

**Flygtningenævnets baggrundsmateriale**

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## Report on the Status of Women in Morocco

### Universal Periodic Review – November 2022

Prepared and coordinated by the Fédération des Ligues des Droits des Femmes  
together with the coalition of the Femmes Solidaires Network  
and the INJAD Network Against Gender Violence

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*This report was prepared by the Federation of Women's Rights Leagues and their partner networks and associations, with the support of the United Nations Population Fund (UNFPA) and The Global Affairs Of Canada. The contents of this report are the responsibility of the Federation and their partner networks and associations, and can in no way be taken to reflect the views of the United Nations Population Fund (UNFPA) and World Affairs Canada.*

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## **Introduction and background to the report**

1. This report is a contribution of the Fédération des Ligues des Droits des Femmes (FDLF) to the shadow reports to the governmental report on the Universal Periodic Review in its fourth cycle (November 2022) submitted to the Human Rights Council in accordance with its Resolution No. 5/1 of June 18, 2007 on the UPR mechanism.
2. FLDF is a non-governmental human rights organization in consultative status with the United Nations Economic and Social Council. FLDF presents this report together with the national and regional associations affiliated to it, as well as the centers of the Injad Network Against Gender Violence, the Femmes Solidaires Network and other associations working in the field of women's human rights. To prepare this report, FLDF focused on the diagnosis and analysis of the situation of women's rights, based on the observation of progress made in terms of the protection, respect and implementation of these rights. In this process, emphasis was placed on the legislative and institutional areas and practices on the ground, on the one hand, and on the gaps and challenges that still hinder the process of achieving effective gender equality, on the other hand, and in particular on the double reference used at the official level when dealing with women's rights issues.
3. The report begins by assessing to what extent Morocco is committed to implementing the recommendations it endorsed and pledged to carry out before the Human Rights Council during the discussion of its third national report at the May 2017 session. This report takes into account Morocco's mid-term report, which outlines progress in implementing the recommendations. It should be recalled that the Kingdom of Morocco received, during the UPR Third Cycle, 244 recommendations, **36 of which relate to the promotion and protection of women's rights, which have been fully or partially endorsed by the Kingdom of Morocco.**

### **Theme One: Using a double reference in dealing with women's rights in legislation and public policies**

- I. **Gender-based violence, weak protection mechanisms and lack of commitment to the principle of due diligence**

4. Figures released in December 2019 by the Office of the High Commissioner for Planning (HCP) state that 7.6 million women between the ages of 15 and 74 have been victims of violence, a rate of prevalence which is 57% of the total female population<sup>1</sup>.
5. 6.1 million women suffer from domestic violence, which has increased by one point compared to 2009, when its prevalence rate was 52%. “The prevalence of violence in the marital environment has reached 46%. Furthermore, gender-based violence is not limited to the domestic sphere, but also to the digital environment, where electronic violence has reached a prevalence rate of 14%<sup>2</sup>.
6. The same figures also showed an increase in the rate of economic violence by 7 points, up to 15%, and sexual violence by 5 points, from 9% to 14% between 2009 and 2019<sup>3</sup>. Morocco universities have recently witnessed what is known as “Sex crimes against grades”, where many Moroccan female students have been victims of crimes of sexual harassment, exploitation and extortion by some teachers, in a clear abuse of their influence and the authority they enjoy in view of their position in the universities.
7. The cost of physical and sexual violence for families, amounts to 2.85 billion dirhams, while domestic violence costs 1.98 billion dirhams and health-related expenses represent 42.3% of the direct cost of violence, or 986 million dirhams<sup>4</sup>.
8. The low rates of reporting of violence against women is one of the problems in fighting this phenomenon, since the same statistics show that only 10.5% of victims of violence filed a complaint with the police or other competent authorities, compared to 3% in 2009.
9. The Covid-19 pandemic has also exacerbated violence against women due to the confinement and health emergency measures, as well as the economic and psychological pressures that characterized this period. Under these conditions, gender-based violence has had a more severe impact on women and girls. As a result, during the confinement period and the state of health emergency, gender-based

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<sup>1</sup> Office of the High Commissioner for Planning (HCP), a memo on violence against women and girls “National Survey on Violence Against Women 2019”

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.



violence increased by 31.6% compared to the same period in 2019<sup>5</sup>.

