



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

Distr.
GENERAL

CERD/C/SR.1554
7 March 2003

Original: ENGLISH

COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixty-second session

SUMMARY RECORD OF THE 1554th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 3 March 2003, at 3 p.m.

Chairman: Mr. Diaconu

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GE.03-40563 (E) 050303 070303

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4)

Fourteenth to sixteenth periodic reports of Morocco (CERD/C/430/Add.1 and CERD/C/430/Add.1 (Suppl.); HRI/CORE/1/Add.23/Rev.1)

1. At the invitation of the Chairman, the members of the Moroccan delegation took places at the Committee table.
2. Mr. HILALE (Morocco), introducing Morocco's sixteenth periodic report (CERD/C/430/Add.1), stressed his Government's determination to engage in a sincere and constructive dialogue with the Committee. He would provide additional information on a number of points which had not been sufficiently developed in the report.
3. The defence of human rights was a national priority for Morocco, which was profoundly attached to building democracy and promoting human rights. His Majesty King Mohammed VI had repeatedly underscored the irreversibility of Morocco's choices in the area of the defence and promotion of human rights. Concrete measures had been adopted and new institutions set up to strengthen the authority of State bodies and help ensure respect for the primacy of law and the equality of all citizens. Free legislative elections had been held, which international observers had unanimously described as transparent and honest, thereby enhancing the credibility of Morocco's parliamentary institutions. Following the elections, the new Prime Minister, Mr. Driss Jettou, had reaffirmed the principles of an open democratic society deeply rooted in Morocco's Arab and Muslim identity and secular culture. Convinced of the important role of Moroccan youth in promoting responsible citizenship, the King had called upon the Government to take the necessary steps to lower the voting age from 20 years to 18. He had also set the objective of a reform and modernization of the legal system.
4. Aware that respect for human rights constituted a major factor in socio-economic and cultural development, Morocco had taken a number of normative and institutional measures since the 1990s to establish a culture of human rights and implement international human rights standards. It had introduced far-reaching legal reforms and legislative amendments specifically prohibiting and punishing racial discrimination, in keeping with the relevant provisions of international human rights conventions. A number of laws had been amended to prohibit associations that propagated racist propaganda or whose objectives were based on theories of racial superiority.
5. The Moroccan Constitution guaranteed individual and collective rights, equality of all citizens, the right to equal treatment in the courts and the right of all citizens to take part in public affairs without discrimination. The national radio had been liberalized and the State monopoly in the audio-visual sector abolished.
6. On 17 October 2001, King Mohammed VI had created the Royal Institute of Amazigh Culture (IRCAM), whose membership reflected the country's cultural and linguistic diversity, and he had reaffirmed that Amazigh belonged to all Moroccans and could not be used for

political designs of any kind. In that connection, on 10 February 2003 the King had approved IRCAM's recommendation to adopt Tifinagh characters for transcribing the Amazigh language. That measure responded to the need to preserve the integrity of the Amazigh identity in its secular, historical and cultural manifestations.

7. Another example of the promotion of human rights in Morocco was the reorganization of the Consultative Council on Human Rights decided by King Mohammed VI in December 2002. Thirteen years after its creation, the Council gave form to the King's solemn commitment to protecting human rights, consolidating the rule of law and strengthening respect for the dignity of the individual in the context of a global conception of the interdependence of human rights. The restructuring also helped the Council face the challenges of the new millennium and reflect the political, civil and social sensibilities of today's Morocco. With their diversity of horizons, the Council's new members would make their contribution to the legislative, legal and administrative reforms currently under way.

8. On 9 November 2002, the King had created the Office of the Ombudsman, known as "*Diwan Al Madhalim*", to identify violations of human rights by officials and hear complaints from anyone who believed that he or she had been the victim of an inequitable, unjust or illegal decision or act. The Ombudsman's Office would also make proposals for reforming legislation, the administration and the courts, and it would prepare an annual report for the King and submit observations, recommendations and periodic reports to the Prime Minister and the Consultative Council on Human Rights.

