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**UNITED NATIONS, HUMAN RIGHTS,  
FREEDOM OF RELIGION OR BELIEF**

*The Tandem Project is a UN NGO in Special Consultative Status with the  
Economic and Social Council of the United Nations*

*Separation of Religion or Belief and State*

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<http://www.ohchr.org/EN/HRBodies/UPR/Pages/MASession1.aspx>

## Universal Periodic Review - Morocco

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

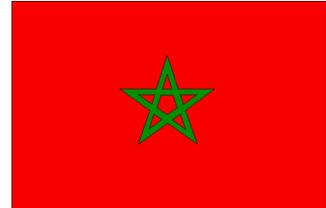
**Date of consideration: Tuesday 8 April 2008 - 3.00 p.m. - 6.00 p.m.**

**National report <sup>1</sup> : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)**

**Compilation of UN information <sup>2</sup> : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)**

**Summary of stakeholders' information <sup>3</sup> : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)**

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



### **Questions submitted in advance**

**Outcome of the review :**

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

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

**Decision on the outcome : [E](#) only**

**Report of the eight session of the Human Rights Council : [A](#) | [C](#) | [E](#) | [F](#) | [R](#) | [S](#)**

### **Related webcast archives**

## I.

### OVERVIEW

The Tandem Project supports the mandate and work of the U.N. Special Rapporteur on Freedom of Religion or Belief. The Morocco Universal Periodic Review is an opportunity to review how close Morocco comes to meeting its human rights obligations and responsibilities to international human rights law on freedom of religion or belief. The Tandem Project Universal Periodic Review & Freedom of Religion or Belief include reports by the government, OHCHR, U.N. Human Rights Council Working Group, U.S. State Department International Religious Freedom Report, NGOs and other Civil Society actors. Each Universal Periodic Review is unique reflecting the cultural norms and standards of the country.

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## II.

### MOROCCO REPORTS

- National Report, Compilation of UN Information, Summary of Stakeholder Letters, Working Group Report, International Religious Freedom Report and Tandem Forums. Each Universal Periodic Review has its own focus on the norms, standards and cultures of the country. The Tandem Project selects quotes from these reports on the obligations and responsibilities to implement international human rights law on freedom of religion or belief. Click to open and read the full reports.

<http://www.ohchr.org/EN/HRBodies/UPR/Pages/MASession1.aspx>

**NATIONAL REPORT:** “Morocco, which has made the promotion and protection of human rights an irreversible choice, is continuing its reforms of institutions and laws to bring its domestic legislation into line with international human rights instruments.”

**COMPILATION OF UN INFORMATION:** “To implement the World Programme for Human Rights Education, Morocco established on 11 November 2004 the *Commission Centrale des Droits Humains et de la Citoyenneté*, which coordinated a national strategy and plan of action on human rights education for the first phase (2005-2007).”

**SUMMARY OF STAKEHOLDER LETTERS:** “Concerning the right to participate in public life, the Islamic Human Rights Commission (IHRC) affirmed that the Al-Adl wa Al-Ihsan/Justice and Spirituality Movement (JSM) emerged as a powerful political movement by the end of the 1980s; although it had obtained legal recognition, the association has been, since its founding, a target of oppression and abusive arrests by the Moroccan authorities.” There were 28 letters submitted for the Morocco Universal Periodic Review. To read the letters click on footnote 3.

**WORKING GROUP REPORT:** “While recognizing the efforts of Morocco to promote a culture of human rights and human rights education and training, to carry on with its efforts to disseminate and consolidate

the human rights culture in the country (Syrian Arab Republic).” One of eleven Recommendations that enjoy the support of Morocco.

**U.S. INTERNATIONAL RELIGIOUS FREEDOM REPORT:** “The constitution provides for the freedom to practice one's religion. The constitution stipulates that Islam is the official state religion; the king is "commander of the (Muslim) believers (amir al-mumineen)" and "defender of the faith (Islam, ad-din)" in the country. Non-Muslim foreign communities generally practiced their faith openly. However, while the law permits Sunni Maliki Muslims to proselytize others, it prohibits efforts to proselytize Sunni Maliki Muslims.” “Despite the expulsion of Christian foreign residents, the government worked to counter extremist ideology in the name of religion and continued to encourage tolerance, respect, and dialogue among religious groups that complied with its antiproselytizing laws.” The full U.S.State Department 2010 International Religious Freedom Report on Morocco can be read below,or by the identified link.

**TANDEM FORUMS:** invitations to **build global awareness** of international human rights law on freedom of religion or belief in **local areas** as a follow-up to Universal Periodic Reviews. They may **assess interest**, exchange information and consider local **partnerships** within and between countries as **best practice models** for international human rights law on freedom of religion or belief. **Tandem Forums** are held or proposed for Places of Worship, Academic Discourse, Schools, Women and Civil Society.

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### III.