10. Women victims of violence also suffer from the weakness or lack of certain care services, particularly dedicated local shelters, as well as psychological, legal, health support services and access to justice. In this respect, conditions under the Covid-19 pandemic have revealed the limitations of such services, and even their absence as we move away from the large cities.
11. At the legislative level, Law 103-13 on fighting violence against women is considered as an achievement and a positive legal framework. The law has also provided for mechanisms to take care of women victims of violence. It has also set up joint committees between the various sectors involved in the field, whose mission is to receive, listen to, support, guide and accompany women victims and survivors of violence, under the supervision of the Office of the Public Prosecutor, which is effectively involved in fighting violence against women through issuing several relevant circulars and implementing the territorial protocol of the Marrakech Declaration in 2020.
12. Despite its benefits, Law 103-13 has not been successful in protecting women victims and survivors of violence, since it has not criminalized many acts of violence (marital rape, political violence ...) and is not based on the philosophy of due diligence of the government towards victims and survivors. In addition, the measures of protection contained in the law remain of limited effect due to the absence of implementation mechanisms and its focus on repressive aspects, while neglecting the preventive and proactive dimension, and failing to integrate it into a broader legislative reform that includes the penal code and the code of criminal procedure.
13. Under the two governmental plans for equality "IKRAM 1" and "IKRAM 2", only a small part of the commitments made by the different governmental departments in the field of combating violence against women have been fulfilled for several reasons: these include the absence of a participatory approach between all stakeholders in order to mobilize society for combating the phenomenon of violence against women, the dispersion of efforts due to the large number of disconnected programs and activities, the lack of convergence and implication of the relevant sectors in contributing to the implementation of these programs and activities, in

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<sup>5</sup> Report of the Fédération des Ligues des Droits des Femmes on « Violence against women during the period of confinement and the state of health emergency », November 2020.

addition to the absence of effective monitoring mechanisms and the failure of the relevant Ministry to play the role of leadership and coordination in this area. As to the national strategy to fight violence against women for the period 2019-2030, it simply lacks the mechanisms for its implementation on the ground, especially budgets to ensure its sustainability.

#### **14. Recommendations**

- Implement the principle of “due diligence by the State” to eliminate violence against women by improving and implementing the provisions of Law 103-13 on violence against women, in the perspective of adopting a comprehensive framework law to combat violence against women, that should be based on international standards;
- Provide dedicated and community-based shelters with integrated services for the socio-economic empowerment of women;
- Implement public policies and coordinate governmental and sectoral interventions and strategies, provide mechanisms and budgets to ensure a unified response by the government in the area of combating violence against women and providing care to the victims and survivors;
- Raise awareness in society about the dangers and consequences of violence and discrimination against women by strengthening the role of the media and all channels of socialization in their fight against violence.

## **II. The national legal system and the perpetuation of discrimination against women based on a dual reference system**

### **A. The family code and the rights arising therefrom**

15. Eighteen years after it came into force, the Moroccan family code, which represented a revolution after its 2004 reform compared to the previous law, has become inconsistent with the 2011 constitution and with Morocco’s international obligations under the human rights system.

16. Recent statistics from the Moroccan Office of the Public Prosecutor revealed that courts still receive increasing requests for authorizations to marry minors. As such, during the year 2020, out of 19,926 requests, 13,335 authorizations were issued<sup>6</sup>.

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<sup>6</sup> Report of the Office of the Public Prosecutor for the year 2020.

Since the family code came into force, applications for marrying minors as well as authorizations have continuously increased, amounting to about 12% between 2010 and 2013<sup>7</sup>. According to an opinion poll by the Economic, Social and Environmental Council, about 62% of the respondents consider that any possibility of marrying minors (under the age of 18) should be eliminated without allowing exceptions<sup>8</sup>.

17. The procedure of property division is unfair to women, and the courts do not take into account the contribution of women to the development of family property despite the material input of the wife, who often lacks evidence to prove her contribution, due to the husband's possession of the family assets, not to mention the lack of recognition of women's domestic work when cases of property division are brought to court. According to the opinion poll of the Economic, Social and Environmental Council, about 48% of the respondents consider it mandatory for both spouses to conclude a written agreement for the equitable distribution of property acquired by them during their married life<sup>9</sup>.

