

The Protest Movement over Morocco's Kish al-Oudaya Lands

by [Soufiane Elgoumri \(/experts/soufiane-elgoumri\)](#)

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ABOUT THE AUTHORS

[Soufiane Elgoumri \(/experts/soufiane-elgoumri\)](#)

Soufiane Elgoumri is a Moroccan academic and writer. He received his doctorate in public law and political science from Hassan Premier University in Settat, Morocco.



Brief Analysis

In recent years, members of tribes living on Kish land in Rabat have escalated their protests in response to decisions to re-allocate the land, demolish their homes, and evict them.

In the suburbs of Morocco's capital Rabat, a real estate dispute is making headlines once again. Residents of Kish al-Oudaya lands have ramped up protests after authorities recently re-allocated large swaths of property, often without timely or adequate compensation to those owed. Truly understanding this issue requires a look at its [origins and history \(https://www.maghress.com/assif/1140\)](#), going beyond its technical and legal dimensions to examine the more complex political and social aspects.

Lands designated as Kish al-Oudaya (known in French as Guich des Oudaïas), are a product of the late 19th century. In exchange for military service, Moroccan kings parsed out land to army personnel. "Kish" neighborhoods can be found in many of Morocco's major cities, such as Rabat, Fez, Meknes, and Kénitra. These lands were [registered and recorded \(https://intercoll.net/%2525D9%252587%2525D9%252584-%2525D9%25258A%2525D8%2525AD%2525D9%252585%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D8%2525AA%2525D8%2525AD%2525D9%252581%2525D9%25258A%2525D8%2525B8-%2525D8%2525A7%2525D9%252584%2525D8%2525B9%2525D9%252582%2525D8%2525A7%2525D8%2525B1%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D8%2525AD%2525D9%252582-%2525D9%252581%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D9%252585%2525D9%252590%2525D9%252584%2525D9%252583%2525D9%25258A%2525D8%2525A9\)](#), with the relevant authorities on behalf of the Kish al-Oudaya group, under late Moroccan King Mohammed V.

Compared to other traditional real estate systems in Morocco, such as those governing collective tribal lands and religious endowments (*waqf/habs* properties), Kish al-Oudaya lands lack robust legal protections. The Kish system's complex historical development means it is regulated by various different legal systems, which has often allowed the authorities to conduct transactions such as re-allocating or renting out the land at will. This has caused a lot of resentment among residents, who have often put up strong resistance to state decisions in defense of what they see as their legitimate right to the land—or at least to fair and adequate compensation for abandoning land they have inhabited for almost two centuries.

Kish Residents' Demands

In recent years, members of tribes living on Kish land in Rabat have escalated their protests in response to decisions to re-allocate the land, demolish their homes, and evict them. Various [political parties \(https://neodemocrats.ma/2024/06/10/%25D9%2585%25D8%25B0%25D9%2583%25D8%25B1%25D8%25A9-%25D9%2585%25D9%2586-%25D8%25AD%25D8%25B2%25D8%25A8-%25D8%25A7%25D9%2584%25D8%25AF%25D9%258A%25D9%2585%25D9%2582%25D8%25B1%25D8%25A7%25D8%25B7%25D9%258A%25D9%258A%25D9%2586-%25D8%25A7%25D9%2584%25D8%25AC%25D8%25AF%25D8%25AF-%25D8%25A8%25D8%25AE%25D8%25B5%25D9%2588%25D8%25B5/\)](#) and [human rights associations \(https://www.facebook.com/AMDHMAROC/posts/833079283384194/?_rdc=2&_rdr\)](#) have denounced these official decisions, and the protestors continue to demand the resolution of several major issues, which can be summarized as follows:

Appointment of Representatives: According to [legislation \(http://www.terrescollectives.ma/\)](#) governing collective tribal lands, which also applies to lands under the Kish al-Oudaya system, councils of representatives for residents are formed via elections, and if this is not possible, they are directly appointed by the head of the prefecture, as a representative of the central government.

In the case of the Kish al-Oudaya lands in Rabat and Tamara, the prefect resorted to the second method, directly appointing representatives. Residents saw this as an affront to democratic principles, which demand the implementation of a [legally valid electoral process \(https://al3omk.com/730517.html\)](#).

Publication of Lists of Rights-Holders: Protestors say that the official lists of people with rights over the land are unfair, and fail to guarantee the rights of all Kish al-Oudaya residents to their land. One of the groups protesting the seizure, the United Socialist Party in Tamara, [issued \(https://al3omk.com/730517.html\)](#) a statement claiming that the lists include "members of the same family while excluding their siblings, as well as including members the Moroccan diaspora but excluding their siblings who live in Morocco."

In this context, the protestors are calling for the implementation of clear and objective criteria for creating these lists that would include all relevant parties in a systematic and regulated manner.

Real Estate Lobbies: Protesters fear that the re-allocation and exploitation of their land by the state will benefit [real estate companies \(https://intercoll.net/%2525D9%252587%2525D9%252584-%2525D9%25258A%2525D8%2525AD%2525D9%252585%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D8%2525AA%2525D8%2525AD%2525D9%252581%2525D9%25258A%2525D8%2525B8-%2525D8%2525A7%2525D9%252584%2525D8%2525B9%2525D9%252582%2525D8%2525A7%2525D8%2525B1%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D8%2525AD%2525D9%252582-%2525D9%252581%2525D9%25258A-%2525D8%2525A7%2525D9%252584%2525D9%252585%2525D9%252590%2525D9%252584%2525D9%252583%2525D9%25258A%2525D8%2525A9\)](#) with strong

economic clout, especially given the omnipresence of real estate construction projects in Rabat and its suburbs.

