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July-December, 2010 International Religious Freedom Report - Morocco

Bureau of Democracy, Human Rights, and Labor
September 13, 2011

[Covers six-month period from 1 July 2010 to 31 December 2010 (USDOS is shifting to a calendar year reporting period)]

The constitution provides for the freedom to practice one's religion, although the government places restrictions on this right in practice. 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. The government continued to respect the right of the vast majority of citizens to practice their religion, although government policies discouraged conversion from Islam and efforts to proselytize Muslims. 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.

There was no change in the status of respect for religious freedom by the government during the reporting period. Some Moroccan Christians continued to report harassment by police officers. The government declared one long term foreign Christian resident persona non grata during the reporting period. The government continued to restrict 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 practice their faith 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 based on religious affiliation, belief, or practice toward some who do not adhere to the Maliki rite of Sunni Islam, mainly involving converts from Islam to other religions. 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 engaged directly with various public groups.

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 members 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 predominantly 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 citizen Christians (mostly ethnically Berber) who regularly attend "house" churches and live predominantly in the south. Some local Christian leaders estimate there may be as many as 8,000 local Christians throughout the country, 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 Shia Muslims, most of them foreign residents from Lebanon or Iraq, but also a few citizen converts. The Bahai community, located in urban areas, numbers 350 to 400 persons.

Followers of several Sufi Muslim orders undertake joint annual pilgrimages to the country.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards

<http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution provides for the freedom to practice one's religion, although the government places restrictions on this right in practice. 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 members of parliament, who are normally immune to arrest, 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.

The Ministry of Endowments and Islamic Affairs (MEIA) monitors – and provides guidance on – Friday mosque sermons and the Qur'anic schools, apparently to prevent what the ministry deems to be inflammatory or extremist rhetoric and to ensure the teaching of approved doctrine. At times the authorities suppress the activities of religiously-oriented political groups but generally tolerate activities limited to the propagation of Islam, education, and charity. The MEIA also tries to control the sale of extremist books, videotapes, and DVDs. The government requires that mosques close to the public shortly after daily prayer times to prevent use of the premises for unauthorized political activity. The government must authorize the construction of all new mosques, although mosques may be constructed using private funds. There are no known Shia mosques in the country.

Government informers monitor mosques and university campuses, as well as 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 Christian citizens have reported that the government, through local police, requires them to confirm and attest on an annual basis that they remain Christian. Often this is done through a telephone call or a home

visit by local police, but at other times it involves an interrogation at a local police station.

According to law, anyone who has impeded or prevented one or more persons from worship or from attending worship services of any religion 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.

The law 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 authorities alleged could create a threat to public order. In May, after discussions with foreign diplomats in Rabat, the government announced a policy of providing French-language copies of expulsion orders to the concerned diplomatic missions.

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

There is a separate set of laws and courts with authority over personal status matters for Jews, which cover issues such as marriage, inheritance, and other family matters. Rabbinical authorities, who are also court officials, administer Jewish family courts. Judges trained in the country's interpretation of Sharia (Islamic law) administer the courts for personal status matters for those of all other faiths. 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. According to the law, a Muslim man may marry a non-Muslim woman. However, a Muslim woman may not marry a non-Muslim man unless he converts to Islam.

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.

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. A separate Brussels-based Council of Ulema was established for the more than three million Moroccans living abroad, whose situation as immigrants is seen as making them particularly vulnerable to extremism.

The MEIA employs 581 chief imams and 207 mouchidaat, who provide guidance to women, young girls, and children in mosques, prisons, and charity homes. Each chief imam manages two urban or rural zones, which cover an average of 70 mosques.

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 political party in the parliament.

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.

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 existed before independence and operate within a Council of Churches (which does not have 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.

In the past the government denied permanent residency to some non-Muslim foreign resident clergy who are members of unregistered religious organizations and delayed according it to others. In recent years church groups sometimes experienced delays in approval of applications for legal status.

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

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

Most foreigners attend religious services at houses of worship belonging to officially recognized religious institutions without any restrictions. Due to societal pressure, fears of government surveillance, and laws restricting public gatherings, many local non-Muslim and non-Jewish groups feel constrained not to worship publicly; some meet discreetly in their members' homes. There are no laws that prohibit Christian citizens from attending services in the recognized Catholic, Orthodox, and Protestant churches, and the government did not take active measures to prevent them from doing so. However, expatriate Christian church officials have reported that Moroccan Christians almost never attend their churches and that they do not encourage them to do so, in order to avoid being accused of proselytizing. 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.