18. Moroccan women can only exercise guardianship over their children under restrictive conditions, even though the family code stipulates that "where the father is totally or partially unable to provide for his children, and the mother is well off, she shall pay alimony" (Article 199). However, this material responsibility does not give her the right of guardianship over her children. According to the survey of the Economic, Social and Environmental Council, about 80% of the respondents consider that guardianship over children should be shared equally between the father and the mother<sup>10</sup>.

The whole inheritance system is based on an ideology that discriminates against women and does not take into account the changing economic and social structure of Moroccan families, for, nowadays, women contribute to the development of the family assets. The inheritance system discriminates between children born from a "legitimate" or "illegitimate" relationship, which is a serious violation of Article 32 of the constitution. In addition, non-affiliation to the Islamic faith does not permit inheritance between the two spouses (Article 332 of the family code).

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<sup>7</sup> A study by the Ministry of Justice and Freedoms: Family law: Impact and prospects ten years of implementation of the Family Code, an analytical and statistical study 2004-2013. May 2014.

<sup>8</sup> The Economic, Social and Environmental Council, on the occasion of the International Women's Day.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

19. The family code is still far from providing justice to children born out of wedlock and does not allow them to enjoy their rights, including the right to paternal filiation. Although it recognizes the use of genetic expertise to establish biological paternity, it is not considered as a means to establish legitimate paternal filiation. This is indeed what the Court of Cassation concluded in one of its decisions No. 275/1 rendered on September 29, 2021 in a blatant infringement of the rights of the girl who was the subject of this court decision, and a violation of the principle of the best interest of the child stipulated in the Convention on the Rights of the Child, as ratified by Morocco.
20. The family code still considers equality of treatment between men and women with regard to the right to marry non-Muslims as a temporary impediment. In fact, it is not permitted to conclude a marriage contract between a Muslim woman and a non-Muslim man, unless the legal impediment of the difference of religion is removed.

## **21. Recommendations**

- Reform the family code thoroughly to guarantee equal rights between women and men in the conclusion and dissolution of marriage, in their relationships with the children and in the inheritance system, with a view to making it consistent with the constitution and international conventions on women's human rights;
- Review the inheritance system to ensure full respect for the principle of equality between women and men;
- Prohibit the marriage of minors under the age of 18;
- Prohibit polygamy for good;
- Guarantee equality between women and men in the right to marry non-Muslim/Muslim females and males;
- Abolish all the provisions that deprive women of their rights to legal guardianship of their minor children.

## **B. The penal code and the continuous violation of individual freedoms of people**

22. Although the penal code has undergone some partial and successive amendments that have in part strengthened the protection of women against violence, it remains one of the laws dominated by the patriarchal mentality, that is conservative and

discriminatory against women, both in its philosophy and in its provisions, that tend to perpetuate the inferiority of women, establish a hierarchy with respect to men and exercise discrimination in the treatment of victims in the case of rape, for example. As a matter of fact, the family code makes a distinction between married and unmarried women, between virgins and non-virgins.

23. The provisions of the Moroccan penal code also infringe on individual freedoms, particularly when they criminalize sexual acts between consenting adults outside the institution of marriage, as well as adultery, abortion and same-sex relationships between adults, but do not criminalize marital rape.
24. Morocco has recently seen the emergence of several cases of public opinion in relation to the violation of individual freedoms and the application of the provisions of the penal code that explicitly violate the rights of individuals, especially the right of women to have control over their bodies and to enjoy a life without violence, far away from any form of social control or oversight, such as the case of Hajar Raissouni.
25. Court rulings criminalizing consented sexual relationships are known to be on the rise. In 2018, Moroccan courts handed down a total of 3,048 guilty verdicts for charges of marital adultery, while court decisions for corruption offenses for the same year totaled 14,053.

## 26. Recommendations

- Undertake a radical revision of the criminal law system in its philosophy based on discrimination and masculinity and in its provisions, to make it consistent with the constitution and international human rights covenants and respectful of individual and collective freedoms;
- Criminalize acts of political violence against women, which are considered a form of discrimination and a violation of women's human rights, and a disruption of constitutional equality and parity;
- Decriminalize all cases of medical abortion that women perform of their own free will and decisive choice;
- Decriminalize consented sexual relationships between adults outside of marriage;
- Decriminalize consented same-sex relationships;
- Criminalize marital rape.