#### THE TANDEM PROJECT RECOMMENDATION

##### *Forum for Academic Discourse on Human Rights & Freedom of Religion or Belief.*

The Tandem Project recommends a Forum for Academic Discourse on Human Rights and Freedom of Religion or Belief be held by Al Akhawayn University and the Islamic Educational, Scientific and Cultural Organizations (ISESCO). The Forum would be a Roundtable Discussion – *Program on Human Rights and Freedom of Religion or Belief for Study, Research, and Engagement from Multidisciplinary Perspectives at Al Akhawayn University* - as part of the second phase (2010-2014) of the U.N. World Programme for Human Rights Education. [http://www.tandemproject.com/pdf/morocco\\_forum.pdf](http://www.tandemproject.com/pdf/morocco_forum.pdf)

Al Akhawayn University is located in Ifrane, Morocco. It was founded in 1995 by His Majesty King Hassan II. The School of Humanities and Social Sciences has a “mandate to encourage dialogue and a convergence of cultures in an academic atmosphere characterized by universalism and liberty.” The Islamic Educational, Scientific and Cultural Organization (ISESCO) is located in the capital city of Rabat, Morocco. ISESCO is a “specialized international organization working within the framework of the Organization of the Islamic Conference (OIC), specializing in the fields of education, science, culture and communication.”

The government of Morocco is aware of the importance of international human rights education as a vehicle to encourage dialogue and a convergence of cultures. Morocco in the first phase of the World Programme for Human Rights Education “established on 11 November 2004 the *Commission Centrale des Droits Humains et de la Citoyenneté*, which coordinated a national strategy and plan of action on human rights education for the first phase (2005-2007).” The second phase (2010-2014) focus is on Higher

Education and a Forum for Academic Discourse on Human Rights and Freedom of Religion or Belief could be part of the national plan as a follow-up to the Morocco Universal Periodic Review.

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*General Assembly Resolution on Freedom of Religion or Belief (A/C.3/65/L.32/Rev.1)*

A key question of the Forum for Academic Discourse on Human Rights and Freedom of Religion or Belief would be to provide academic perspectives on a draft resolution passed in the 65<sup>th</sup> Session of the UN General Assembly(A/C.3/65/L.32/Rev.1) 16 November 2010 the main sponsor of which was Belgium on behalf of the European Union (EU). Morocco, on behalf of the Organization of the Islamic Conference (OIC), did not co-sponsor: [http://www.tandemproject.com/pdf/65\\_gen\\_assembly.pdf](http://www.tandemproject.com/pdf/65_gen_assembly.pdf)

The OIC countries did not oppose the draft resolution by did not sign as co-sponsors because it:

11. *Urges* States to step up their efforts to protect and promote freedom of thought, conscience and religion or belief, and to this end:

**(a) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all without distinction, inter alia, by the provision of access to justice and effective remedies in cases where the right to freedom of thought, conscience and religion or belief, or the right to freely practise one's religion, including the right to change one's religion or belief, is violated;**

After adoption of the draft resolution without a vote; “The representative of Belgium, the main sponsor, on behalf of the European Union, recalled that similar resolutions had been adopted by consensus in previous years. This year's draft had been the subject of many rounds of open and transparent informal consultations. **It was regretted that, once again, it had not been possible to explicitly state in the resolution that the freedom of religion and belief included the right not only not to have, but also to change or abandon one's religion or belief; such language had been let go for the sake of a highly valued consensus.**”

In a general statement, the representative of Morocco, on behalf of the OIC, said “**it had not been possible to resolve differences on respect for national laws and religious norms regarding changing one's religion.** Despite such divergences, it had been decided by the Organization not to oppose the draft; such resolutions ought to be adopted by consensus.”

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*2007 Mandate on Freedom of Religion or Belief (A/HRC/RES/6/37)*

In 2007 a similar lack consensus over the right to change one's religion led the OIC countries to abstain on a vote on the mandate of the Special Rapporteur on Freedom of Religion or Belief in the 6th Extended Session 14 December 2007 of the U.N. Human Rights Council:

“Pakistan speaking on behalf of 57 countries in the Organization of the Islamic Conference (OIC) objected by saying, “*It called for respect for norms about the right to change one's religion. The EU*

*draft explicitly urges States to guarantee the right to change one's religion or belief, a requirement the OIC could not subscribe to."*

Portugal, speaking on behalf of the European Union (EU) said over 40 paragraphs in the draft resolution was eliminated in an attempt at consensus with the abstaining states, but *consensus over the right to leave one's religion or belief is inviolable and could not be compromised.*" The Resolution (A/HRC/RES/6/37) with recorded votes can be viewed by clicking on this link:

[http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_6\\_37.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_6_37.pdf)

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*2010 Mandate on Freedom of Religion or Belief (A/HRC/RES/14/11)*

In 2010 at the 14<sup>th</sup> session of the U.N. Human Rights Council Pakistan and the OIC dropped their objections to the resolution. The resolution was **adopted without a vote** for the three year mandate of the U.N. Special Rapporteur on Freedom of Religion or Belief (A/HRC/RES/14/11). Paragraph 9 (a) the point of tension and abstentions in 2007 was deleted and an amendment withdrawn by Pakistan on behalf of the Organization of the Islamic Conference (OIC) and several other countries to achieve consensus.

Does (A/HRC/RES/14/11) still urge states to guarantee the right to change one's religion or belief as it did in the 2007 resolution or does it accommodate cultural norms not to change one's religion?

Paragraph 9 (a) in the opinion of the EU still applies to the discharge of duties in 2010 for the U.N. Special Rapporteur on Freedom of Religion or Belief . Whether the OIC agrees after abstaining in 2007 based on cultural norms is a key issue and needs **clarity** for 9 (a) to be fully implemented.

[UN Human Rights Council Resolution on Freedom of Religion or Belief](#)

If the mandate in 2010 includes a call to implement 9 (a) it will be a **significant step forward** to resolve the question of universality vs. cultural relativity, for norms that guarantee the right to change one's religion or belief. As a principle of universal democracy the right to leave a religion is inviolable for *all religions or beliefs*, all governments, all members of the human family.

