

Moroccan Law Proposal suggests punishing contacts with Israel and Israelis with two to five years of imprisonment

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After World War II, there were more than 250 000 Jews living in Morocco. Most of them immigrated to Israel in the 1950s and 1960s, making the population from Morocco or with Moroccan descent the second largest in Israel. Today, a newly proposed law submitted by the majority of Moroccan parliamentary groups asks for the punishment of contacts with Israel and Israelis with two to five years of imprisonment. Human rights activists from Morocco are condemning the proposal as “inhumane,” “unconstitutional” and “influenced by Nazi-tendencies” and are asking for help from the international community.

The Kingdom of Morocco is often seen as a relatively tolerant Muslim country, also towards its Jewish citizens. It has also been seen as a good example for modern Muslim-Jewish coexistence. Until the end of the 1940s, before its independence, Morocco had the largest Jewish population in an Islamic country worldwide, and King Mohammed V is said to have protected “Morocco’s Jews” during the protectorate against further anti-Jewish laws of Vichy-France. Later, King Hassan II was involved in facilitating the peace process between the Palestinians and Israel. An Israeli liaison office existed in Rabat until its closure in 2000, after one million demonstrators protested in the streets against Israel.

Today, only a few thousand Jews remain in Morocco, most having left Morocco shortly before or after independence, many of them to Israel. Even if Israel and Morocco have no official diplomatic relations anymore, many thousands of Jews and/or Israelis visit Morocco every year as tourists or on pilgrimages to holy Jewish sites. Israelis also have participated in several conferences in Morocco in recent years, ranging from business and academia to cultural events. Even Israeli politicians have taken part in Mediterranean and other international conferences, most often under protest from pan-Arabist and Islamist groups promoting the destruction of the Jewish State.

But Morocco’s world standing as a relatively tolerant country might change for the worse, if the law proposed by the majority of Moroccan parliamentary groups passes. The proposed legislation suggests punishing all contacts and activities of Moroccan citizens in Israel and Israeli participation at

events in Morocco with two to five years of imprisonment and a fine ranging from approximately 10,000 euro to 100,000 euro.

On 29 July 2013 and 1 August 2013 two identical proposals were registered with the House of Representatives of the Moroccan Parliament.¹ They are entitled “Law Proposal: Criminalizing Normalization with the Israeli Entity” and were submitted by the majority of parliamentary groups holding 272 out of 380 seats. The proposing parties do not just include opposition parties but also the Islamist party of Prime Minister Abdelillah Benkirane; they range from the *Justice and Development Party* (PJD) to *Istiqlal* (Independence), *Socialist Union of Popular Forces* (USFP) and *Democratic Progress*, as well as the group *Authenticity and Modernity* (PAM). The aim of the proposal is to undermine all activities or participation in activities of Moroccan citizens and Moroccan residents in which Israelis take part or are involved. The contacts to be punished are named as “economical, political, cultural, artistic or other contacts”.

Many observers see this as a bad omen for Moroccan democratic development and relations with western countries as well as with its own minority groups. It contrasts with other recent developments: A new constitution was introduced by King Mohamed VI in 2011 that enhanced democratic elements, minority and individual rights, apparently in response to several months of protest in the streets. And the semi-state *National Human Rights Council* (CNDH) promoted important human rights development programs. The newly proposed law now reveals the opposite tendency and raises questions about the capacity for democracy of the Moroccan pan-Arabic and Islamist parties involved. In response, the Moroccan human-rights-organization *Dialogus*, which works against discrimination, racism and anti-Semitism in Morocco, launched a public protest against the proposal. In an open statement² they condemned the proposal as “inhumane,” “unconstitutional” and “influenced by Nazi-tendencies.” They charged the proposing parties with acting unconstitutionally and in contravention of all national and international human rights agreements. They consider the proposal as “a declaration of diplomatic war” against all countries that have citizens holding Israeli citizenship, as well as against all those living in Morocco with family ties in Israel.

In many aspects of Moroccan politics, “the Palace” still remains in power, especially when it comes to questions of foreign policy. So there is a chance that the proposal might not be discussed or voted upon in the parliament – especially if there is enough internal and international opposition to it, as Moroccan human rights activists have pointed out.

1 The two proposals can be accessed in Arabic at the Parliament website under

http://parlement.ma/parlem/loi/lect__192.pdf and http://parlement.ma/parlem/loi/lect__194.pdf.

2 The statement of the Moroccan human-rights-organization *Dialogus* can be accessed under <http://dialogus-ong.org/>.