Prosecutions of Residents: Many Kish al-Oudaya residents complain that security agencies have carried out a campaign of arrests of members of their tribes, on accusations of illegally occupying and exploiting real estate. Residents see these practices as “threats and intimidation against the original owners of Kish al-Oudaya lands.”

Approval of Reparations: The protestors reject the [compensation \(https://www.maghress.com/attajdid/182736\)](https://www.maghress.com/attajdid/182736) the state has approved for the loss of their lands, considering it unjust and a gross undervaluing of their property. Bouchra Shkirat, head of the Udaya Forum for Women and Children Association, claimed that “such injustice is no longer acceptable today given that Morocco is a state of rights and law and has ratified international agreements that combat all forms of discrimination.” They are demanding that the state approve fair standards of compensation for those affected, under a mutually agreed deal between the authorities and the residents.

Official Double Standards: Another major [grievance \(https://www.youtube.com/watch?v=yfEnnIPRwYM&t=1s\)](https://www.youtube.com/watch?v=yfEnnIPRwYM&t=1s) of Kish al-Oudaya residents is that the state applies different criteria each time it re-allocates such land in Rabat and surroundings. One prominent member of the Kish al-Oudaya tribe, a man known as Hajj Khanijer, claims that “in the past, before leaving his land, a Kish resident would receive the same amount as the rent, then later receive compensation and a plot of land.” Residents today are therefore [demanding \(https://al3omk.com/828614.html\)](https://al3omk.com/828614.html) the same benefits afforded to their predecessors.”

The State's Position on the Kish al-Oudaya

As mentioned above, Kish al-Oudaya land was transferred to military personnel in exchange for “military services provided to the state.” Moroccan monarchs have on more than one occasion [expressed their desire \(https://mupresse.com/?p=3802\)](https://mupresse.com/?p=3802) to protect this form of real estate ownership as a historical heritage.

Nevertheless, through its “trusteeship mechanism,” the Moroccan state has sought to manage the Kish al-Oudaya land by setting up various mechanisms allowing it to re-allocate it, rent it out, and so on. [Article 2 \(http://www.terrescollectives.ma/Resources/Docs/Dahirs/loi-62-17.pdf\)](http://www.terrescollectives.ma/Resources/Docs/Dahirs/loi-62-17.pdf) of the law governing administrative guardianship and ownership of collective tribal lands allows the state to exercise jurisdiction “over Kish Al-Oudaya lands whose owners have abandoned them, to the benefit of the relevant hereditary groups.”

The state uses various pretexts to [justify its decisions \(https://mupresse.com/?p=3802#google_vignette\)](https://mupresse.com/?p=3802#google_vignette) vis-à-vis Kish Al-Oudaya-designated land, ranging from the imperative to build much-needed social housing to the creation of businesses or professional enterprises and the construction of administrative buildings.

To these ends, in recent years the state has seized large swathes of Kish Al-Oudaya real estate to the chagrin of its residents. The year 2003 was a turning point in how the state managed these lands. The Trusteeship Council of the Ministry of Interior, based on an agreement between the Ministry of the Interior, the Ministry of Finance, the Delegate Ministry in charge of Housing and Reconstruction, and the Management Deposit Fund, [re-allocated \(https://al3omk.com/828614.html\)](https://al3omk.com/828614.html) as much as 96 hectares of land belonging to the original Kish Al-Oudaya group in Rabat in exchange for a “symbolic dirham”, to the benefit of property development firm El-Riyadh. This decision sparked a lot of protest, including by civic associations, coordination groups and networks aimed at upholding Kish residents’ right to the land, based on national and international human rights conventions. In May 2023, Minister of the Interior Abdelouafi Laftit framed the takeover of Kish lands as a social welfare matter, saying that the government’s main goal was “rehousing” residents living in these “shanty towns” rather than an opportunity for real estate development.

Despite recent talk about some breakthroughs and settlements to the outstanding problems of the residents of Kish Al-Oudaya tribes, such as the publication of Lists of Rights-Holders, the situation is witnessing a significant [escalation \(https://www.youtube.com/watch?v=00Bo4exff0Q\)](https://www.youtube.com/watch?v=00Bo4exff0Q) due to the arrest of the young Kishite, Hassan Azmi, and his trial for leading a group of protest movements against the decisions of the Moroccan Ministry of Interior.

Conclusion: Prospects for the Kish Al-Oudaya Protest Movement

At the time of writing, the Kish Al-Oudaya tribes are continuing to organize regular vigils and [protest marches \(https://www.youtube.com/watch?v=9RcahEPGdiE\)](https://www.youtube.com/watch?v=9RcahEPGdiE) in Rabat and nearby Tamara to demand the settlement of outstanding issues. It seems that this protest movement was expected considering the escalation of the problem of the right to land in Morocco, which has taken on socio-cultural dimensions in recent years. This growing protest movement could well escalate further, especially in view of other growing protest movements on Morocco’s streets in opposition to the state’s economic and social policies. A significant group of human rights advocates who oppose the state’s approach to tribal collective lands may also support the Kish protestors. ❖

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