**The global challenge is to build widespread awareness and acceptance of this right as international law through dialogue with governments and non-governmental organizations, civil society, schools and places of worship, including leaders of the *Ummah* in Islamic schools and mosques.**

Implementing 9 (a) must respect the sensitivity and complexity of this issue which was one of the causes of the **1968 impasse** by the U.N. in drafting a legally-binding international treaty (See Attachment Background: History).

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*Moving Forward*

The U.N. General Assembly resolution (A/C.3/65/L.32/Rev.w) on the elimination of all forms of intolerance and discrimination based on religion or belief may be the most complete resolution on international freedom of religion or belief since the 1993 General Comment 22 on Article 18 of the

International Covenant on Civil and Political Rights. It is a complete undertaking to identify past and current issues on human rights and freedom of religion or belief since the 1960 *Study of Discrimination in the Matter of Religious Rights and Practices* by Arcot Krishnaswami. A great deal of work went into the draft in consultation with all regional groups. If there were a Working Group on Freedom of Religion or Belief at the U.N. Human Rights Council this would be a base document for annual reviews.

The representative of Morocco in speaking on behalf of the OIC reflected both the progress and the obstacles still to be overcome to achieve consensus on a universal approach to human rights and freedom of religion or belief: “Despite the compromises that had been made, however, it had not been possible to resolve differences on respect for national laws and religious norms regarding changing one’s religion, he continued. Misuse of freedom of expression was a factor in religious intolerance; working with mass media organizations to promote tolerance of religion and diversity was considered important by the Organization. Some people had been made vulnerable by the context in which they lived; it was therefore understood that the reference in the text to the vulnerable included women, children, those living under occupation and refugees, among others. It was also the understanding of the Organization that the freedom to adopt a religion or belief of one’s own choice was applicable to the individual, as well as to the religious community in which that individual belonged. Despite such divergences, it had been decided by the Organization not to oppose the draft; such resolutions ought to be adopted by consensus.”

This was demonstrated again in the annual Defamation of Religion Resolution sponsored by Morocco on behalf of the OIC and passed by the General Assembly in the 65<sup>th</sup> Session (A/C.3/65/L.46) on a vote of 76 yes, 65 no and 42 countries abstaining. <http://www.tandemproject.com/pdf/defamation.pdf>

The UN History in this field since 1960: <http://www.tandemproject.com/pdf/hrf.pdf> demonstrates the difficulty and the slow but steady progress in the promotion and protection of human rights on freedom of religion or belief.

The Tandem Project believes until an international human rights treaty on freedom of religion or belief is passed these issues will be hard to resolve. The original intent of the United Nations in 1960 was to draft two core legally binding human rights treaties on religion and race. The decision to separate the instruments on religious intolerance from those on racial discrimination constituted a compromise solution designed to satisfy a number of conflicting viewpoints. Western states insisted on addressing both matters in a joint instrument. Communist states were not anxious to deal with religious matters. African and Asian states considered the question of religious intolerance a minor matter compared with racial discrimination. In contrast to the religious intolerance matter, international instruments on the elimination of racial discrimination were adopted fairly swiftly, in 1963 and 1965 respectively.

At the General Assembly’s twenty-second session, the Third Committee had an opening general debate and a line-by-line review of the text of the draft convention. The convention’s most fierce critics were the Soviet Union, other communist states, and several African and Asian States. Since the draft Convention’s definition of “religion or belief” included theistic, non-theistic and atheistic beliefs; there was strong opposition from Islamic states, the Catholic church, and other religious groups. At its twenty-third session, the General Assembly decided to defer consideration of the draft convention.” (History).

In 1968, the UN deferred work on a legally-binding treaty on religious intolerance as too complex and sensitive and passed a non-binding declaration in its place. The Tandem Project believes until a core

legally-binding Convention on Freedom of Religion or Belief is adopted international human rights law will be incomplete.

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#### IV.

#### FREEDOM OF RELIGION OR BELIEF

#### **U.S. State Department 2010 International Religious Freedom Report, Morocco**

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.

#### [International Religious Freedom Report 2010](#)

#### **November 17, 2010**

The constitution provides for the freedom to practice one's religion. The constitution stipulates that Islam is the official state religion; the king is "commander of the (Muslim) believers (amir al-mumineen)" and "defender of the faith (Islam, ad-din)" in the country. Non-Muslim foreign communities generally practiced their faith openly. However, while the law permits Sunni Maliki Muslims to proselytize others, it prohibits efforts to proselytize Sunni Maliki Muslims.

The government continued to respect the right of the vast majority of citizens to practice their religion, with a decline in some aspects during the reporting period. The government expelled or declared persona non grata approximately 150 Christian foreign residents from 19 countries without full adherence to due process, allegedly for proselytizing. The government asserted it was enforcing legal restrictions on proselytizing by foreign residents with greater vigor than in the past. There were reportedly two police raids on Christian meetings. The government prevented a group of Muslims from protesting a law that prohibits Muslims from eating publicly during daylight during the Islamic holy month of Ramadan. Some Moroccan Christians reported increased government harassment. In positive developments, on July 28, 2009, King Mohammed VI formally acknowledged the Holocaust, and subsequently announced his endorsement of a program designed to educate the Muslim world about the genocide. The Ministry of Islamic Affairs made a public stand for tolerance, dismissing the head of a religious council which publicly advocated a form of intolerance.