While there are no reports indicating systematic discrimination against religious minorities in the provision of public services, some Moroccan Christians have reported harassment by both on- and off-duty police officers.

The government does not require the designation of religion on passports or national identity documents, either explicitly or in code. There are no prohibitions on religious clothing or symbols in either the public or private sphere.

The government gives preferential treatment to Maliki Islam and Judaism. For example, the government's annual education budget funds the teaching of Islam in all public schools and Judaism in some public schools. 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 continues 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.

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 visitors regularly visit religious sites. Members of the country's Jewish community have some representation at high levels in the government, with one Jewish Moroccan serving as an advisor to the king and another as an ambassador at large for the king.

By law all educational institutes are only allowed to teach Sunni Maliki Islam. This includes international schools, such as the French and Spanish schools. However, foreign-run schools also have the option of not including any religious creed within the school's curriculum.

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."

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.

Restrictions on Religious Freedom

The government reserved the right to enforce legal and policy restrictions on religious freedom and, during this reporting period, did so on occasion.

There were occasional credible reports that authorities closed down unauthorized or informal mosques, apparently suspecting mosque leaders of sanctioning extremist religious activities or not complying with government-defined standards.

The government continued to confiscate Bibles, Shia tracts, and other literature that did not adhere to the Maliki rite of Sunni Islam. Authorities said they did so when they suspected that such literature was used for purposes of proselytizing. Bibles and many other types of religious literature were available for private purchase from bookstores and in libraries throughout the country.

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 a law that had been overturned in 2002. Most applicants 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

There were reports of abuses of religious freedom in the country.

On August 13 government officials confiscated the 10-year residency card of a U.S. citizen as she departed from the international airport, apparently because of suspicion in regard to her Christian activities. Although authorities told her she could return as a tourist, government officials subsequently informed U.S. officials that she had been declared persona non grata. In this case, the government did not follow its stated policy, articulated in May 2010, that it would present information in writing to concerned diplomatic missions about foreign residents whom authorities intended to expel or declare persona non grata. As with the approximately 150 foreign Christian residents expelled or declared persona non grata during the previous reporting period, this U.S. citizen was not accorded due process in that she was not presented with charges nor offered a chance to appeal the decision in the country's courts.

On June 25 the government suspended expulsion orders for 10 U.S. citizens who are members of Christian denominations. However, one of these persons, who had departed the country prior to the suspension of the orders and attempted to return, was refused entry by immigration authorities at the Rabat Airport on September 27. Although the government subsequently indicated that the individual would be allowed entry, he did not make further attempts to do so.

On February 4 security forces raided a meeting attended by 16 Christian citizens and one foreign resident in the town of Amizmiz. After 14 hours of detention, the authorities released the citizens without charges and deported the foreign resident, whom they accused of proselytizing Muslims, on February 7. There were no further developments during the reporting period.

In March the government expelled at least 33 Christian foreign residents and declared persona non grata at least 81 individuals, many of whom were long-term residents, for alleged proselytizing. Six of those expelled and 28 of those declared persona non grata were U.S. citizens. Those expelled included at least 14 foreign resident adults and 11

children from the Village of Hope (VOH) orphanage. There were no further developments during the reporting period.

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

Seven individuals – including three U.S. citizens – attempted to challenge expulsion orders or presumed persona non grata status through the courts. In two cases the court ruled it could not render a decision due to the absence of a physical copy of a formal deportation order, and the concerned individuals and their spouses, all U.S. citizens, continued to live in the country. During the reporting period, four individuals dropped their court challenges. Another U.S. citizen continued to maintain a pending court challenge; he was still awaiting a ruling at year's end.

In a March incident in which authorities questioned three Christian couples who adopted children from the VOH orphanage, police reportedly told all three couples that their marriages were not legal because the marriages took place in Christian ceremonies. During the reporting period, the government took no further action, and there were no further developments in these cases.

In March employees at the Children's Haven orphanage in Azrou reportedly were questioned on numerous occasions on suspicions of proselytizing. There were no further developments in this case during the reporting period.

