

THE TANDEM PROJECT

<http://www.tandemproject.com>.

UNITED NATIONS, HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

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FREEDOM OF RELIGION OR BELIEF AND OTHER REPORTS IN THE UNIVERSAL PERIODIC REVIEW

First Session U.N. Human Rights Council Universal Periodic Review (7-18 April, 2008)

A. Description of the methodology and the broad consultation process for the preparation of information provided under the Universal Periodic Review:

The Tandem Project, a *UN NGO in Special Consultative Status with the Economic and Social Council of the United Nations*, submits information for the Universal Periodic Review on issues related to Article 18 of the International Covenant on Civil and Political Rights, and the 1981 UN Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief.

The U.S. State Department 2007 Religious Freedom Report is the source of this information. There are excerpts to comply with the five page limit for NGO Submissions under General Guidelines for the Universal Periodic Review and a link to the complete report.*

The Universal Periodic Review is a process beginning with presentation of a National Report by a UN Member State and inter-active dialogue with the UN Human Rights Council. A troika of Human Rights Council Members then drafts a Working Group Report on the outcome of the Universal Periodic Review. There is a link to the UN Working Group Report. Other Reports are linked to an archived audio/visual UN web cast of the Member State presentation of the National Report and inter-active dialogue with the Human Rights Council.

B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the “basis of review” in resolution 5/1, annex: section 1.A.

1. The Right to Freedom of Religion or Belief

Religious Demography:

The country has an area of approximately 172,320 square miles. According to the 2004 census, the population was 33 million, and more than 99 percent of the citizens are Sunni Muslims.

According to Moroccan Jewish community leaders, there are approximately 4,000 Jews, the majority of whom reside in Casablanca and are the remnants of a much larger community that has emigrated. The estimated size of the Rabat Jewish community is 200 to 250. The remainder of the Jewish population is dispersed throughout the country.

The expatriate Christian community, Catholic and Protestant, consists of approximately 5,000 practicing members, although some estimates are as high as 25,000. Most Christians reside in the Casablanca and Rabat urban areas.

The Baha'i community, also located in urban areas, numbers 350 to 400 persons. The Government recognizes the presence of a Shi'a Muslim community; however, the size is unknown.

Legal/Policy Framework:

The Constitution provides for the freedom to practice one's religion. Islam is the official state religion, and the King is "Commander of the faithful and the Supreme Representative of the Muslim community" with the responsibility of ensuring "respect for Islam." The Government prohibits the distribution of Christian religious materials, bans all proselytizing, and tolerates several small religious minorities with varying degrees of restrictions. The Government monitors the activities of mosques and places other restrictions on Muslims and Islamic organizations whose activities are deemed to have exceeded the bounds of religious practice and become political in nature. Jewish and foreign Christian communities openly practice their faiths. A small foreign Hindu community may freely perform cremations and hold services. During the period covered by this report, there were no reports of restrictions on the religious activities of the Baha'is or Shi'a Muslims.

No official process exists for registering new religious groups. Registration allows the groups to make financial transactions and undertake other business as private associations and legal entities. Registered churches and associations include the Catholic, Russian Orthodox, Greek Orthodox, French Protestant, English Protestant, and Anglican Churches. During the reporting period, the Government did not license or approve new religions or religious organizations.

C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the "basis of review" in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms.

1. The Right to Freedom of Religion or Belief

Restrictions on Religious Freedom:

The Ministry of Islamic Affairs and Endowments monitors or provides guidance on Friday mosque sermons and the Qur'anic schools to ensure the teaching of approved doctrine. At times the authorities suppress the activities of Islamists but generally tolerate activities limited to the propagation of Islam, education, and charity. Security forces commonly close mosques to the public shortly after Friday services to prevent use of the premises for unauthorized political activity. The Government strictly controls authorization to construct new mosques. Most mosques are constructed using private funds.

The Ministry of Islamic Affairs and Endowments controls and monitors the activities of mosques, places restrictions on activities deemed to have exceeded the bounds of religious practice or become political in nature, and provides religious training for imams. Authorities stated that these

measures have eliminated the exploitation of mosques for political propaganda, such as distributing pamphlets and raising funds for illicit organizations.