The government restricts the distribution of non-Islamic religious materials as well as some Islamic materials that do not follow the Maliki rite of Sunni Islam to which the monarchy adheres. Several small religious minorities are tolerated with varying degrees of official restrictions. The government monitors the activities of mosques and non-Muslim religious groups and places restrictions on individuals and organizations when it deems their actions have exceeded the bounds of acceptable religious or political activity.

There were reports of societal abuses or discrimination toward some who do not adhere to the Malekite rite of Sunni Islam, mainly involving converts from Islam to other religions. Many citizens believe that the country is enriched by its centuries-old Jewish minority, and Jews lived in safety throughout the country during the reporting period.

The U.S. ambassador and senior administration officials frequently discussed a range of religious freedom concerns, including the expulsions of Christian residents, with senior government officials and directly with the public.

## **Section I. Religious Demography**

The country has an area of 172,414 square miles and a population of 34.8 million, of which 98.7 percent is Muslim, 1.1 percent Christian, and 0.2 percent Jewish.

According to Jewish community leaders, there are an estimated 3,000 to 4,000 Jews, approximately 2,500 of whom reside in Casablanca and are the remnants of a much larger community that has mostly emigrated. The most recent estimates put the size of the Rabat and Marrakesh Jewish communities at about 100 each. The remainder of the Jewish population is dispersed throughout the country. This population is mostly elderly, with a decreasing number of young persons.

The predominately Roman Catholic and Protestant foreign resident Christian community consists of approximately 5,000 practicing members, although some Protestant and Catholic clergy estimate the number to be as high as 25,000. Most foreign resident Christians reside in the Casablanca, Tangier, and Rabat urban areas. Various local Christian leaders estimate there are 4,000 local Christians (mostly Berber) who regularly attend "house" churches and live predominately in the south. Some local Christian leaders estimate there may be as many as 8,000 local Christians throughout the country who have made professions of Christian faith, but many reportedly do not meet regularly due to fear of government surveillance and social persecution.

There are an estimated 3,000 to 8,000 Shi'a Muslims, most of them foreign residents from Lebanon or Iraq, but also a few citizen converts. The Baha'i community, located in urban areas, numbers 350 to 400 persons.

Followers of several Sufi Muslim orders undertake joint annual pilgrimages to the country. One of the most prominent of these orders is the Zaouia Tijania, of which as many as 30 followers each week, mostly from West Africa, make spiritual pilgrimages to Fez to worship at the tomb of Sheikh Ahmed Tijani, who is said to have brought Islam to the subregion. The Tariqa Al-Qadiriya Al-Boutchichia, highly influential in the country, celebrates the Prophet Muhammad's birthday every year, praying with its living master, Sheikh Sidi Hamza Al-Qadiri Al-Boutchichi, in the city of Berkane.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal/Policy Framework**

The constitution provides for the freedom to practice one's religion. The constitution stipulates that Islam is the official state religion, and the king is "commander of Muslim believers (amir al-mumineen)" and "defender of the faith (Islam, ad-din)" in the country.

All citizens, including the normally immune Members of Parliament, may be prosecuted on charges of expressing opinions alleged to be injurious to Islam. The law permits Sunni Maliki Muslims to proselytize others but prohibits efforts to proselytize Sunni Maliki Muslims. The government tolerates several small religious minorities with varying

degrees of restrictions but prohibits the distribution of non-Muslim religious materials. The government monitors activities in mosques and of non-Muslim religious groups and places some restrictions on participants when it deems their actions have exceeded the bounds of acceptable religious or political activity.

According to article 220 of the penal code, anyone who has impeded or prevented one or more persons from worship or from attending worship services may be punished by six months' to three years' imprisonment and a fine of 115 to 575 dirhams (\$14 to \$71). The article applies the same penalty to "anyone who employs enticements to shake the faith of a Muslim or to convert him to another religion." It also provides the right to a court trial for anyone accused of such an offense who has lived peaceably in the country for more than 10 years.

Article 22 of the Immigration Act of 2003 permits the government to summarily expel, without due process, any resident alien it determines to be "a threat to public order," even where other laws require due process first.

In March and May 2010, the government cited article 26 from the Law on Entry and Residence of Foreigners in Morocco and Illegal Immigration and Emigration to expel and refuse reentry to foreign resident Christians whose presence they alleged could create a threat to public order. Article 26 stipulates that if an individual meets the following criteria, he/she cannot be deported, but would receive the same treatment as a citizen of the country: 1) an alien who has resided in the country since he/she was 6 years of age; 2) an alien who has resided in the country for more than 15 years; 3) an alien who has resided lawfully in the territory of the country for 10 years, unless he/she was a student during the period; 4) an alien who has been married to a citizen for almost one year; 5) an alien who is a parent of a child residing in the country, who has citizenship acquired by the blessing of the law, under the provisions of article 9 of Dahir No. 1-58-250 21 Safar 1378 (September 6, 1958); and 6) a legal alien who is a resident of the country under the guise of residence status under this law or international conventions, who has not been finally sentenced to a term of at least one year of imprisonment without parole. Article 26, detailed below, specifies when a foreign resident cannot be expelled by the state.

Other laws relevant to the March and May 2010 expulsions include article 23, also from the Law on Entry and Residence of Foreigners in Morocco and Illegal Immigration and Emigration. Article 23 states that an alien who is the subject of a deportation has the right, within 48 hours after notification, to request the annulment of that decision to the president of the Administrative Court. It stipulates that the president or his delegate should make a decision within four days after the referral. The case can also be transferred to the local court where the alien resides. The alien has a right to request a lawyer, interpreter, and the file containing the documents on the basis of which the contested decision was taken.

