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On the occasion of the 30<sup>th</sup> anniversary of the National Human Rights Council (CNDH), the Barid Al-Maghrib Group launched, in partnership with the CNDH, on Thursday December 10<sup>th</sup>, 2020, a commemorative postage stamp to celebrate the efforts made by the CNDH as a pluralist and independent national institution in the field of human rights protection and promotion in our country.

“The establishment of the CNDH consolidates the Kingdom’s commitment and its voluntary adherence to the international human rights system. It also reflects the unprecedented interaction between the supreme will of the State and the human rights and democracy movement on issues that preoccupied Moroccan society.”

Amina Bouayach, CNDH Chairperson.



## *Human rights to the test in the time of Covid-19*

**Amina BOUAYACH,**

Chairperson of the National Human Rights Council (CNDH),  
Morocco.

Here we are, at CNDH, celebrating the culmination of a project that was close to our hearts: publishing an academic journal. The journal aims to be a forum for specialists, practitioners, academics, and human rights defenders in general to discuss, share, and reflect on new issues affecting human rights around the world.

The publication of this journal coincides with the thirtieth anniversary of our Institution. “The establishment of the Council optimized the conditions to integrate the Kingdom of Morocco, willingly and voluntarily, into the human rights system. It enhanced the unprecedented interaction between the State’s will and the democratic and human rights movement to draw attention to human rights issues harming Moroccan society” [1]. In light of the increasing claims for democracy and human rights values, the CNDH has adopted, since 2019, an approach based on three pillars: the prevention of human rights violations, the protection of victims of human rights violations, and the promotion of human

rights culture. Therefore, the CNDH is opening a new human rights horizon through the elaboration of a new vision that connects reflection, memory preservation, and human rights actions. This vision focuses on providing Moroccan collective responses specific to changes happening in the space of freedoms as an integral part of Morocco’s identity and cultural diversity and the protection of freedom of each individual.

The first issue of our journal also coincides with the global health crisis of Covid-19. This unprecedented crisis is testing human rights standards and practices worldwide. Indeed, due to restrictions of certain rights and fundamental freedoms, human rights defenders, and especially National Human Rights Institutions (NHRIs), are redoubling efforts to observe, monitor, prevent, protect and promote fundamental rights and freedoms.

While the fast spread of Covid-19 challenges humanity, which had remained confident in its fixed models until



recently, it has above all given utmost importance to values such as solidarity and compassion in dealing with the virus. In other words, the focus is cast on the collective rather than the individual. “We are therefore living at a pivotal moment in the history of humanity which has found itself compelled to review its behavior and its philosophy” [2]. In this race to fight the pandemic, nothing is more fundamental than the right to life. Unfortunately, the coronavirus has claimed the lives of hundreds of thousands of people, and confirmed cases continue to be on the rise. To save lives in this difficult situation, no other choice has transpired but to adopt exceptional, even drastic, measures to combat the spread of the virus.

It should be noted that international human rights law allows the limitation or derogation of certain rights for legitimate purposes, such as the protection of public health. The scale and severity of Covid-19 have indeed reached a level where such restrictions are justified on public health grounds. Over a defined period, restrictive measures adopted by public authorities evidently restrict a number of our human rights. The most obvious is the right to freedom of movement and, therefore, the enjoyment of many other fundamental rights. As a matter of fact, due to Covid-19, schools are closed, hospitals are overwhelmed, access to

places of worship is suspended, etc. In other words, our rights to access health care (not just for Covid-19), work, education, food, the most vulnerable amongst us, leisure, etc., are all impacted.

The United Nations Secretary-General specified in this regard that Covid-19 responses based on human rights and respect them yield the best results in the fight against the pandemic by providing health care to all and preserving human dignity. According to the UNSG, this approach allows us to see and focus on those who suffer the most as well as prepare the ground now to emerge from this crisis as a united and equitable society. “It is important to base the socio-economic response to COVID-19 on well-tailored social dialogue and political engagement, grounded on fundamental human rights such as peaceful assembly, freedom of association and the right to collective bargaining, freedom of expression, press freedom, gender equality and the inclusion of women, amongst others” [3].

This year’s International Women’s Day also marked the date I was named one of the five eminent human rights defenders chosen by the United Nations High Commissioner for Human Rights. On that occasion, I stated that a world after COVID-19 will be one “which recognizes equality, which fights discrimination and



which recognizes the value of human beings.” [4]

In this issue, we are pleased to address this theme, among others, deemed important. The articles in this issue will deal with the following themes: Women’s rights, constitutional rights, freedom of expression, personal data, African human rights institutions, the role of human rights NGOs, migration, artificial intelligence, and the right to water and sanitation. Personally, and on behalf of the CNDH, I would like to thank our valiant contributors for their papers. These contributors from Africa, Europe, and North America come from academia, institutions, NGOs, and the sphere of human rights defenders.

It goes without saying that we are delighted this first issue is coming out and we look forward to publishing other issues dealing with current themes and relevant reflections.

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