### **C. The nationality code**

27. Following the amendment of the nationality code in 2007, a Moroccan woman married to a foreigner has the right to grant her Moroccan nationality to her child born from this relationship. However, this law remains discriminatory in other respects. In particular, it does not grant the Moroccan woman the right to transmit her nationality to her foreign husband (acquisition of nationality by marriage), while a Moroccan husband enjoys this right.

#### **28. Recommendation**

- Amend the discriminatory provisions against women in the nationality code by granting Moroccan women the right to transmit their nationality to their foreign husbands under the same conditions as those provided for foreign wives.

### **III. Women's participation in political and public life in the absence of the parity mechanism**

29. Although the 2011 constitution has established the principle of parity under Articles 19, 30 and 164, the achievement of parity between women and men in accessing senior and elective positions remains limited and uncertain, due to the fact that electoral laws amended in 2021 did not endorse the principles of equality and parity stated in the constitution. This was indeed evident in the results of the general elections held in Morocco in 2021.

30. The government resulting from the 2021 elections is composed of 24 ministers, including 6 women ministers. For the first time in Morocco's history, women ministers were entrusted with strategic sectors.

With regard to the results of the legislative elections, women obtained 96 out of 395 seats, i.e. 24%, of which only 6 seats came from local constituencies. Therefore, the rate of success of women in these parliamentary elections was less than 2%. In other words, without the use of affirmative action, the result would have been meagre.

31. As to the House of Councilors, women obtained only 15 seats out of 120, i.e. 12.5%.

32. With respect to the election of the members of prefectural and provincial councils, women have succeeded in obtaining 486 of the 1,365 seats in these councils, i.e. 35,60% of the total number of seats. Of 12 regions, only one elected a woman as its

president. In addition, three women were elected as mayors of three major cities, which is considered a remarkable positive development.

33. Despite the efforts made and the presence of women at the head of several national institutions, notably the National Human Rights Council, the Court of Auditors and the High Authority for Audio-Visual Communication, in addition to reinforcing the presence of women in the judiciary, by opening the way to women's access to the profession of religious notaries, Morocco is however still far from implementing the principle of gender parity for the access to senior functions. The percentage of feminization of positions of responsibility remains low and has not exceeded 4.11% over the 2012-2019 period. In fact, the higher the positions of responsibility, the lower this percentage<sup>11</sup>.

#### 34. Recommendations

- Make organic laws consistent with the CEDAW and the constitutional provisions by clearly stipulating the principle of parity and creating the necessary legislative mechanisms to achieve it;
- Implement the principle of parity within parties, trade unions and professional organizations by adopting mixed lists of candidates for local, legislative and professional elections;
- Take affirmative action measures to ensure women's access to positions of responsibility in the civil service and elsewhere, while taking into account the criteria of competence.

### **Theme two: Women's economic, social, rights amid double standards, poor implementation of public policies and the effects of the Covid-19 pandemic**

#### **I. Women's access to the labor market and to economic resources**

35. Article 31 of the constitution is a fundamental guarantee for male and female citizens to benefit on an equal basis from the right to work. Morocco has also adopted measures and programs to improve access to the labor market for male and female citizens, such as programs to support self-employment initiatives. All these programs seek to support women's access to the labor market.

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<sup>11</sup> Report on human resources reform, Ministry of Economy, Finance and Administration Reform, Finance Bill for the year 2020.

36. Statistics show that the rate of economic activity stood at 19.9% in 2020 for women, and reached 70.4% for men, which means that 8 out of 10 women were left out of the labor market<sup>12</sup>.
37. Concerning the employment rate for women, it does not exceed 16.7%, while it amounts to 62.9% for men. Statistical indicators show a continuous decline in women's economic activity since the year 2000 and an increase in the unemployment rate by 2.7 points during the year 2020, due to the impact of the pandemic and drought. The unemployment rate for women increased between 2019 and 2020 in rural and urban areas, from 2.7% to 3.9% in rural areas and from 21.8% to 24.8% in urban areas<sup>13</sup>;
38. Women work mainly in the informal sector, which is considered to be outside of any legal and social protection, especially when it is family-based and unpaid work.
39. In the agricultural sector, decent working conditions are lacking. In addition, female agricultural workers are transported in dangerous conditions and many women lose their lives each year due to the use of inappropriate means of transport. The year 2019 has seen several road accidents, such as the accident of Anza Agadir, in which two women were killed and 28 others were injured, or the accident of Moulay Bouselham, in which eight women died and many suffered more or less serious injuries;
40. The Covid-19 pandemic has aggravated the suffering of women, in light of the high rate of poverty and vulnerability among them, the loss or decrease of their income, the loss of their jobs, the increased hazards at work and consequences of unemployment, bearing in mind that women work mainly in sectors that are most exposed to the crisis, whether in the informal sector or in the productive, industrial, tourist and textile sectors. In fact, these sectors have witnessed a large number of layoffs among women workers due to the pandemic... As for the aid allocated by the government to the groups most affected by the economic effects of the pandemic, many women received nothing, either because they do not benefit from social security coverage or because it has been considered that the men are the heads of the family, although the women are sometimes the real breadwinners;

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<sup>12</sup> Information memo of the Office of the High Commissioner for Planning (HCP) on the occasion of the International Women's Day (March 8, 2021).

<sup>13</sup> Ibid.



41. Women's economic empowerment suffers from the dispersion of initiatives, the lack of coherence and the inefficiency of efforts made by institutional and non-institutional actors;
42. The Government Plans for Equality IKRAM 1 and IKRAM 2 have failed to achieve their goals in the area of women's economic empowerment and equal opportunity for both sexes in the labor market. Furthermore, since 2012, governmental plans have remained locked up in a conservative ideological conception based on a dual reference, which reproduces stereotyped traditional roles and a division of labor between women and men based on discrimination and male domination;
43. Although the New Development Model report has recommended increasing women's economic activity rate to 45% by 2035, it did not however put in place the necessary mechanisms to achieve this goal, nor did the government's program, which made the pledge to increase women's economic activity to over 30% within the next five years. In addition, the government's "AWRACH Program" which aims to create 250,000 jobs did not mention any quota for women.
44. After a long struggle by Soulaliyate women, with the support of the Moroccan women's movement, the year 2019 witnessed the adoption of the laws on these collective lands which explicitly recognized, for the first time in the history of the country, the right of Soulaliyate women to benefit from the produce of these lands on an equal footing with men.
45. However, the implementation decree (No. 2.19.973, 2020) of Law No. 62-17 on the administration of the Soulaliyate lands has significantly limited the effectiveness of the law and the benefit of Soulaliyate women from the income of these collective lands, by imposing impracticable conditions for women, consisting in proving the residence of the right-holders on the Soulaliyate collective lands, which is particularly difficult, since Soulaliyate women have never been recognized as right-holders, due to the prevailing customs and traditions.
46. The same injustice was also endorsed in the ministerial circular No. 6303 of May 13, 2020, which stipulates that possession of private property of Soulaliyate lands in non-irrigated areas is subordinate to those who have permanent residence rights on said lands, exercise agricultural activity on them and fully enjoy the benefit of these collective lands on an area of not less than 10 hectares. As a matter of fact, the vast majority of these women do not meet such conditions. As a result, Law 62-17 lost its

significance because of the implementation decree and the ministerial circular.

#### **47. Recommendations**

- Develop gender-sensitive programs and public policies to combat unemployment and increase women's economic activity at the level of program formulation and implementation, while taking into account the most vulnerable groups;
- Develop sectoral strategies and action plans with a view to building women's capacity through training, and support actions and access to financial resources;
- Support women's activities, facilitate their access to employment and property, assist women's businesses, ensure their right to decent work and equal pay for equal work, and enable them to reconcile their professional responsibilities with their family life;
- Mainstream the gender approach at all levels of the process of ownership and management of Soualilyate collective lands.

## **II. Women's access to the right to health, reproductive and sexual health**

48. Thanks to the growing number of health programs and projects, Morocco has achieved progress in recent years in terms of access to health care services, both in urban and rural areas, and in terms of extending health coverage. These achievements have translated into positive results with respect to mortality and disease control indicators. However, they remain below international standards and have not reduced regional disparities.