Voluntary conversion is not a crime under the criminal or civil codes.

A 2002 law restricting media freedom states that expression deemed critical of "Islam, the institution of the monarchy, or territorial integrity" is not permitted and may be punishable by imprisonment. Satellite, Internet programming, and print media are otherwise fairly unrestricted.

A small resident foreign Christian community operates churches, orphanages, hospitals, and schools with the government's authorization.

Most foreigners attend religious services at houses of worship belonging to officially recognized religious institutions without any restrictions. Due to societal pressure, fears over government surveillance, and laws governing public gatherings, many local non-Muslim and non-Jewish groups feel constrained not to worship publicly; some meet discreetly in their homes. Article 2 of the public assembly laws states that any association that seeks to undermine the Islamic religion is invalid.

The government permits the display and sale of Bibles in French, English, and Spanish. There are a limited number of Arabic translations of the Bible available for sale in select bookshops. However, authorities often confiscated Bibles they believed were intended for proselytizing. The government does not allow free public distribution of non-Muslim religious materials.

There are two sets of laws and courts with authority over personal status matters such as marriage, inheritance, and other family matters--one for Jews and one for everyone else. Rabbinical authorities, who are also court officials, administer Jewish family courts. Judges trained in the country's interpretation of Shari'a (Islamic law) administer the courts for personal status matters for everyone else. However, Christians inherit according to civil law. There are no other legal mechanisms that recognize the country's Christian community (or other non-Muslims) in the same way the state recognizes its Jewish community. Non-Muslims must formally convert to Islam before they can adopt children in the country.

On request, the government provides special protection to Jewish community members, visitors, and institutions, as well as the foreign resident Christian community. Annual Jewish commemorations take place around the country, and Jewish pilgrims regularly visit holy sites. Members of the country's Jewish community are represented at high levels in the government. One serves as an advisor to the king and another as an ambassador at large.

The government continued training of female Muslim spiritual guides (mourchidaat), a program begun in 2006, in part to promote tolerance and to increase women's spiritual participation. The government stated that their training is exactly the same required of male imams. Although their status is equal to the imams, they do not deliver Friday sermons in mosques, do not lead group prayers, and focus much of their work on meeting various needs of other women. Since the inception of the program, more than 200 women have been trained and appointed to leadership positions in mosques and other societal institutions, teaching religious subjects, providing counsel on a variety of subjects including women's legal rights and family planning, and providing management to programs in which men participate.

The Ministry of Endowments and Islamic Affairs (MEIA) monitors and 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 religion-oriented political groups but generally tolerate activities limited to the propagation of Islam, education, and charity. The government requires that mosques close to the public shortly after daily prayer times to prevent use of the premises for unauthorized political activity. Only the government can authorize the construction of new mosques, although most mosques are constructed using private funds.

There were occasional credible reports of unauthorized or informal mosques that authorities close down because they were suspected of sanctioning extremist religious activities or not complying with MEIA standards.

The government does not recognize al-Adl wal-Ihsan (Justice and Good Works, or AWI), an organization that rejects the king's spiritual authority. The AWI advocates for an Islamic state, continues to organize and participate in political demonstrations, and operates Web sites, although the government does not allow the public distribution of its published materials.

Government informers monitor mosques, university campuses, and religious activities, primarily those conducted by Islamists. Authorities frequently monitor registered foreign resident Christian church services and leadership meetings but do not interfere with their activities. Some foreign resident Christian leaders reported an increase in monitoring since March 2010. Some local Christians reported that the government, through local police, confirmed on an annual basis that they remain Christian. Often this is done through a telephone call or a home visit, but other times it involves an interrogation at a local police station.

In the past, the government has denied permanent residency to some non-Muslim foreign resident clergy who are members of unregistered religious organizations and delayed according it to others.

The following Islamic holy days are national holidays: the Birth of the Prophet Muhammad, Eid al-Fitr, Eid al-Adha, and Islamic New Year. Other religious groups observe their holy days without interference from government authorities.

Political parties founded on religious, ethnic, linguistic, or regional bases are prohibited by law. The government permits several parties identified as "Islamic oriented" to operate, and some have attracted substantial support, including the Party of Justice and Development (PJD), the third largest party in Parliament.

The government requires religious groups to register before they can undertake financial transactions or conduct other business as private associations and legal entities. Registered churches and associations include the Catholic, Russian Orthodox, Greek Orthodox, French Protestant, and Anglican churches. These churches preexisted independence and operate within a Council of Churches (not a governmental status). The Catholic and French Reformed churches have buildings throughout many cities in the country. There are two Anglican churches located in Casablanca and Tangier. The Russian Orthodox Church meets in the Russian embassy. The Greek Orthodox Church meets in Casablanca. During the reporting period, the government did not license or approve new religious groups or religious organizations.

The government provides tax benefits, land and building grants, subsidies, and customs exemptions for imports necessary for the religious activities of the major religious groups, namely Muslims, Jews, and Christians.

The government's annual education budget funds the teaching of Islam in all public schools and Judaism in some public schools. The Ministry of National Education determines the national school curricula.

The Ministry of Culture cosponsored the rehabilitation of three of the country's most ancient synagogues in Fez. The government also funds the study of Jewish culture and its artistic, literary, and scientific heritage at some universities. At the University of Rabat, Hebrew and comparative religion are taught in the Department of Islamic Studies. Throughout the country, approximately 13 professors teach Hebrew.

