

## Memorandum of the Amazigh Network for Citizenship

### “The National Council of Languages and of Moroccan Culture”

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## **I- General Overview:**

This Memorandum meets the requirements for the establishment of a workshop for the management of linguistic diversity and cultural plurality in general, and proposes an organic law on the National Council of Languages and of Moroccan Culture in particular. This is a part of the process intended to address all national cultural components and linguistic expressions, and to open up to human experience and modern languages.

Since the implementation of the provisions of the Moroccan Constitution of 2011, requires vigilance and the contribution of different civil society components according to their interests, “Azetta Amazigh” hereby presents an advocacy Memorandum including its initial prospect on the National Council of Languages and of Moroccan Culture stipulated in paragraph 6, Article 5 of the Constitution, hereinafter referred to as "Council ".

The purpose of this Memorandum is to open up a dialogue and interaction with all driving forces, including political and institutional stakeholders, political parties, civil society and human rights organizations, about a vitally and sensitively important issue. Therefore, the Memorandum will be presented to all active actors, hoping that it will be an essential foundation for democracy building and a step towards a complete reconciliation.

## **II- Memorandum Reference:**

The Memorandum has a legal basis in the Constitution, particularly, paragraph 6, Article 5 which states that “a National Council of Languages and of Moroccan Culture is created, charged, notably, with the protection and development of the Arabic and Amazigh languages and of the diverse Moroccan cultural expression, which constitute one authentic patrimony and one source of contemporary inspiration. It brings together the institutions concerned in these domains. An organic law determines its attributions, composition and functioning modalities”. The Constitution stipulated, as well, in Article 12 the role of civil society as an actor in the process of development, proposal, implementation and assessment of public policies, which must be consistent with the law.

Given that international Human Rights instruments share the need to allow people exercise their cultural and linguistic rights, and initiate institutions to play that role, on which the International Covenant on Economic, Social and Cultural Rights, ratified by the Moroccan state without reservation since May 3<sup>rd</sup>, 1979, stipulates in Article 2 “Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, **including particularly the adoption of legislative measures**”.

The Amazigh Network for Citizenship, as an NGO active in the field of cultural and linguistic rights in Morocco, is then invited to contribute to the preliminary vision of the Council, which should offer both the principles expected to be adopted by the Council at its work as well as the missions that will be assigned to this institution, in particular, in light of the large number of actors involved in the same field. It would also think about the qualitative and quantitative

composition of the Council, to ensure the performance of its duties, and its openness to other institutions through the development of features of its relationship with the rest of stakeholders and establish institutional guarantees for such performance.

### **III- The Council's Identity:**

The Council is a constitutional institution whose establishment was expressly provided for in paragraph 6, Article 5 of the Constitution, and which should be reflected in the provisions of the Organic Law in order to benefit from appreciation and cooperation of stakeholders given its highly important constitutional duties.

### **IV-the Council's Principles**

The enforcement phase of the new constitutional commitment requires the implementation of principles to control the stakeholders' feedback and unite their convictions for action and initiative. As for the Council, subject of this Memorandum, the following principles and approaches shall then be discussed in all Council's movements:

- **Principle of equality and equity:** to address different linguistic and cultural components in an egalitarian way, without creating any differentiation or hierarchy between them, whatever the reasons would be.
- **Principle of democracy:** Consists of a balance between the Council's components in formulation, decision-making and enforcement of decision, and the ability of all parties to state their points of view and publically announce them.
- **Principle of transparency** All Council's productions, works and decisions are available for inspection and monitoring, with the possibility of control, within the limits of the normal functioning of the Council and in respect of the official institution's reserve right.
- **Principle of pluralism:** to manage a sensitive field such as language and culture, a constitutional council should be pluralistic in its composition, at the institutional and intellectual level, given the content of this pluralism and diversity, to ensure that voices of all spectrums of society, language and cultural expressions are heard.
- **Principle of autonomy:** Despite the express stipulation on the representativeness of the participating sectors in the field of culture and language, a distance between Council, as an entity, and its institutional components should be guaranteed, so that it should have the ability to take the initiative and act in a free and independent way.