49. The maternal mortality rate has also decreased significantly, with 72.6 maternal deaths per 100,000 live births at the national level, compared to 112 deaths according to the national survey of 2010, a decrease of 35%. This significant decrease in maternal deaths is explained, in particular, by the improvement of pregnancy monitoring and the increase in the rate of births under medical supervision. In fact, the percentage of women who received pregnancy care increased by 11 points between 2011 and 2018 to 88.4%, while the percentage of births attended by skilled medical personnel rose from 74% in 2011 to 86.6% in 2018, i.e. an improvement rate of 13%<sup>14</sup>.

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<sup>14</sup> Ibid.

50. According to the National Cancer Registry in Morocco, approximately 11,747 women were diagnosed with breast cancer and 3,695 women died from it in 2020. Among cancers that affect women, breast cancer accounts for 36%, ranking first, followed by cervical cancer with 12%.
51. Although efforts have been made to combat it, women's cancer remains alarming given the increase in cases, the poor infrastructure and its insufficient coverage of most regions in Morocco, as well as the lack of human resources and the high cost of treatment.
52. Despite the various programs of the Ministry of Health, women's access to health services remains insufficient, and rural women have little access to these services, due to the weakness of medical services and infrastructure and the severe shortage of medical staff in all specialties.
53. Although there are no official statistics from government agencies in Morocco, civil society organizations, including the Moroccan Association Against Clandestine Abortion (AMLAC), have reported that the number of clandestine abortions in Morocco ranges from 50,000 to 80,000 cases per year, i.e. an average of 200 operations per day, which cause 4.2 per cent of maternal deaths and 5.5 per cent of deaths due to postpartum complications<sup>15</sup>.

Other disparities were recorded in women's health, which suffers from increased deterioration due to the Covid-19 pandemic and its aftermath. According to a survey of the Office of the High Commissioner for Planning, "Of all families headed by women with one member suffering from transient diseases, about 47.5% have not received health care services, compared to 37.9% of families headed by men", and 34% of families concerned by reproductive health have not received health care services during the period of confinement.

#### 54. Recommendations

- Develop a comprehensive national strategy to protect women's health throughout their lives and ensure that all women have access to comprehensive and quality health services, as well as sexual and reproductive health services;
- Give priority to prevention of unwanted pregnancies through family planning and sexual education;

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<sup>15</sup> <http://amlac.org.ma/loi-sur-lavortement/>

- Guarantee women's right to safe and healthy abortion and remove barriers imposed on women that choose abortion;
- Ensure and extend universal medical coverage for women as well as free medical services in relation to sexual and reproductive health and cancer treatment;
- Ensure comprehensive, free medical care for women victims of violence and upgrade the skills of health professionals in this area.

### **III. The right to education**

55. The education sector has witnessed several reforms and strategies to improve its quality and ensure equality among all segments of society. Yet, the conditions of education for women and girls are deteriorating due to the persistent lack of equal opportunities, especially for poor families who lack means and resources. This situation has worsened with the Covid-19 pandemic, due to the fact that not all families were able to provide the means for distance education, and because of the existing disparities between women and men and between urban and rural areas.

#### **56. Recommendations**

- Revise the school curricula and make them free from gender discrimination and supportive of the culture of equality;
- Implement the compulsory education law and adopt gender-sensitive budgeting in the education, vocational training and scientific research sector;
- Improve the infrastructure and health facilities of schools and increase the number of hostels for female students to encourage rural families to send their daughters to complete their studies.

### **Theme three: Poor implementation of the principle of equality and weak institutional mechanisms to promote the status of women**

#### **I. Morocco's international commitments, harmonization of national legislation with international conventions and activation of institutional mechanisms**

57. Although Morocco has accepted the recommendation to implement its international commitments regarding the effective implementation of international conventions

and to use them as a reference basis in national legislation, it has not made significant progress since the last Universal Periodic Review. Morocco has not withdrawn its explanatory statements on Articles 2 and 15 of the CEDAW because of its attachment to a double reference. Nor has it deposited the instruments of ratification of the Optional Protocols to the CEDAW and to the International Covenant on Civil and Political Rights, despite the adoption of the law that approved the two optional protocols. Morocco is therefore torn between double standards.

58. Morocco has made efforts to put in place several mechanisms to improve the status of women and to integrate the gender approach into public policies at the national, local and regional levels. However, these policies remain rather modest or simply consultative and are not translated into action and decisions likely to improve the situation of women.