9. In addition to the legal and institutional changes introduced, a number of practical measures had been taken to strengthen the culture of human rights in the country. As part of the programme of cooperation between Morocco and the High Commissioner for Human Rights in the area of human rights teaching and education, some 10,000 teachers had attended training classes, and statements inconsistent with the principles of human rights had been removed from school textbooks. In April 2000, the Government had also set up a centre for human rights documentation, information and training with the invaluable assistance of the Office of the High Commissioner and the United Nations Development Programme. One of the aims of the centre was to disseminate all human rights legal instruments. It had also held a number of courses to provide representatives of non-governmental organizations (NGOs), journalists, prison officials and other professionals with specialized training, for example on the elaboration of the periodic reports submitted to the treaty bodies.

10. At the invitation of the Minister for Human Rights, the High Commissioner for Human Rights, Mr. Sergio Vieira de Mello, would travel to Morocco on an official visit in the second half of 2003. That would provide him with an opportunity to see the considerable progress made by Morocco in consolidating democracy, the rule of law and promotion of human rights.

11. Eager to combat racial discrimination in all its forms, Morocco had participated actively in the work of the Durban World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. In keeping with the Committee's general recommendation, the Moroccan Ministry of Human Rights had signed a convention with the International

Organization for Migration to set up a centre for migrants' rights in order to promote respect for all migrants, regardless of sex or ethnic or social origin, strengthen national institutional capacities for training and dissemination of information, and assist in the training of experts in the defence of the human rights of migrants.

12. Mr. AMIR (Country Rapporteur) welcomed the high-level delegation from Morocco, which had always been receptive to the Committee's observations and its recommendations on ways of improving its legislative and administrative system in the area of human rights. Reviewing first the main points of Morocco's Core Document (HRI/CORE/1/Add.23/Rev.1), he commended the Government for acknowledging that although the disparities between the most comfortable social groups and the least well-off had been markedly reduced, the gap between social strata and between urban and rural areas remained substantial (para. 9). It also emerged from paragraphs 11 to 19 that international conventions to which Morocco was a party took precedence over domestic law, which the Committee welcomed. He was pleased to learn that twice as many articles in the *Dahir* (royal decree) of 2001 dealt with human rights questions as in the *Dahir* of 1990 (para. 24).

13. The extensive information provided in the section of the Core Document which dealt with remedies available in the event of violation of human rights (paras. 25 to 54) testified to Morocco's efforts to meet the Committee's recommendations. He was pleased that the Minister of Justice had embarked upon a reform of the prison system to make prison conditions more humane and prepare prisoners for reintegration in the social environment and that the concept of prisoners' rights had begun to emerge (para. 31). It was unfortunate, however, that the death penalty had not been abolished (para. 34).

14. He commended Morocco on the measures taken to inform the public about international human rights conventions (para. 56) and was pleased that the Ministry of Human Rights had ensured the dissemination and dispatch of the Convention on the Elimination of All Forms of Racial Discrimination, and the guidelines and recommendations arising from the consideration of the twelfth and thirteenth reports, to all the human rights associations and organizations and that it had also invited them to participate in the preparation of the report (para. 57).

15. Turning to Morocco's sixteenth periodic report (CERD/C/430/Add.1 and CERD/C/430/Add.1 (Suppl.)), he first highlighted its salient points. Concerning implementation of article 2 of the Convention, he took note of the draft revised Code of Public Freedoms and Penal Code (para. 5) and was pleased that there was a policy to incorporate human rights into the general education and training of certain officials working in the executive and judicial branches. That ensured that human rights principles were taught in the Royal Police College, the Royal Gendarmerie Colleges Command, the Royal Gendarmerie Officer Training School and the Royal Military Academy, thereby responding to some of the Committee's concerns. He sought clarification, however, on the assistance provided to Berber speakers to help them understand how the legal and administrative system operated and would also like to know whether the teaching files referred to in document CERD/C/430/Add.1 (Suppl.) (para. 20) contained any information on the 1991 Agadir Charter, the 1997 Memorandum on the cultural and linguistic rights of the Amazigh or the 2000 Amazigh Manifesto.

16. In respect of implementation of article 3 of the Convention, he took note that Morocco reaffirmed its accession to a number of international conventions (para. 7). On implementation of article 4, he welcomed the draft Press Code (para. 9), which acted as a deterrent to any notions of racial superiority or enmity. With regard to the implementation of article 5, he noted the measures to protect legally incapacitated persons (para. 14), the figures on government officials punished for abuse of authority (para. 16), the new Act concerning the organization and administration of prisons (para. 17), as well as the information provided on political rights (para. 18), access to the public service (para. 19), the right to freedom of movement (para. 20), the Nationality Code (para. 21) and economic, social and cultural rights (paras. 26 to 30). As to the implementation of article 6, he welcomed the Supreme Court decision that an international rule should take precedence over a domestic rule in cases where domestic rules were not compatible with international rules (para. 35).

