**MINISTRY**

**INTERNATIONAL RELATIONS AND COOPERATION**

 REPUBLIC OF SOUTH AFRICA

NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

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**781. Ms H Ismail (DA) to ask the Minister of International Relations and Cooperation:**

1. With regard to the protocol agreements regarding pilgrimages to the Kingdom of Saudi Arabia, what are the relevant details of the classification whereupon agreements between the Republic and the Kingdom of Saudi Arabia were based;
2. Given that the Republic is registered as a majority Muslim country according to the Kingdom of Saudi Arabia and therefore the Hajj quota system is applicable, what are the reasons for such registration;
3. (a) on what basis and (b) by what date will the specified registration be rectified, as such registration negatively impacts on the Muslims of the Republic who wish to go on a pilgrimage;
4. (a) who is signing international inter – governmental agreements and/ or treaties in her department, as the government of the Kingdom of Saudi Arabia has confirmed that her department is signing the agreement details of the Hajj arrangements;
5. Whether she has found that the matter is indeed the mandate of her department; if not, what is the position in this regard; if so what are the relevant details? **NW881E**

**REPLY:**

1. The Saudi Arabia Ministry of Hajj and Umrah confirmed that it has a two-system approach, which can be defined as follows:

* A Pilgrims Affairs Office**,** which is an office that is official appointed by the country to facilitate Hajj on behalf of the said countries’ pilgrims. In this regard, SAHUC is considered a “Pilgrims’ Affairs Office.”
* Organisers, (Tour Operators and Travel Agents) who contract directly with the Ministry of Hajj and Umrah. This system (Organisers, tourist companies and Agencies) is the responsibility of a different section where they will have a different set of requirements and criteria as well as guarantees that would need to be completed and approved before the Organisers may operate.
1. The Ministry of Hajj and Umrah has indicated that no such classification exists and if such is made, it would be communicated through official channels.
2. Not applicable - South Africa is not registered as a Muslim country.
3. The Hajj protocols and agreements are signed by the head of the South African Hajj and Umrah Council (SAHUC) and the Government of Saudi Arabia.
4. This is not a mandate of DIRCO. The Constitution guarantees freedom of religion in Section 15. It is accepted in the philosophy of religious freedom that the role of the State must be neutral in States where religious freedom is guaranteed. In other words, the State should treat all religions equally and impartially.

This in effect means that the Department does not become involved in arrangements for the pilgrimage, nor in arrangements for religious pilgrimages or ceremonies for any other religion. However, as the pilgrims in questions are South African nationals, it is appropriate to provide them with consular services, as the case will be with any other South African national.

It has been noted that the Department did play a role in facilitating consultations within the South African Muslim community concerning the problems that were experienced with the Hajj. It is our opinion that such a role is perfectly compatible with the Department’s mission as it assists in managing bilateral relations with a foreign State and does not intend to favour one religion over another.

The Chairperson of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities has also formally responded that South Africa is a secular state and that the Department of International Relations and Cooperation is not obliged, constitutionally, to co-ordinate the Hajj and Umrah pilgrimage.