

**DIALOGUS. Organisation Nationale Marocaine pour la Promotion de la Tolérance
et la Lutte contre la Discrimination, le Racisme et l'Antisémitisme**

Morocco, 19 November 2013

Press Declaration

Moroccan Human-Rights-Organisation "Dialogus" condemns Moroccan parliamentarian groups as inhuman, anti-constitutional and antidemocratic as they propose a law to criminalize contacts with Israel and Israelis with two to five years of imprisonment

On 29 July 2013 and 1 August 2013, two identical law proposals under the title „Law Proposal: Criminalizing Normalization with the Israeli Entity” (registered at the parliament website under nr. 92¹ and nr. 94²) were presented to the House of Representatives of the Moroccan Parliament by the majority of Moroccan parliamentarian groups. The proposal suggests to punish any economical, political, cultural, artistic or other contact with Israel or Israelis in Israel or in Morocco with two to five years of imprisonment, a fine of approximately 10.000 to 100.000 Euro, and the possibility of the removal of the right to a pension, dismissal from work or the removal of Moroccan citizenship.

The presenters of the proposal include the parliamentarian groups of Justice and Development (PJD), Istiqlal (Independence), Socialist Union of Popular Forces (USFP), and Democratic Progress, as well as the group Authenticity and Modernity (PAM). The proposing parliamentarian parties hold together 272 out of 380 seats in the Moroccan parliament,³ including Prime Minister Abdelilah Benkirane's party (PJD).

The Moroccan Human-Rights-Organisation "Dialogus", founded January 2010, defending pluralism, individual rights, and tolerance, combating racism, antisemitism, gender inequality, and discrimination in the Moroccan society⁴, **declares:**

1 http://parlement.ma/parlem/loi/lect__192.pdf

2 http://parlement.ma/parlem/loi/lect__194.pdf

3 http://www.parlement.ma/fe/_groupsp1.php?filename=20121023135006140

4 See: <http://dialogus-ong.org/>

1. The law proposal “Criminalizing Normalization with the Israeli Entity” violates the letter and spirit of the new Constitution of July 2011, which recognizes the plurality and openness of Moroccan society and the state, as stated in the preamble of the Constitution:

“The sovereign Muslim state, committed to national unity and the territorial integrity of the Kingdom of Morocco intends to preserve in its fullness and diversity, one and indivisible national identity. Its unity, forged by the convergence of its Arab-Islamic, Amazigh, and Sahara-Hassani components, has been nourished and enriched by its African, Andalusian, Hebrew, and Mediterranean influences. The prominence given to the Muslim religion in this national framework is consistent with the commitment of the Moroccan people to values of openness, moderation, tolerance and dialogue for mutual understanding between all the cultures and civilizations of the world.”⁵

2. The recommendations of the Moroccan National Council for Human Rights (CNDH) in the report on migration, recently submitted to His Majesty the King, included the call to "refrain from spreading any content that incites intolerance, violence, hatred, xenophobia, racism, and antisemitism or of discrimination against foreigners.”⁶

Based on the same report, His Majesty the King instructed the government and the High Commissioner to prepare a strategy and appropriate action plan in coordination with the National Council for Human Rights and the various actors involved to formulate a comprehensive policy in the field of immigration and towards foreigners without discrimination.

3. The proposed law to criminalize “Normalization with the Israeli entity” states (with reference to the Moroccan Penal Code in its articles 36, 114, 128 and 129) in the fifth paragraph of its first article, that anybody should be legally punished who contributes, participates or attends any "activity in Morocco in which a natural or legal person holding Israeli citizenship or being resident of the Israeli entity contributes, participates, or attends.” Such activities explicitly include any “political, economic, commercial, tourist, cultural, media, artistic, athletic, and other kinds of activities.”

Furthermore, the sixth paragraph of the same article calls for the legal punishment of all Moroccan citizens and foreigners residing in Morocco in case of “any kind of cooperation or exchange with the Israeli entity, (...) in any sector, political or economic or commercial or financial or cultural or athletic or artistic or tourist or press, and whether the parties of this cooperation or exchange are natural or legal, entities of public or private law (...) and whether the cooperation is direct or indirect.”

5 http://www.maroc.ma/en/system/files/documents_page/bo_5964bis_fr_3.pdf

6 CNDH: « Etrangers et droits de l'Homme au Maroc: pour une politique d'asile et d'immigration radicalement nouvelle ». Conclusions et recommandations, p. 8.

The organization Dialogus, and affiliated human rights activists, scholars, teachers, and artists, consider this law proposal a declaration of diplomatic war against all countries that have citizens holding Israeli citizenship. The same is true for Moroccans living in Morocco with family ties in Israel.

4. The law proposal “Criminalizing Normalization with the Israeli Entity” not only violates the Moroccan Constitution, the Universal Declaration of Human Rights and all international covenants and treaties on Human Rights, but also exposes an inhuman approach influenced by Nazi tendencies.

5. Finally, we would like to reiterate that there is no other way out of the Palestinian-Israeli conflict, than through a mutual, serious and open dialogue between the two parties involved in this conflict in the spirit of peace and good relations as neighbors, on the basis of two independent and democratic states.

DIALOGUS Organization

Vice President and Spokesperson

Abdallah Benhssi

ongdialogus@gmail.com