During the previous reporting period, the government expelled or declared persona non grata approximately 150 Christian foreign residents from 19 countries, for allegedly violating the proselytizing statute, without benefit of trial or other due process. The government cited 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."

During the 2009 and 2010 reporting periods, authorities conducted three raids of Christian meetings attended by Moroccan Christians and resident foreigners. Sources reported that, as a consequence of the raids, some Christian citizens ceased meeting in large numbers due to fear of police raids and investigation of their activities.

In the April 2010 case in which a citizen filed a complaint against five employees of the George Washington Academy (GWA) for allegedly converting a former GWA middle-school student to Christianity, school administrators denied the charge and agreed to an

investigation. There were no further developments in this case during the reporting period.

There were no further developments in the September 2009 case of police preventing a group of Muslims from breaking the Ramadan fast in public. The case is closed.

The March 2009 case in which authorities detained four Spanish, one German, and seven other women and broke up their Bible study meeting, was closed.

The December 2009 case of a raid in Saidia in which police summarily deported four expatriates for alleged proselytizing and detained 14 Christian citizens from whom they confiscated Bibles and other personal property was closed.

During the reporting period, there were reports that authorities followed, harassed, and threatened Shia and Christians. The Ministry of Interior continued to monitor suspected proselytizing activities, especially those of Shia Muslims and Christians. Some Christian citizens said they believed 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.

Improvements and Positive Developments in Respect for Religious Freedom

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 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 as that required of male imams. However, the mourchidaat do not deliver Friday sermons in mosques or lead group prayers; they 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. They teach religious subjects; provide counsel on a variety of subjects, including women's legal rights and family planning; and manage programs in which men participate.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice toward those with different religious beliefs, including converts from

Islam to Christianity. 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 constrain non-Muslims to practice their faiths quietly and discreetly.

On September 17 the popular Moroccan daily Al Massae made loosely substantiated and in part fabricated claims regarding two Christian foreigners who were deported from Morocco in July. According to International Christian Concern (ICC), the Al Massae article included their names and address and falsely identified as "one of the missionaries" another person in an accompanying photograph. The ICC alleged that this represents an effort to perpetuate "animosity" toward Christians in the country.

One Facebook user reportedly posted more than 30 images ostensibly depicting Christian citizens who had converted from Islam, and described them as "hyenas." It also described them as "shaking the faith of Muslims," which is identical to terminology in the country's law banning proselytism of Sunni Maliki Muslims.

Jewish citizens openly practiced their faith and lived in safety throughout the country during the reporting period. Muslim citizens studied at Christian and Jewish public and private schools. Muslim students constituted the majority at Jewish schools in Casablanca, and a hospital run by the Jewish community provided care to low-income citizens regardless of religion.

During the reporting period, Khalid Sefiani, an attorney and president of the Moroccan Association for Solidarity with the Iraqi and Palestinian People, accused the Jewish advisor to the King, André Azoulay, of being an agent of the Mossad (Israel's intelligence agency) and called for Azoulay to leave the country after he stated his desire that the Holocaust be included in the country's educational curricula.

Many Muslim citizens view the Bahai Faith as a heretical offshoot of Islam and consequently consider Bahais apostates. Most members of the Bahai 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.

Section IV. U.S. Government Policy

The U.S. embassy and senior State Department officials raised religious freedom issues frequently with the government, including the cases of Christian expulsions for alleged proselytizing. In these cases, the embassy requested full due process for U.S. citizens and urged authorities to consider the impact the expulsions had on the country's reputation as a country of religious diversity and tolerance. The U.S. ambassador personally urged senior government officials to ensure the safety and security of the orphans from the Village of Hope following their caregivers' expulsion, and he received personal assurances from King Mohammed VI that they would be protected and that their needs would be provided.

U.S. government officials met regularly with religious officials, including in the MEIA, and with 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, to promote religious freedom. Through the annual bilateral 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 United States as a model. For example during Ramadan 2010, the U.S. embassy organized several events to promote religious dialogue and emphasize religious tolerance. The embassy frequently highlighted the heritage of Muslim-Americans. On November 10 U.S. Congressman Keith Ellison – the first Muslim elected to Congress – participated in an outreach event with 85 young civil society leaders hosted by the Ministry of Youth and Sport. Congressman Ellison discussed Islam in the United States and the freedom of religion practiced in the United States.