### **V-Composition of the Council:**

The Constitution stipulates that the Council includes all institutions involved in the fields of language and culture, and to provide more details, we suggest the following:

- **In terms of number:** The Council is made of less than thirty member, who are responsible for managing their meeting and communication; particular attention shall be paid to gender equality, representation of age groups including youth and the elderly, as well as the Moroccans of world.
  - **In terms of type:** The Council is made, depending on the type of its components, and in addition to its Presidency and General Secretariat, of triple combination:
    1. **Government sectors:** With regard to their active role in opening the way for the implementation of Council decisions and application of government policies and the
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provision of resources for the work of the Council, priority should be given to the following institutions:

- **Government sectors** directly related to culture and languages, including (Ministry of Education, Ministry of Higher Education, Scientific Research and Executive Training, Ministry of Culture, Ministry of Communication, Ministry of Justice and Liberties, Ministerial delegation for Human Rights, Ministry of Health, Ministry of Moroccans Living Abroad, the Ministry of Habous, Ministry of Interior, Ministry of Economy and Finance;
  - **Higher Education Institutions and Research Institutes.**
2. **Governance authorities stipulated by the Constitution:** Given their role to make voices, other than the voice of the government, be heard in the Council. Given that their roles, directly or indirectly, intersect with the Council's role in managing the relevant sectors, priority is given to the following bodies:
- **Parliament;**
  - **The Higher Education Council ;**
  - **The Economic, Social and Environmental Council;**
  - **The National Foundation of Museums;**
  - **The Institution of Archives of Morocco.**
3. **Civil actors:** they are the third party, taking into account their positions and opinions which may be far from the institutions' thoughts, and in order to benefit from their accumulated experience in the field and in terms of advocacy. It is considered appropriate to include the following:
- Representatives of national associations with experience in language and culture.
  - Representatives of memory and oral creativity (poets, storytellers, experts ...)
  - Independent actors with scientific and/or practical experience in the field.
- **In terms of space:** The Council has a Head office and regional bodies.

## **VI- the Council Duties**

The Moroccan constitution stipulates the creation of the National Council of languages and of Moroccan culture, with a main task, which is "the protection and development of the Arabic and Amazigh languages and diverse Moroccan cultural expressions". It is not surprising that this objective will not be achieved unless the Council provides:

- Monitoring of public policies related to both official languages and Moroccan cultures.
- Unifying the stakeholders' efforts and orienting them towards the working themes and priorities.
- Studying and analyzing of national cultural and linguistic reality and the presentation of regular reports on the issue.

## **VII- The Council's relationship with the Institutions**

Given the important missions entrusted to the Council, it cannot work in isolation of the national institutional fabric, which requires clear specification, in the Statutes, of the relationship between the Council and other institutions, particularly those whose competences intersect, complement or oppose each other; the following institutions are primarily indicated:

- **The High Authority for Audiovisual Communication:** cooperates in the management of multilingualism and cultural diversity in the audiovisual field.
- **The Mediator Institution of the Kingdom:** It may intervene in cases related to culture and language.
- **The Parliament:** It controls the work of the Council and periodically submits its reports and work programs.
- **Government Sectors:** secure communication and joint action channels.

### **VIII- Council Performance Guarantee:**

The constitution stipulates that the diversity of influences, dimensions and components of the national identity of Moroccans, require the setting up of tools for the creation and preservation of a new identity reality, based on diversity and difference. Given that the management of multilingualism and cultural diversity issue is surrounded by political and social risk, it is appropriate to put guarantees for the establishment and functioning of the Council, and to support it in the exercise of its duties. These guarantees include:

- Involving civil society in all the Council's constitution preparatory steps, and opening participation and interaction in their both components.
- Promoting a spirit of conformity and constructive dialogue necessary for the reconciliation step with oneself and with history.
- Strengthening the legal and moral status of the Council to form a strong institution in its field of activity.

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