The MEIA continued to fund a graduate-level theological course, part of which focuses on Christianity and Judaism, and another that trains both men and women to be counselors and teachers in mosques.

The government does not require the designation of religion on passports or national identity documents, either explicitly or in code. It permits individuals to reflect their religious identity through clothing, but they must conform to cultural norms.

By law, only the Supreme Council of Ulemas, a group appointed by the king with representatives from all 16 regions of the country, may issue fatwas.

The country has ratified without reservation the International Covenant on Civil and Political Rights (ICCPR), article 18 of which affirms the right of every individual to freedom of thought, conscience and religion, including the "freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice, and teaching." Article 13 of the ICCPR affirms that aliens in the territory may be expelled only "in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented for the purpose before, the competent authority."

### **Restrictions on Religious Freedom**

On April 12, 2010, local media reported that the High Council of Ulemas (Muslim religious scholars), which is presided over by King Mohammed VI, issued a statement signed by 7,000 ulemas that affirmed support for the government's expulsion of Christians it accused of proselytizing Muslims. They reportedly stated that the expulsions reassured them that the king, as the "believer's commander," and "defender of the faith," was acting to protect the confessional future of the state.

The government also continued to confiscate Bibles, Shi'a tracts, and other literature that did not adhere to the Maliki rite of Sunni Islam from libraries and bookstores throughout the country.

In November 2009 the MEIA dismissed 765 imams for incompetence and another 34 for breaking rules that prohibit religious leaders' participation in political events, including the 2009 communal elections. The MEIA employs 581 chief imams and 207 mouchidaat. Each chief imam manages two urban or rural zones, which covers an average of 70 mosques. Mouchidaat provide guidance to women, young girls, and children in mosques, prisons, and charity homes. The MEIA also stipulated new rules for appointing imams in 2009 aimed at increasing transparency and recruitment of imams based on merit.

In September 2008 the MEIA suspended six imams in the southern town of Taroudant for breaking various rules. One imam from Marrakesh was suspended for preaching a form of Islam that allowed for the marriage of young girls. However, others were disciplined for incompetence and some for using their imam position to promote certain political parties and candidates. Regulations stipulate that imams remain neutral on political matters. Subsequently, the ministry closed the religious schools at which they taught. This followed the MEIA's closure of dozens of madrassahs (religious schools) affiliated with the imam from Marrakesh who sparked controversy with a fatwa that

was interpreted to permit the marriage of girls as young as nine years old on the grounds that the decision encouraged pedophilia, which is criminalized by law. The imam took refuge in Saudi Arabia and had not returned to the country by the end of the reporting period.

Members of the Berber community and other citizens, including members of non-Muslim religious communities, complained that some regional authorities sought to prevent them from registering children's names that were deemed "non-Muslim," based on an obsolete law that had been overturned in 2002. Most reportedly received permission to register the name of their choice, but sometimes only after a lengthy bureaucratic appeal process. In May 2008 the minister of interior publically reemphasized that there was no official restriction on names.

### **Abuses of Religious Freedom**

On September 13, 2009, the government prevented a group of Muslims from protesting a law that prohibits Muslims from eating publicly during daylight during the Islamic holy month of Ramadan. Article 222 of the penal code proscribes citizens "known to be" Muslims from breaking the fast in a public place during Ramadan, unless they fulfill one of the exceptions allowed by Islam. According to a September 2009 Human Rights Watch (HRW) report, on September 15 and ensuing days, police arrested six persons who had attempted to attend the event. One detainee reportedly was held overnight and three persons were reportedly interrogated on September 15-18, from approximately 10 a.m. until between midnight and 4 a.m. of the following day. Police released all six and did not file charges against them. According to the HRW report, the group advocates for religious freedom and had announced the protest for September 13, 2009, in woods near the city of Mohammedia, between Rabat and Casablanca, out of public view. However, government authorities stated that that the location where they intended to break the fast was a working class, conservative neighborhood, and the government asserted it was attempting to protect the protesters from potential violence at the hands of local residents by preventing the protest.

In March 2010 the government expelled at least 33 Christian foreign residents and declared persona non grata (PNG) at least 81, many of whom were long-term residents, for alleged proselytizing. According to the government, six of those expelled and 28 of those declared PNG were U.S. citizens. Among those expelled, at least 14 foreign resident adults and 11 children were expelled from the Village of Hope (VOH) orphanage located in Ain Leuh, a village near Ifrane, effectively closing down the VOH organization. All of those expelled from VOH were either Dutch or U.S. citizens.

According to media reports, government authorities took 33 children citizens from the custody of the foreign resident guardians with whom they lived and reportedly questioned them for two days, including about their faith. Subsequently, authorities removed them permanently from the custody of those guardians, the only parents they had ever known, including three with special needs.

In May 2010 the government expelled or declared PNG an additional 19 Christian foreign residents, none of whom were U.S. citizens.

In some expulsion cases, police verbally informed these individuals that they had violated the country's antiproselytizing laws, but only in one case did authorities provide a copy of a written expulsion order or documentary

evidence. In May, after discussions with foreign diplomats in Rabat, the government began a policy of providing French-language copies of expulsion orders to the concerned diplomatic missions.