17. Concerning the implementation of article 7 of the Convention, the Committee welcomed the agreement between UNESCO and the Ministry of Higher Education to establish a Human Rights Chair at Mohammed V University, a Peace Chair at Mohammed I University, Oujda, and research and training units in various law faculties (para. 38). Paragraphs 39, 40 and 42 showed the close attention which Morocco was giving to the Amazigh question, and paragraph 39 underscored the importance of Berber culture.

18. According to paragraph 42 of the report, he noted that there were 18 associations in Morocco for the protection and promotion of Berber language and culture. Their aim was to support Berber cultural activities and to take a stand on the issue of recognition of the Berber culture as an integral part of the national culture. He wondered whether the Amazigh language had been integrated into the Moroccan Constitution and whether the language was taught in educational establishments within the country.

19. Drawing the Committee's attention to the supplement to the sixteenth periodic report, he observed that over half the document was devoted to a description of the spread of a human rights culture in Morocco. Among the tasks included in that campaign was the revision of over 120 schoolbooks to purge them of ideas, methods and stereotypes that were not consistent with respect for human rights. The supplement also described the establishment of a Consultative Council on Human Rights, whose members were selected for their competence, high moral standards and devotion to human rights. The newly created Ombudsman's Office, the *Diwan Al Madhalim*, headed by an appointed prefect, was an extrajudicial body set up to receive complaints from users of public services and to ensure fairness and the rule of law. The members of both bodies had been installed in a ceremony presided over by King Mohammed VI.

20. He noted that the reform of the Code of Public Liberties was designed to bolster freedoms of association, assembly and expression (including that of the press), simplify administrative procedures and replace custodial sentences where possible with fines. The voting age had recently been reduced from 20 to 18 years, and, according to a new electoral code, a distinction would be made in future between communes on the basis of population size. Thus communes of 25,000 inhabitants would vote for single candidates, whereas those with more than 25,000 would vote by list on the basis of proportional representation. He also noted that

although the supplement mentioned that teaching guidelines had been developed in the five main subjects of history, geography, Arabic and French, Islamic thought and civics, none had apparently been created for the Amazigh language.

21. He commended the Government for its regular compliance with its obligations under the Convention, for the high level of competence demonstrated by its delegation and for maintaining a steady dialogue with the Committee. It was encouraging to note, as reported in paragraph 25 of its Core Document, that Morocco had established procedures to provide judicial remedies for rights violations and to enable its Public Prosecutor to institute proceedings for offences, whether or not a victim brought criminal proceedings. Those were examples of how the provisions of the Convention were being applied in Morocco following the extensive revision of its Constitution in 1996. He would welcome other specific examples of how the Convention was being applied and would appreciate more detailed information about the activities of the Consultative Council on Human Rights.

22. The delegation should provide details on what progress had been made in implementing the newly ratified Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. He would also like to know whether the Convention against Torture had entered into force in the country. What rights did the Constitution grant foreigners in Morocco, for example, as regards the circulation of persons and of capital? Likewise, what indicators could the delegation provide to identify the most marginalized social groups? Lastly, if a system for occupational training and re-training of judges was in place, did their instruction duly reflect the provisions of article 7 of the Convention, particularly in relation to the Prison Code? He would appreciate more information on the procedures that had been established in that regard.

23. Those questions were among the major challenges that faced Morocco in attaining its development objectives and in applying international instruments aimed at improving the status of women and eliminating discrimination towards them. He was aware of the difficulty experienced by many women, in rural and urban areas alike, when it came to claiming their right to earn a living and to be treated with honour and dignity, in compliance with national law. The Government should also give priority to the needs of children, especially as regards their education, upbringing and health. The two main concerns - for women and for children - could be addressed in an integrated rural development plan, which should also cover food security.

24. Although there were some encouraging signs of economic improvement, such as the rise in gross domestic product (GDP) during the 1990s, it was insufficient to offset the great disparities between rich and poor. On average, the budget share of social services for the decade fell below the 20 per cent recommended by the Copenhagen World Summit for Social Development.

25. The Consultative Council on Human Rights should investigate alleged disappearances and strive to reduce illiteracy, especially among girls. Referring to the implementation of article 15 of the Convention, he drew the delegation's attention to Commission on Human Rights resolution 2002/4, which had noted that an agreement on the implementation of a plan to settle the issue of the Western Sahara had been reached by the two parties concerned, and had stressed

the importance it attached to a full, fair and faithful implementation of the settlement plan and the agreements aimed at its implementation. The Commission on Human Rights had also taken note of the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution. The resolution urged the parties to solve the problem of the fate of people unaccounted for and called on the parties to abide by their obligations under international humanitarian law to release without delay all those held since the start of the conflict. Further clarifications in that respect would be helpful.

26. Questions relating to the practical measures Morocco planned to take in order to eliminate all forms of discrimination would be taken up by other members of the Committee. He particularly wished to commend the courageous human rights measures mentioned in the report, which had already been implemented in the legislative, judicial and administrative spheres and which honoured the Kingdom of Morocco. Those measures were sure to produce significant results.

27. Mr. HERNDL, referring to Morocco's sixteenth periodic report, said he was struck by the importance given in the report to human rights issues in general. He understood that the Consultative Council on Human Rights had originally been created by the *Dahir* of 1990, one of its duties being the "harmonization of legislation". Since the change in the Council's statutes introduced by the *Dahir* of 2001, its new duties included the "study of the harmonization of legislation". He wondered what the effect of that change was and asked the delegation to explain the difference.

28. He was positively impressed by the fact that the Consultative Council on Human Rights also acted as Ombudsman, given that it was competent to examine cases of human rights violations and to make recommendations. He was pleased to note that the duties of the Council as presented in the Supplement to the report corresponded entirely to one of the suggestions made by the Committee and he commended Morocco on its efforts to inculcate a human rights culture in the country. However, the report did not mention certain of the suggestions and recommendations made five years ago in the Committee's concluding observations concerning the twelfth and thirteenth periodic reports of Morocco (CERD/C/304/Add.57), such as the request for precise information on the composition of the Moroccan population (para. 11), the request for additional information on the situation of Berbers, blacks, nomads, Sahrawis and other minorities (para. 16), the request for detailed information on racially motivated offences, if any (para. 14), and the request for Morocco to ratify the amendments to article 8, paragraph 6, of the Convention (para. 19). He agreed with Mr. Amir that the delegation should provide the Committee with more precise information on the activities of the Consultative Council on Human Rights, for example, the number of complaints it had received since the reform of 2001.

29. Referring to article 4 of the Convention, he said that although Morocco's Press Code did indeed stipulate that incitement to racial hatred was a punishable offence, the Penal Code had not yet been revised accordingly. A further point to note was that the ILO's Committee of Experts had found that although the Moroccan Constitution considered all citizens equal before the law, there were no legal provisions explicitly prohibiting racial discrimination.

30. He observed that Morocco had still not ratified the amendments to article 8, paragraph 6, of the Convention, despite the Committee's prior recommendation to that effect (paragraph 19 of its concluding observations concerning the twelfth and thirteenth periodic reports) and despite General Assembly resolution 57/194, in which States parties were strongly urged "to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment". He reiterated his appeal for Morocco to complete ratification. He also called for Morocco to make the declaration provided for in article 14 of the Convention in line with the Committee's prior recommendation (paragraph 14 of its concluding observations concerning the twelfth and thirteenth periodic reports of Morocco).

31. Mr. TANG Chengyuan commended the delegation for its detailed report. He understood that during the Second World War Morocco had accepted numerous refugees and that, as regards religious beliefs, they had been met with openness and tolerance, for which they were most certainly grateful. Although paragraph 24 of the sixteenth periodic report stated that freedom of religion was guaranteed in Morocco, he wondered whether any problems arose between different religious groups. He suggested that perhaps officials from the Ministry of Human Rights could provide more explanation.

32. The question of Berber culture was a very important one. According to Morocco's report, the Berbers were historically the first inhabitants of North Africa. He wondered whether the Berbers had well-defined features and were physically different from other people. If so, were they given the same treatment and was their social, political and economic status any different? He also asked for more information about the Government's attitude towards migrant workers, refugees and illegal immigrants in the country, particularly as regards respect for their human rights.

33. Mr. THORNBERRY said that the Committee required demographic information. Had a census been carried out recently? The State party had underscored that it ensured equality before the law, but that was a more restricted concept than equal protection of the law. In any event, a specific prohibition of racial discrimination would be desirable.

34. The State party had made much progress in implementing human rights education. Was anti-racist education a component? Could the delegation inform the Committee specifically about the curriculum used in schools? He reminded the delegation that General Recommendation No. 19 had specifically stressed the fact that efforts to curb segregation were not limited to combating apartheid.

35. The Convention dealt with discrimination both in effect and in aim. While the latter was apparently being addressed by the Government, he asked whether there were any efforts to deal with the former. Could an individual who spoke only Amazigh have access to interpretation in court? Had any of the cases cited in the report of abuse of power involved acts of racial discrimination? The report stated that the Amazigh language and others could be used to teach the official language, especially in primary schools. Were any efforts made to teach such languages in their own right, so as to safeguard the mother tongue of those groups? Were they taught in secondary schools? The King had reportedly stated that Amazigh belonged to all Moroccans without exception, and could not be used for political designs of any kind. Did that

mean that certain organizations were prohibited, and if so, why? Were there any restrictions on the use of Amazigh names? Could the Amazigh language be used in dealings with public officials or in official transactions? Noting that the head of delegation had referred to “tribes” during his presentation, he asked whether the concept of indigenous peoples was significant in Morocco. He strongly welcomed the establishment of the Royal Institute of Amazigh Culture (IRCAM) and asked whether that portended a healthy change in Morocco’s self-identity.

36. Mr. THIAM said that the new and innovative legislative and regulatory measures taken by the Government had strengthened the defence of human rights in Morocco, and that the efforts to teach human rights in the education system were of prime importance and represented the most important step in promoting them. He welcomed the establishment of IRCAM and the lowering of the voting age from 20 to 18, the extension of the mandate of the Consultative Council and the creation of the *Diwan Al Madhalim*. It would have been useful for the Committee to have a more complete description of the situation in Morocco prior to the establishment of such institutions, so as to shed light on the need for their creation. Did the establishment of the *Diwan Al Madhalim* signify recognition of the competence of the Committee under article 14 of the Convention?

37. Were foreigners ensured the same rights as Moroccans to equality before the law and access to the courts and the prefects? The report offered no information on naturalization procedures or on the status given to children whose fathers were Moroccan and mothers were stateless, or whose fathers were refugees or foreigners and whose mothers were Moroccan. As Morocco had ratified the Equal Remuneration Convention, 1951 (No. 100) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) of the International Labour Organization, he asked what practical guarantees of equality were afforded to foreigners living in Morocco.

38. Mr. SICILIANOS welcomed the strengthening of the Consultative Council on Human Rights, in particular the fact that it would be able to take part in the implementation of the recommendations issued by the various treaty bodies. The Committee should be told when the revision of the Code of Public Freedoms and the Penal Code would be complete, and when the revised texts would enter into effect. It required updated socio-economic information on the situation of Berbers, blacks, nomads and Sahrawis. While welcoming the establishment of IRCAM, he expressed concern about the lack of use of the Amazigh language in the education system, the traditional prohibition of Amazigh names, the failure to provide sufficient television airtime devoted to Amazigh language programming and de facto restrictions on the freedom of association of Amazigh people.

39. Mr. VALENCIA RODRIGUEZ, noting that the Government contended that there was no racial discrimination in Morocco, said that while it was proper for the State party to draw attention to the openness and tolerance of the society and to Constitutional and legal guarantees of equality, the Committee had on numerous occasions expressed the view that no country could consider itself free from racial discrimination. He welcomed the revision of the Code of Public Freedoms, the Press Code and the Labour Code, and enquired as to whether they had already been adopted and were in force. Noting that the penalty for accessories to crimes were the same as for perpetrators under the Penal Code, he asked whether that provision had been applied in practice in cases involving racial discrimination.

40. What was the status of children born in Morocco to a Moroccan father and a foreign mother? Was the right to publicly exercise a religion recognized for non-monotheistic beliefs? The delegation should provide further information on the rights of foreign workers. For example, were they able with the same rights as Moroccans to join trade unions?

41. What compensation and reparation were granted to victims of racial discrimination, as called for under article 6 of the Convention? Was the same authority that investigated and sanctioned discriminatory acts able to impose compensatory arrangements, or were separate judicial proceedings required? He commended the State party on the steps it had taken to combat prejudices leading to racial discrimination, especially in basic and secondary education, and its efforts to promote Berber culture.

42. Mr. de GOUTTES emphasized the geopolitical importance of Morocco as a bridge between the Muslim world and the West, especially in the current international situation. Noting that the sixteenth periodic report contained a great deal of information on draft legislation and revisions of laws, he asked the delegation to bring the Committee up to date on the status of those draft texts. The delegation should inform the Committee of the activities of IRCAM and efforts made to promote the Amazigh language, and should clarify the respective mandates of the Consultative Council on Human Rights and the Ombudsman's Office. How, for example, did the latter two deal with complaints filed by individuals?

43. The Committee had been informed of three main wishes of Amazigh organizations: recognition, including in the Constitution, of their language and culture; the granting of the status of an official, national language; and the introduction of their language in the education system. A number of NGOs had expressed the belief that the failure to include the Amazigh language in school programmes had been a factor contributing to the persistence of illiteracy.

44. More socio-economic information was required on the situation of Berbers, blacks, nomads, Sahrawis and other minorities. The report indicated that Islam was the State religion and that freedom of religion was guaranteed for other monotheistic religions. What was the status of non-monotheistic religions, and was the crime of apostasy still punishable under the Penal Code? He expressed concern about anti-Jewish sentiment that was, according to one NGO, on the rise, especially in extremist Islamic circles.

45. The delegation should inform the Committee of the practical follow-up that was given to complaints of acts of racial discrimination, as requested in the previous concluding observations issued by the Committee. If no information was available, was that attributable to a failure to keep statistics, or rather to a lack of complaints?

46. Mr. PILLAI said that the report reflected a growing recognition of the plurality of Moroccan society on the part of the Government. The core document referred to possible judicial remedies for human rights violations. The delegation should provide the Committee with information on the specific legal cases that had arisen, and also with statistical information on the kinds of human rights violations that had been noted. The Consultative Council on Human Rights was able, on its own initiative or at the request of the party concerned, to study

cases of violations of human rights. Did that mean that there was no access to remedies for third parties such as NGOs acting on behalf of the victims? Civil society organizations played a major role in promoting understanding of human rights and racial discrimination. Which organizations addressed the various kinds of rights in Morocco?

47. The delegation should clarify the respective roles of the Consultative Council on Human Rights and the Ombudsman's Office, and explain how they would coordinate their activities. Lastly, noting that the Constitution provided for the recognition of the equal rights of the Jewish community to public services, he enquired as to why similar provisions were not included for other communities as well.

48. Mr. LINDGREN ALVES did not accept the State party's assertion that racial discrimination did not exist in Morocco. While acknowledging that it was possible for a Government to intend to uproot and entirely eliminate racial discrimination, it had been proven that no society could be absolutely devoid of the phenomenon. He requested clarification concerning the status of the draft legislation that would sanction acts of racial discrimination, in particular the revision of the Penal Code. Concerning the status of the Amazigh language in Morocco, he expressed admiration for the efforts made to promote that language and culture, and said that the request by NGOs for Constitutional recognition of the Amazigh language as an official language, while of interest, was not necessarily justified under the terms of the Convention, as it would be sufficient for the State party to respect that group's right to maintain its own language and culture. He wished to find out how secularized an Islamic society could become. Had polygamy been formally prohibited? Did men and women have equal hereditary rights? Lastly, were the rights of atheists and polytheistic religions such as Hindus and Animists ensured?

49. Mr. YUTZIS said that in its concluding observations on Morocco's previous report the Committee had requested information about the legal reforms under way in the country and, in particular, the results of the amended Labour Code. He wished to know when the revised Labour Code and the revised Code of Public Freedoms would be implemented.

50. According to paragraph 9 of the sixteenth periodic report, persons inciting to racial discrimination were punished. However, could sanctions be taken against the means by which racial discrimination was disseminated? It was important to ensure that the media as such could be held responsible for inciting to hatred or violence.

51. Referring to paragraph 40 of the report, he wished to know for whom the sentence "we also confirm that Amazigh, with its roots at the core of the history of the Moroccan people, belongs to all Moroccans without exception and cannot be used for political designs of any kind" had been intended. How could initiatives taken to protect the Amazigh language be interpreted as a threat to the basis of the Moroccan State?

52. Mr. BOSSUYT said that banning names of Amazigh origin was a source of harassment. Such practices should be avoided altogether. There was a clear lack of information about the Amazigh culture, with only two or three newspapers appearing on a regular basis and with official reference to the Amazigh issue being made only in the context of folklore. The rather

numerous Amazigh associations did not benefit from subsidies, which also suggested that they were discriminated against. He appealed for recognition of Amazigh as a national language. Greater attention should be accorded to teaching Amazigh and efforts to prevent discrimination against people speaking it should be stepped up.

53. Mr. SHAHI wondered whether there was a conflict of jurisdiction between the Human Rights Advisory Council and the Ombudsman. He was not clear how the two bodies defined their activities and wished to know what kind of cases the Ombudsman dealt with. He would welcome information on the progress made in harmonizing the country's laws and traditions with its obligations under various human rights instruments. Information about the representation of the Amazigh populations in the Government, legislation and public services would also be useful. He welcomed the steps taken to promote a human rights culture in the country.

54. Mr. HILALE (Morocco) said in conclusion that his country was committed to achieving prosperity and democracy and to building an egalitarian society, which would have no place for racial discrimination.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

55. The CHAIRMAN informed the Committee regarding the status of letters which he had received from several States. In particular, he had received two letters from the Permanent Representative of Israel to the United Nations Office at Geneva. In his first letter, the Permanent Representative of Israel asked the Chairman to inform the delegation of Egypt that the production and dissemination of the film "Horseman without a horse" was a violation of the International Convention on the Elimination of all Forms of Racial Discrimination. The second letter concerned the demonstration in support of the Palestinians, which had recently taken place in South Africa.

56. In his reply, he had said that he did not have the authority to engage in dialogue with States parties about communications from other States parties regarding the implementation of the Convention. Such issues could be raised by Committee members or brought to their attention by non-governmental organizations (NGOs) when the periodic reports of the countries in question were being considered. He had also recalled article 11 of the Convention, according to which a State could lodge a complaint against another State, leaving it up to the Committee to examine the matter.

57. Together with Mr. Thornberry, he had visited the People's Republic of China and Hong Kong, where they had presented the Committee's activities and had insisted on the need to adopt practical laws and measures to implement the Convention. In November 2002, he had been invited to the Foreign Affairs Committee of the Swiss Council of States, where he had explained the procedure provided for in article 14 of the Convention. Switzerland had been preparing to accept article 14 of the Convention, but the Foreign Affairs Committee had asked the Committee for more information about the article. Mr. Michel, an ambassador in the Swiss Federal Department of Foreign Affairs, had accompanied the visitors and had expressed support for the Government's proposal to make the declaration under article 14 of the Convention.

58. The Working Group on the effective implementation of the Durban Declaration and Plan of Action had met in January 2003. Its mandate included preparing additional international standards with a view to reinforcing and updating existing international instruments. The working group had invited the Committee to evaluate existing standards concerning discrimination and related intolerance.

59. Mr. THORNBERRY said that, during their visit to Hong Kong, the Chairman and he had stressed the need for an anti-discrimination law in the private sector. He was aware that work was being done in Hong Kong with regard to legislation and would welcome information on the results of the dialogue.

60. Mr. YUTZIS was unclear whether the Committee had decided to postpone consideration of Guyana's report. Since the situation in Guyana was very serious and constantly changing and the problems there were directly related to the Committee's work, the matter should not be postponed for too long.

61. Mr. TANG Chengyuan said that the Committee should try to ensure that States parties had the political will for dialogue. It should also ensure that economic and financial conditions were met. The Committee's budget was limited, so by providing the necessary resources, such as airline tickets, States could help the Committee strengthen its role and implement the Convention.

62. The CHAIRMAN commented that China and Hong Kong had offered the Committee the aforementioned conditions.

The meeting rose at 6 p.m.