

Rabat on January 8<sup>th</sup>, 2015

## **Amazigh Linguistic and Cultural Right in Morocco In the Light of ESCR Convention**

A report for the Committee on Economic, Social and Cultural Rights in the context of Article 16 of the International Covenant on Economic, social and cultural Rights.

**Prepared by:** the Amazigh Network for Citizenship "Azetta Amazigh":

- A Moroccan NGO, with a network of branches in 23 Moroccan regions.
- Coordinator of the National Federal of Amazigh associations in Morocco (103 associations)
- Founding member of the Moroccan Observatory of public freedoms
- A member of the Civil Coalition for Election Observation in Morocco
- Member of the Moroccan Social Forum
- Member of the Maghreb Social Forum

Azetta Amazigh **already** issued reports and pleading memoranda:

### **At the international level:**

- A report for the Committee on Economic, Social and Cultural Rights in 2008
- A report for the Committee on the Elimination of Racial Discrimination in 2010
- A report for the Universal Periodic Review in 2012
- A report for the Committee on the Rights of the Child in 2014

### **At the National Level :**

- Memorandum on the discrimination against Amazigh in the elections of 2009 and 2011
- Proposal of an organic law on the establishment of the Amazigh language as an official language in 2012/2013

- Memorandum regarding the creation of the National Council of Languages and of Moroccan Culture 2014
- Memorandum regarding discrimination against Amazigh in the Moroccan law in 2014
- Memorandum regarding the justice reform in Morocco in 2013

## Amazigh Linguistic and Cultural Right in Morocco

### In the Light of the ESCR Convention

This report, prepared by the Amazigh Network for Citizenship "Azetta Amazigh", a non-governmental organization in Morocco, seeks to assess the status of the Amazigh linguistic and cultural rights in Morocco. It seeks as well to assess the commitment of the Moroccan state to the human rights approach and the implications of international human rights instruments in the management of multilingualism and cultural diversity. This report will shed light on situations where linguistic and cultural discrimination is considered as an impediment to the enjoyment of rights and freedoms.

#### The current situation

Morocco, and its institutions, speed up its agreed practice as it ratified a number of agreements since the last session before your mechanism in 2006 (the Convention on the Rights of Persons with Disabilities and its Optional Protocol, in April 2009, the International Convention for the Protection of All Persons from Enforced Disappearance in August 2012, optional protocol establishing the Committee on the Prevention of Torture ...). Reservations to the CEDAW Convention were lifted. The Dahir organizing the National Council for Human Rights was amended and strengthened by the establishment of affiliated regional mechanisms and was constitutionalized as a governance mechanism. The commitment of the state progressed through the presence of the supervisory work of the United Nations in the field of human rights, especially with the creation of the Ministerial Delegate for Human Rights. The state expressed its interest in the UN mechanisms through its membership in the Human Rights Council.

Despite the fact that Morocco declared its intention to establish a national mechanism to monitor racial discrimination and prevent it in accordance with the provisions of article 14, of the Convention on the Elimination of All Forms of Racial Discrimination, this mechanism, which we believe will play a crucial role in stopping some of the discrimination manifestations witnessed in Morocco whether against nationals or visitors, has not yet been established.

The new constitution is much interested in human rights compared to last one. In an important part of it, the Constitution provided for human rights, and recognized the Amazigh dimension of the Moroccan identity and the Amazigh language as an official language.

Despite these constitutional developments, the identity question remains problematic especially that the identity was ambiguous within the new constitution. The second paragraph stipulates that the Kingdom of Morocco is an Islamic state, and presents the national identity components of the Kingdom of Morocco as Arabic/Islamic, Amazigh, and Saharan-Hassanic. It presents as well the influences of the Moroccan national identity as: Andalusian, Hebraic and Mediterranean. All this, created an ambiguity and confusion within the identity pillars and components.

The absence of clear procedural measures and the government's delay in presenting the two organic laws provided for in Chapter V of the Constitution, makes the Amazigh integration in public life elusive and subject to more deadly waiting for its positive aspects.

### Highlighting the previous observations

Moroccan state already submitted a report before your committee in 2006, and received pertinent observations at the end of the session works. Since a good part of these observations were not approved with, we think it useful to be present it to you again:

- In “observation 13 paragraph A” the Committee raised the need to provide statistics on the Amazigh population. We note that the last population census performed in Morocco in 2004 was made under an incorrect methodology and therefore the results were not realistic and did not reflect the use of the Amazigh language and its local expressions, which consolidates our conviction that the obsession with the identity effacement still persists in the Moroccan state.
- In “observation 31”, the Committee noted the absence of Amazigh language official literacy programs. We hereby regret the continuation of such absence. All the official literacy programs are monopolized by the Arabic language, and even the establishment of a national agency for literacy did not contribute to the alleviation of this situation. We believe that the absence of any definition of literacy and targeted languages makes the situation more complicated.
- In observations 32, the Committee raised the issue of Amazigh names prevention. We should mention here that all administrative actions taken by the state are not up to the level of the human rights solution for this problem. We note the continuing prevention of the Amazigh names registration for newborns. Our organization received more than 21 prevention cases in the first eight months of 2013, including various regions of Morocco and consular services abroad. We here register with deep concern the continuation of prevention cases and the absence of Amazigh names in the Moroccan names manual prepared by the Ministry of Interior, and the fact of not giving Amazigh names to newborns with unknown parents and to the awards of nation which makes of this breach systematic, and a gross violation of human rights.

## Highlighting Morocco's answers in the previous session

Statistics provided by the Moroccan state and the representative of the Royal Institute of Amazigh Culture (IRCAM) about the prospects of teaching the Amazigh language were very ambitious. It is stated in page 58 of the State party's answer that Amazigh would be taught in secondary and high schools and will be generalized in the primary school in 2010. They presented figures and percentages.

Today, and after four years, we register the complete absence of the Amazigh language in educational programs, in secondary and high schools, and its dramatic compromise at the primary school, at the national level and its absence in most private school programs, and institutions of Moroccan education missions abroad.

Regarding the IRCAM answer, in the fourth axis, about its publications and productions, the institutional aspects and scientific and knowledge performance remains generally characterized by weakness and seasonality. Also, its communicative effort remains very weak, which negatively affects its performance and the spread of its literary and intellectual productions, as we note their absence from the markets and public libraries.

## Amazigh Linguistic and Cultural Right in Morocco in the Light of ESCR Convention

This paragraph intends to shed light on the situations where linguistic and cultural discrimination is an impediment to the enjoyment of the rights provided for in the International Covenant on Economic, Social and Cultural Rights (ICESCR):

- **Article 6 and maintenance of the right to work:** Labor and employment laws in Morocco are full of linguistic discrimination manifestations. Enough to say that there exist no vocational training institution which uses the Amazigh language in its programs, and no profession whose statutes requested the knowledge of the Amazigh language as a condition of employment. There are professions which explicitly require the knowledge of Arabic alone. We consider all this as a discrimination against a national and official language as well as a form of preventing citizens from enjoying the right to receive services in the language that they like.
- **Article 7 and remuneration equity:** Despite the efforts made by some staff in the provision of services in the Amazigh language and its local expressions, it does not have any impact on the professional and economic status, due the absence of any fair incentives despite the quality additions they provided, namely, good communication with the population. Also, some professional fields, especially artistic professions still know significant discrimination in wages, since Amazigh artists and creators still receive the lowest wages in artistic forums.
- **Article 15, take part in cultural life:** all cultural or artistic policies in Morocco are full of discrimination against Amazigh, whether in favor of the second official language or global languages and tastes. The specifications of the Moroccan Cinema Centre and the decision of the Minister of Communication regarding the benefit from the cinema support, explicitly stipulate the need to translate any artistic work into Arabic to be accepted by the Commission. This is a clear discrimination against.

The second public channel directly discriminate Amazigh from competition in its music programs for the benefit of oriental and international songs. This is, of course, very little compared to the amount of discrimination of Amazigh included in public channels specifications. Only 7% (Seven per cent) of the total broadcast of 27 public informational televisions and radios are dedicated to Amazigh.

Ministry of Culture organizes a festival of Arab theater and national festivals of theater and various arts. It also established centers of cultural studies concerned with some of the Moroccan cultural expressions. It is clear enough that the Amazigh speaking Moroccan culture does not benefit from the same attention; however, conservatories of the Ministry of Culture, the number of which exceeds 52 institutes, do not provide any educational material about Amazigh music which threatened the survival of this creative heritage, and deprived it from development and scientific research.

- **Article 15, Freedom is the basis of creative activity:** we firmly believe that the anomalies known to the management of multilingualism and cultural diversity in Morocco and the discrimination experienced by the Amazigh language, culture and identity clearly limits the freedom of creators who chose this language for their arts.

- **Article 15, the benefit of international cooperation in the cultural field:** since UNESCO is considered as the most important interface for cultural cooperation between the countries, it is a flagrant example of the absence of Morocco's interest on cultural components of Morocco. Achievements of this organization did not register any positive action for the Amazigh language, as Morocco is still marketing itself externally as a monolingual culture and identity. All Moroccan teaching missions do not include Amazigh in its programs. Amazigh is absent as well in diplomacy policies and services.

## Recommendations of Azetta Amazigh

The Amazigh Network for Citizenship hereby recommends:

- 1- That the Committee continues its cooperation with Moroccan's official and civil institutions for the interest of human rights.
- 2- The adoption of a democratic constitution in form and content, which clearly recognizes the Amazigh identity and ensures the exercise of the rights and freedoms and the rule of democracy.
- 3- The removal of all aspects of linguistic discrimination against Amazigh in the Moroccan internal and external public policies, and the development of policies that reflect, protect and develop multilingualism and cultural diversity.
- 4- Manage the legislative workshops regarding chapter V of the Constitution with the awareness and responsibility required by its content, and invoking the method of dialogue and consultation.



- 5- Support and strengthen the associative fabric and civil actors working in the field of human rights generally and Amazigh linguistic and cultural rights particularly, to play the roles assigned to them in the protection of the rights and their advancement.
- 6- The generalization and circulation of the results of this session works and approve its recommendations.

### **Amazigh Network for Citizenship**

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