Seven individuals--three of them U.S. citizens--attempted to challenge expulsion orders or presumed PNG status through the courts. In all seven cases, the Administrative Court in Rabat either had not acted or ruled that it could render no formal decision based on its finding that no formal expulsion order existed. Some of the expellees cited lack of transparency in the judicial proceedings, and some cases faced delays. However, two U.S. citizens received a verbal assurance from the presiding judge that they would be allowed to remain in the country.

In April 2010 a citizen filed a complaint against five employees of the George Washington Academy (GWA), a private school owned and operated by a foreign association, claiming that school staff were involved in the conversion of his son, a former GWA middle-school student, to Christianity. School administrators reportedly denied the charge and agreed to an investigation. As of the end of the reporting period, no further action had been taken.

The American School in Fes also reported questioning by local authorities on suspicions of proselytizing. After a short investigation, no action was taken against this school.

Throughout late March 2010, the authorities summoned and questioned three Christian couples, all citizens who had adopted children from the VOH orphanage. After sustained questioning, police reportedly told all three couples that their marriages were not legal because the marriages were Christian and reportedly threatened to annul their marriage and take custody of their children. Authorities also reportedly noted that only Muslims may legally adopt children in the country. As of the end of the reporting period, the government had reportedly taken no action to implement the reported threats.

In March 2010 employees at the Children's Haven orphanage in Azrou were reportedly also questioned on numerous occasions on suspicions of proselytizing. As of the end of the reporting period, authorities had taken no further action against the organization.

The government consistently expelled alleged violators of the proselytizing statute without benefit of trial or other due process by citing article 22 of the Immigration Act of 2003, which permits the government to resort to expulsion without due process of any resident alien it determines to be "a threat to public order." The government stated that it chose to use the administrative procedure of expulsion in order "to spare concerned parties the unavoidable ordeal which would result from a trial, no matter how fair it may be."

Authorities conducted two raids of Christian meetings attended by Moroccan Christians and resident foreigners during the reporting period. Some sources reported that, as a consequence of the two raids and the one conducted in March 2009, some Christian citizens ceased meeting in larger numbers due to fear of police raids and investigation of their activities.

On February 4, 2010, security forces reportedly numbering more than 50 raided a meeting attended by 16 Christian citizens (including two infants and three other children) and one Christian foreign resident in the town of Amizmiz. They arrested those present and reportedly confiscated computers, cellular phones, and Bibles from the citizens and interrogated at least some of them whom they threatened for their religious activities. On February 5, after 14 hours of

detention, the authorities released the citizens without charges, although their possessions remained in police custody. The authorities deported the foreign resident, a U.S. citizen, whom they accused of proselytizing Muslims, on February 7. However, according to some who attended the meeting, the meeting was for the Christian citizens to receive spiritual instruction and did not entail proselytism.

On December 4, 2009, police raided a meeting attended by 14 Christian citizens and four foreign residents in the town of Saidia. Police reportedly confiscated cellular phones and Bibles from the citizens and detained them at a police station where they were questioned, fingerprinted, and photographed. The citizens were reportedly released at about midnight. The four foreign residents were reportedly accused of proselytizing Muslims and summarily deported. However, according to some who attended the meeting, the citizens who attended were already Christians, and its purpose was retreat and religious study and did not entail proselytism. Another foreigner, who had rented the house used for the retreat and who had been legally resident in the country for more than 10 years, was given less than 24 hours to pack and summarily deported.

In March 2009 authorities expelled five female nonresident foreigners, four Spanish and one German, and interrogated 12 others, 11 of them citizens, for participating in a women's Bible study held in a private apartment of a local Christian leader in Casablanca. The authorities detained the 12 women on March 28 and released them early the following morning. The authorities reportedly pressured the women to return to Islam, mocked their Christian faith, and confiscated Bibles. The authorities reportedly accused the foreigners of proselytizing but did not officially charge anyone with committing a crime. There were no further developments in these cases this reporting period.

During the reporting period, authorities followed, detained, harassed, and threatened scores of Shi'a and Christians. The Ministry of Interior stated that it continued to monitor suspected proselytizing activities, especially those of Shi'a Muslims and Christians. Since March 2010 some Christian citizens and news agencies have reported an increase in government harassment, as well as occasional intrusive questioning by police. Some Christian citizens reported that authorities sought to contribute to societal prejudice and to entice Christian converts to renounce their faith by informing the converts' friends, relatives, and employers of the individuals' conversion. There were reports of couples, individuals, and on rare occasion, minors being detained by police for day-long questioning regarding alleged proselytizing or other religious activities. There was one report of authorities threatening a man with physical violence if he would not provide evidence of proselytizing activities at an orphanage run by Christians. The individual was reportedly released the following day with no injuries.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### **Improvements and Positive Developments in Respect for Religious Freedom**

Despite the expulsion of Christian foreign residents, the government worked to counter extremist ideology in the name of religion and continued to encourage tolerance, respect, and dialogue among religious groups that complied with its antiproselytizing laws.

The Ministry of Islamic Affairs made a public stand for tolerance, dismissing the head of a religious council which publicly advocated a form of intolerance. On May 25, 2010, the Ministry of Islamic Affairs suspended the head of the Casablanca religious council for encouraging people to boycott Elton John's concert in Rabat during the Mawazine festival on May 26, 2010. The religious scholar had been protesting Mawazine's invitation to gay artists, such as Elton John.

The government continued its active participation in the "Civil Alliance for Citizenship in the Arab World," which it helped found in 2009. This alliance gathers several NGOs and personalities active in citizenship and identity related issues in the Arab world. It was created, in part, to promote political pluralism and religious, social, cultural, and linguistic diversity as sources of richness in Arab and Islamic societies.

