

Intervention from the floor – Multi-stakeholder Hearing – Clinique Juridique Hijra Maroc (CJHM), May 2022

The *CJHM* would like to thank the United Nations Migration Network (UNMN) for the invitation to participate in this meeting.

This statement highlights briefly key progress, gaps and challenges at the national and regional level. The statement provides two key recommendation.

The implementation of the GCM in Morocco

The *CJHM* welcomes the active engagement of the Moroccan government:

- The government submitted a voluntary review;
- It participated in the Arab review of GCM's implementation and hosted the African review.
- Morocco also joined to the UNMN's invitation to join the 'Champion Countries Initiative'.

However, there are some indications demonstrating that the GCM's implementation in Morocco is still in an early stage:

- The national review is government-led: no independent body was involved and civil society was not consulted;
- The review does not mention sufficient concrete implementation indicators;
- Our research shows that objective 15 (access to basic services) is not yet fully implemented and that some migrants' basic human rights are not yet protected.

Key recommendation: encourage and facilitate the participation of civil society in the national review process in order to increase human rights protection.

¹ *Clinique Juridique Hijra* is hosted by Fondation Orient-Occident Rabat & Tangier (<http://www.orient-occident.org/?lang=fr>).

Implementing objective 1 GCM in Africa

The *CJHM* welcomes the establishment of the African Migration Observatory (AMO) having the key mission of facilitating the implementation of the GCM by collecting data on migration and guiding African countries in developing effective evidence-based migration policies.

In particular, the *CJHM* welcomes the explicit reference to the protection of privacy and personal data of migrants in the Statute of the African Migration Observatory (AMO).

However, the current situation with regard to data protection in African countries will complicate this mission:

- The majority of African countries did not adhere to the African conventions on data protection, in particular the Malabo Convention.
- Only few African constitutions make reference to personal data or the confidentiality of information.
- Approximately half of the African States do not have national legislations that protect personal data;
- The review reports submitted by African States do not even mention the issue of protecting the data of migrants with the exception of Kenya which adopted the 2019 Law on the Protection of Data, including personal data of migrants, and a Memorandum of Understanding on the sharing, exchange and dissemination of this data.

These indications show that migrants' privacy and personal data are not yet fully protected across Africa.

Key recommendation: the introduction by the African Migration Observatory of Guidelines on the collection of migration data and the protection of the privacy and personal data of migrants.

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