The Government does not recognize the Islamic Justice and Charity Organization (JCO), which rejects the King's spiritual authority. The JCO holds to a conservative interpretation of Islam and advocates an Islamic state contrary to the Constitution. The JCO continued to organize and participate in demonstrations and operate two websites, although the Government did not allow the public distribution of JCO-published materials. The Government continued closing the JCO's weekly meetings and open houses throughout the reporting period. The Government arrested the Oujda city JCO leader on August 17, 2006. The courts fined the leader \$15,000 (150,000 dirhams), determined his house was illegally constructed, and threatened to demolish it. On March 29, 2007, the leader and three other JCO members were sentenced to one year in prison for participating in illegal gatherings. JCO sources reported that members were regularly harassed.

Government informers monitored campus activities, primarily those conducted by Islamists.

Citizens who convert to Christianity and other religions may face social ostracism, and in the past a small number of converts faced short periods of questioning or detention by authorities for proselytizing and have been denied issuance of passports. There were no reports of such occurrences during the reporting period.

Societal Abuses/Discrimination:

There were no reports of societal abuses or discrimination based on religious belief or practice; however, converts from Islam to Christianity may face difficulties.

Foreigners attend religious services without any restrictions or fear of reprisals. Many citizens of all religions believe that the country is enriched by its centuries-old Jewish minority, and Jews lived in safety throughout the country during the reporting period. On request the Government provides special protection to community members, visitors, and institutions. Annual Jewish commemorations took place around the country, and Jewish pilgrims regularly visited holy sites. Muslim citizens study at Christian and Jewish schools. A Jewish school in Casablanca has a majority of Muslim students, and a hospital run by the Jewish community provides care to low-income citizens regardless of religion.

Although the free expression of the Islamic faith and free academic and theological discussion of non-Islamic religions are accepted on television and radio, society discourages all public efforts to proselytize. Because many Muslims view the Baha'i Faith as a heretical offshoot of Islam, and consequently, Baha'is as apostates, most members of the Baha'i community avoid disclosing their religious affiliation; however, Baha'is' concerns for their personal safety and property does not prevent their functioning in society, and some hold government jobs.

* Source: US State Department 2007 International Religious Freedom Report; Morocco, includes Western Sahara.

Direct Link: <http://www.state.gov/g/drl/rls/irf/2007/90217.htm>

The report for [Western Sahara](#) is appended at the end of this report.

Links to State Department sites are welcomed. Unless a copyright is indicated, information on the State Department's main website is in the public domain and may be copied and distributed without permission. Citation of the U.S. State Department as source of the information is appreciated.

G. Presentation by the State concerned of the follow-up to the previous review.

Direct Link: Report of the Working Group for the Universal Periodic Review Morocco (A/HRC/8/20): This report includes Conclusions and Recommendations.

http://lib.ohchr.org/HRBodies/UPR/Documents/Session1/MA/A_HRC_8_22_Morocco_E.pdf

Direct Link: U.N. Human Rights Council Web Cast Archives for all Morocco Reports. Download Real Player (free) for access to the Web Cast: **Scroll** half way down the Web Cast to find the Morocco Reports. Click to open the video/audio and inter-active delegations dialogue.

<http://www.un.org/webcast/unhrc/archive.asp?go=080408>

These reports may be read by opening the Direct Link to the OHCHR Archives above:

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Only contributions submitted in one of the United Nations official languages are admissible and posted on this webpage

Date of consideration: Tuesday 8 April 2008 - 3.00 p.m. - 6.00 p.m.

National report ¹ : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Compilation of UN information ² : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Summary of stakeholders' information ³ : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Corrigendum : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Outcome of the review :

Report of the Working group : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Corrigendum : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

Addendum 1 : [A](#) | [C](#) | [E](#) | [E](#) | [R](#) | [S](#)

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THE TANDEM PROJECT OBJECTIVES

These Tandem Project Objectives are on Dialogue and Education: (1) Use International Human Rights Standards on Freedom of Religion or Belief as a universal platform for inclusive, in-depth dialogue within and among nations, all religions and other beliefs. (2) Adapt these human rights standards to early childhood education, teaching children, from the very beginning, that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.¹

Multi-cultural perspectives, lack of understanding and opposition to international human rights on freedom of religion or belief make the achievement of these objectives a challenge. Human rights standards on freedom of religion or belief are international law and essential as codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. They are universal, inalienable, interdependent and indivisible with other human rights.

International Human Rights Standards on Freedom of Religion or Belief and the identification of achievements, best practices, challenges and constraints on them, should be part of the follow-up to the Algeria Universal Periodic Review.

STANDARDS: http://www.tandemproject.com/program/81_dec.htm

The Tandem Project: a non-governmental organization founded in 1986 to build understanding, tolerance and respect for diversity, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project, a non-profit NGO, has sponsored multiple conferences, curricula, reference materials and programs on Article 18 of the International Covenant on Civil and Political Rights – Everyone shall have the right to freedom of thought, conscience and religion - and 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.

The Tandem Project initiative is the result of a co-founder representing the World Federation of United Nations Associations at the United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat in 1984 on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

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Closing the Gap – International Standards for National and Local Applications, considers the question of a Convention on Freedom of Religion or Belief followed by a Response from the Special Rapporteur on Freedom of Religion or Belief and The Tandem Project Concept, an option that reflects the inclusive values of the Universal Declaration of Human Rights through human rights-based *Dialogue and Education*.

Closing the Gap - International Standards for National and Local Applications

Objective: Build understanding and support for Article 18, International Covenant on Civil and Political Rights –Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Encourage the United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media and Civil Society to consider the rule of law and international human rights standards as essential for *long-term solutions* to conflicts based on religion or belief.

Challenge: In 1968 the United Nations deferred work on an International Convention on the Elimination of all Forms of Religious Intolerance, because of its apparent complexity and sensitivity. In the twenty-first century, a dramatic increase of intolerance and discrimination on grounds of religion or belief is motivating a worldwide search to find solutions to these problems. This is a challenge calling for enhanced dialogue by States and others; including consideration of an International Convention on Freedom of Religion or Belief for protection of and accountability by all religions or beliefs. The tensions in today's world inspire a question such as:

Should the United Nations adopt an International Convention on Freedom of Religion or Belief?

Response: Is it the appropriate moment to reinitiate the drafting of a legally binding international convention on freedom of religion or belief? Law making of this nature requires a minimum consensus and an environment that appeals to reason rather than emotions. At the same time we are on a learning curve as the various dimensions of the Declaration are being explored. Many academics have produced voluminous books on these questions but more ground has to be prepared before setting up of a UN working group on drafting a convention. In my opinion, we should not try to rush the elaboration of a Convention on Freedom of Religion or Belief, especially not in times of high tensions and unpreparedness. - *UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Prague 25 Year Anniversary Commemoration of the 1981 UN Declaration, 25 November 2006.*

Option: After forty years this may be the time, however complex and sensitive, for the United Nations Human Rights Council to appoint an Open-ended Working Group to draft a United Nations Convention on Freedom of Religion or Belief. The mandate for an Open-ended Working Group ought to assure nothing in a draft Convention will be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Concept: *Separation of Religion or Belief and State – SOROBAS.* The First Preamble to the 1948 United Nations Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* This concept suggests States recalling their history, culture and constitution adopt fair and equal human rights protection for all religions or beliefs as described in General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4):

Article 18: protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community. **Article 18:** permits restrictions to manifest a religion or belief only if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Dialogue & Education

Dialogue: United Nations Secretary General Ban Ki Moon, at the Alliance of Civilizations Madrid Forum said; “Never in our lifetime has there been a more desperate need for constructive and committed dialogue, among individuals, among communities, among cultures, among and between nations.” A writer in another setting has said, “The warning signs are clear: unless we establish genuine dialogue within and among all kinds of belief, ranging from religious fundamentalism to secular dogmatism, the conflicts of the future will probably be even more deadly.”

Norms and standards on human rights and freedom of religion or belief are international law and essential codes of conduct for peaceful cooperation, respectful competition and resolution of conflicts. International Standards on Human Rights and Freedom of Religion or Belief is a universal platform for inclusive and in-depth dialogue within and among nations, all religions and other beliefs. They are universal, inalienable, interdependent and indivisible with other human rights.

Education: Ambassador Piet de Klerk addressing the Prague 25 Year Anniversary Commemoration of the 1981 U.N. Declaration said; “Our educational systems need to provide children with a broad orientation: from the very beginning, children should be taught that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.”¹

The 1981 U.N. Declaration states; “Every child shall enjoy the right to have access to education in the

matter of religion or belief in accordance with the wishes of his parents, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents, the best interests of the child being the guiding principle.” With International Human Rights safeguards, early childhood education is the best time to begin to teach tolerance, understanding and respect for freedom of religion or belief.