During Ramadan the king hosted his annual Ramadan theological lecture series, which featured prominent Muslim male and female religious scholars from around the world and explored the intellectual challenges of spirituality, faith, morality, and modernity in an environment of tolerance, open-mindedness, and inclusiveness.

In June 2010 the government launched a television network named "Assadisa" in a stated attempt to disseminate a tolerant Islam that fosters coexistence among peoples and religions, and respect for women, as part of the MEIA's drive to counter radicalism. The program, reportedly supported by a budget of 11 million dirhams (\$1.3 million), includes daily programs of Qur'anic interpretation, religious courses in mosques for women, and training courses for newly appointed imams and mouchidats. The ministry's closed-circuit television network broadcasts religious messages and sermons that provide guidance to more than 2,500 mosques daily to protect them from messages that advocate violence, discrimination against women, and other intolerant views.

On June 4-12, 2010, the government supported the 16th annual "Fez Festival of Sacred Music," which included musicians from Muslim, Christian, Jewish, Hindu, Buddhist, and other spiritual traditions.

On April 17-24, 2010, the country hosted the fourth annual Fez Festival of Sufi Culture. The festival celebrates the principles of tolerance, peace, and spirituality through music, art, discussions, and lectures. The 2010 festival featured presentations and roundtables on social change, Sufism, and the ties between environmentalism and religion.

On July 28, 2009, King Mohammed VI formally acknowledged the Holocaust. He stated: "We perceive [the Holocaust] as a wound to the collective memory, which we know is engraved in one of the most painful chapters in the collective history of mankind. ... In its depth as much as in its tragic specificity, this duty of remembrance strongly imposes ethical, moral and political standards which will, tomorrow, be the true guarantors of peace." The king also reportedly announced his endorsement of the Aladdin Project, a program designed to educate the Muslim world about the genocide. The Paris-based program, run by the Foundation for the Memory of the Holocaust, reportedly involves translating key Holocaust texts such as The Diary of Anne Frank into Arabic and Farsi. It was widely reported that Anne-Marie Revcolevschi, director of the foundation, stated that the king's declaration was the first time an Arab head of state has taken such a clear stand on the Holocaust.

### **Section III. Status of Societal Respect for Religious Freedom**

There were reports of societal abuses or discrimination toward those with different religious beliefs, including converts from Islam to other religions. Some local Christians and news agencies also reported an increase in the number of incidents of societal harassment starting in March 2010, but no perpetrators were arrested. Societal norms encourage non-Muslims to practice their faiths quietly and discreetly, and the government seeks to limit or prevent any expression that might be construed as proselytizing Malekite Sunni Muslims. In addition, many Christians claimed that the expulsions of Christian foreign residents during the reporting period had the secondary effect of reducing freedom of expression in religious matters.

Jewish citizens openly practiced their faith and lived in safety throughout the country during the reporting period. Many citizens of all religions believe the country is enriched by its centuries-old Jewish minority and were increasingly vocal in expressing that view. Muslim citizens study at Christian and Jewish schools. Muslim students constitute the majority at Jewish schools in Casablanca, and a hospital run by the Jewish community provides care to low-income citizens regardless of religion.

The Muslim majority overwhelmingly accepts its Jewish citizens, and Jewish community leaders speak highly of the respect and acceptance they feel in the country. Government officials reported that more than 25,000 Jewish tourists visit the country every year, many for pilgrimage to religious sites, and are generally welcomed.

Many Muslims view the Baha'i Faith as a heretical offshoot of Islam and consequently consider Baha'i apostates. Most members of the Baha'i community avoid disclosing their religious affiliation; however, concerns about their personal safety and property do not prevent their functioning in society, and some hold government jobs.

There is widespread consensus among Muslims in the country regarding religious practices and interpretation. However, some dissenters challenged the religious authority of the king and called for the establishment of a government more deeply rooted in their vision of Islam. The government views such dissent as political rather than religious in nature, since critiques relate largely to the exercise of power.

Several interfaith associations, such as the Judeo-Rifian Association and the Islamic-Christian Research Group, promoted religious understanding to combat intolerance.

#### **Section IV. U.S. Government Policy**

U.S. government officials met regularly with religious officials, including in the MEIA, and other senior ministry officials, Muslim religious scholars, leaders of the Jewish community, Christian foreign residents, the leaders of the registered and unregistered Christian communities, and other local religious groups, including Muslim minorities. Through the annual Human Rights Dialogue, launched in 2007, U.S. officials engaged counterparts from three ministries in constructive and open discussions on the entire range of human rights issues, including religious freedom. The U.S. government sponsored programs focusing on religious tolerance and freedom using the U.S. model. For example, during Ramadan 2009, the U.S. embassy organized several events to promote religious dialogue and emphasize religious tolerance. The embassy frequently highlighted the heritage of Muslim-Americans. In late January 2010 U.S. citizen Imam Bashar Arafat lectured in Fez, speaking on the values of tolerance and dialogue in Islam.

The embassy and senior U.S. State Department officials raised the issue of Christian expulsions for alleged proselytizing frequently with the government, requesting full due process for U.S. citizens and urging authorities to consider the impact the expulsions had on the country's reputation as a country of religious diversity and tolerance.

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**The Tandem Project** a non-governmental organization (NGO) founded in 1986 to build understanding, tolerance, and respect for diversity of religion or belief, and to prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference material 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 the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief.