccans living abroad, which contradicts the substance of Article 29 of the Convention on the Rights of the Child, which states that Education should be aimed at "the development of respect for the child's taste and cultural identity, language and values.

Fourth - the human rights of Amazigh women:

• the Amazigh Network for Citizenship congratulates female Amazigh Activists on the adoption of the Third Committee of the General Assembly of the United Nations on the fourth of last September concerning the decision regarding the protection of human rights defenders , but at the national level. In spite the government's adoption of a program that aims to integrate approaches of social type to government programs and public policies; they have not yet taken any action to adjust this program to the Convention on the Elimination of All forms of Racial Discrimination. It also did not take into account in their approaches the linguistic justice and spatial of Amazigh women which enshrines the continued linguistic and cultural segregation towards Amazigh women, and depriving them of their right to participate in cultural, social and political life.

Fifth - on the level of institutionalizing mechanisms of protection and promotion of Amazigh language, culture and civilization:

1 - Moroccan state fails to fulfill its international obligations relevant to agreed upon practices relating to international conventions of human rights and the recommendations of UN committees, including work on:

- * The implementation of the recommendations of the committees of international conventions on human rights
- * Ratification of other Optional Protocols and to join the International Criminal Court Act

* Raise the reservation on article 22 of the International Convention on the Elimination of All Forms of Racial Discrimination

* Implementation of the provisions of the second paragraph of Article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, which hinders the overall application of the Convention and empties a range of its provisions of their legal and institutional content.

2 - the absence of any direct financial support for the advancement of Tamazight in the Finance Act 2013/2014.

Therefore, the Executive Office of the Amazigh Network for Citizenship "AZETTA AMAZIGHE " reiterates its emphasis and demand for the following:

1. The revision of the current constitution in order to establish a democratic constitution that separates authorities and religion from politics and the state, and recognizes the full equality between languages, cultures, and men and women and discarding all forms of discrimination consecrated through national legislations and accommodates these legislations with international deeds on human rights.

2. Urgent implementation of provisions of paragraphs 3 and 4 of Chapter 5 of the Constitution, through a joint approach, and openness to all interested experiences and competencies. We mention here the proposal of the organizational law related to the activation official status of the Amazigh language which was prepared and proposed by our association on all governmental, institutional, partisan and associative webs.

3. Implementation of the Provisions of Article 14 of the Convention on the Elimination of All Forms of Racial Discrimination, ratified by Morocco on December 18, 1970, and activate all the recommendations and observations of the state directed to Morocco by UN bodies, and demand the Moroccan state to fulfill its international obligations related to agreed upon

practices relating to international conventions of human rights and the recommendations of its committees internationalism.

4. The development of the teaching of Amazigh language and generalize it to all levels, including literacy and non-formal education and all school activities, and to encourage scientific research in the Amazigh language, culture and civilization, and remove all scientific and historical injustice.

5. Review legal and regulatory texts regulating the media and audiovisual field to ensure fairness for Amazigh language and its rehabilitation in this field, with work on the train of the media staff working in Amazigh language, and strengthen its legal and professional presence.

6. Respect right of opinion, expression and association, and in general, all the public and individual freedoms enshrined in the international instruments on human rights.

7. The revision of the legal arsenal of every Moroccan text that includes discrimination and inequity against Amazigh language and speakers thereof, and work to evoke the linguistic diversity and multiculturalism in Morocco in all public policies.

8. Respect for the sovereignty of the tribes of local people on their natural, financial, and symbolic resources, and respect their right to manage these resources in ways which they deem appropriate, as long as they are not inconsistent with the general principles of human rights as they are recognized by the UN, and enact fair and transparent economic policies that allow the incorporation of all groups and social classes and meet their need to live in dignity.

Finally, Amazigh Network for Citizenship "AZETTA AMAZIGHE " renews its support to the initiatives of the High Commissioner for Human Rights in its tracks aimed at eradication

and the elimination of various types and forms of discrimination faced by the Tamazight language, culture and civilization.

Executive Office
Amazigh Network for Citizenship
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