59. Despite the adoption of Law No. 79.14 that established the Parity and Anti-Discrimination Authority, this body has not yet been set up as an institutional mechanism with the necessary resources to fight discrimination, to enable it to perform its missions.

#### **60. Recommendations**

- The need for the Moroccan government to provide accurate data on the process of withdrawing its reservations to the CEDAW and to the explanatory statements and on ratifying the Optional Protocol to the convention;
- Ratify all ILO conventions, including Convention No. 87, Convention No. 183 and Convention No. 190;
- Urgently set up the Parity and Anti-Discrimination Authority, review its relevant law No. 79.14 in accordance with the Paris Principles and provide it with the powers and resources to enable it to act as a mechanism for monitoring and evaluating public policies from a gender perspective;
- Activate institutional mechanisms to combat discrimination and violence and better protect women;
- Adopt a gender-based approach in addressing issues of discrimination and gender-based violence and enact a framework law for equality to eliminate all forms of gender-based discrimination.

## **II. Discrimination and violence are rooted in beliefs, social norms and stereotypes about women and their roles in society**

61. The media continue to convey stereotypes that perpetuate women's inferiority, and the media production, especially in the audiovisual media, conveys only the traditional roles of women, and thus contributes to maintaining the stereotypes that undermine women's dignity.

62. Cultural restrictions hinder the advancement of women's status. Women's liberation from these restrictions can only be achieved by breaking the so-called "glass ceiling" which consists of a set of social and psychological barriers that tend to impede women's advancement and maintain their inferiority and dependence.

63. The adverse effects of the propagation and pervasiveness of gender stereotypes are heightened when they are prevalent even among those actors entrusted with the protection and promotion of women's human rights.

### **64. Recommendations**

- Reform education, the media and culture and adopt approaches that promote openness, change the stereotyped images of women's inferiority at different levels and prohibit all forms of discrimination;
- Consolidate the Moroccan cultural and legal achievements that promote values, laws, customs and traditions in favor of tolerance and coexistence, that are open and advance women's human rights and gender equality;
- Teach sexual education at school, in order to promote the principles of equality between women and men among children, fight discriminatory stereotypes that encourage violence against women, and educate students about the concept of sexual health.

**Annexe 1 – List of association's member signed**

1. Fédération Des Ligues Des Droits Des Femmes (FLDF)
2. Réseau LDDF-INJAD contre la violence du genre
3. Union de L'action Féministe

فدرالية رابطة حقوق النساء  
+0H&AEO0H&+ | %C%III& | ΣЖOЖol | +C40O+  
Fédération des Ligues des Droits Des Femmes

## Annexe 2 – Statements and releases



### Statement on the Occasion of International Women's Day (8 March)

The Fédération des Ligues des Droits des Femmes (FLDF) welcomes the ongoing dynamics of breaking the taboo of sexual harassment in some universities, as well as the involvement of several institutions alongside women's associations in their fight against this phenomenon. It calls for the adoption of a modern penal code in accordance with the Constitution and which breaks with the double reference in addressing women's human rights.

On the occasion of the commemoration of March 8, the International Women's Day, the FLDF respectfully commends all the women of the world and the Moroccan women activists, and praises their pioneering role in the different fields and on all fronts, especially in the fight against the Covid-19 pandemic and their presence in the front line in various sectors such as health, science, education, media, production and family.

This year's International Women's Day comes in difficult circumstances throughout the world, ranging from the intensification of geostrategic conflicts and the rise of extremism in several regions, thus threatening peace and stability in the world, to the persistent adverse effects of the Covid-19 pandemic on economic systems. In addition, Morocco is currently experiencing a wave of drought, which has increased the cost of living and exacerbated social and economic disparities and manifestations of inequality and socio-economic insecurity among large segments of society, particularly women.

The International Women's Day is a good time of the year to assess the achievements of Moroccan women, to reiterate their claims and renew their advocacy. Morocco has witnessed many positive

32. Les associations régionales de la FLDF (Rabat-Sale –Kenitra ; Casablanca –Settat ; Marrakech-Safi ; Daraa-Tafillalt ; Benimellal-Kénifra ; Tanger-Tétouan-El hoceima ; Goulmim –Oud Noun).



## Annexe 2 – Statements and releases



### Statement on the Occasion of International Women's Day (8 March)

The Fédération des Ligues des Droits des Femmes (FLDF) welcomes the ongoing dynamics of breaking the taboo of sexual harassment in some universities, as well as the involvement of several institutions alongside women's associations in their fight against this phenomenon. It calls for the adoption of a modern penal code in accordance with the Constitution and which breaks with the double reference in addressing women's human rights.

On the occasion of the commemoration of March 8, the International Women's Day, the FLDF respectfully commends all the women of the world and the Moroccan women activists, and praises their pioneering role in the different fields and on all fronts, especially in the fight against the Covid-19 pandemic and their presence in the front line in various sectors such as health, science, education, media, production and family.

This year's International Women's Day comes in difficult circumstances throughout the world, ranging from the intensification of geostrategic conflicts and the rise of extremism in several regions, thus threatening peace and stability in the world, to the persistent adverse effects of the Covid-19 pandemic on economic systems. In addition, Morocco is currently experiencing a wave of drought, which has increased the cost of living and exacerbated social and economic disparities and manifestations of inequality and socio-economic insecurity among large segments of society, particularly women.

The International Women's Day is a good time of the year to assess the achievements of Moroccan women, to reiterate their claims and renew their advocacy. Morocco has witnessed many positive

initiatives in many fields. Thus, on fighting violence against women, the FLDF welcomes the effective efforts of the Public Prosecutor's Office to fight violence, through the circulars it publishes and its implementation of the Territorial Protocol resulting from the Declaration of Marrakesh. The FLDF also expresses its satisfaction at seeing the silence surrounding the phenomenon of sexual harassment and gender-based violence being broken through the reporting of assaults on women and the interaction of certain public institutions in the face of this phenomenon. On the other hand, regarding the presence of women in decision-making positions, the FLDF notes the positive increase in the percentage of women's representation in the new government which includes 6 women out of 24 ministers.

Despite these positive aspects, Moroccan women's human rights achievements are still stagnating, while a legal arsenal – including the family code and the penal code – is still characterized by a double reference and dominated by the patriarchal ideology, while the principle of parity is still not implemented, even though it is provided for in the constitution. This situation has been confirmed by the results of the last elections in Morocco, which were characterized by a slight increase in the level of women's political participation. Despite the positive results obtained, expectations have not been met and full parity has not been achieved due to partisan and political agreements that have marginalized women in the negotiations, as well as in the law governing the elections and in the appointments to positions of responsibility. At the same time, we observe the persistence of manifestations of violence and discrimination and their trivialization by society, including the crimes of harassment, exploitation and sexual extortion or the so-called crime of sex for good grades, in which several Moroccan female students have been victims. In response to this case, the FLDF has launched a campaign, which is still ongoing, to denounce all forms of violence, and has set up a digital platform to provide listening services, psychological support, guidance and legal advice to victims. The FLDF has decided to take over the case of the victims of the University of Settat and to represent them before the Court of First Instance of Settat.

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In the framework of the commemoration of March 8 of this year, the FLDF calls for peace and understanding in a way that will preserve humanity and strengthen solidarity throughout the world. At the national level, in view of the persistent violations of women's rights, such as the different manifestations of violence and discrimination, and in view of the weak implementation of public policies and the lack of mechanisms and budgets necessary for this purpose, the FLDF reiterates its main demands and calls for:

- Implementing a modern penal code in accordance with the constitution and international human rights covenants, which guarantees individual and collective rights and freedoms and abolishes all forms of gender-based discrimination and violence;
- A comprehensive review of the family code and the amendment of a number of its provisions, including the inheritance regime, in order to bring it in line with the real developments and modern roles of women and to make it consistent with the constitution, with the international conventions on women's human rights and the rights of the child, in a way that ensures equity, justice and equality;
- Implementing the principle of due diligence in terms of prevention, protection, fighting impunity, reparation of damages, improvement of Law 103-13 on violence against women, by activating its provisions, in particular by providing specialized structures for the reception and accommodation of women and girls victims of violence, by ensuring the smooth functioning of the mechanisms and by providing the necessary budgets for this purpose;
- The urgent setting up of the Authority for Parity and the Fight Against All Forms of Discrimination (APALD), while reviewing Law 79.14 establishing the said authority in accordance with the Paris Principles, in order to ensure that this authority is granted the necessary prerogatives and resources that will enable it to play the role of a mechanism for monitoring and evaluating public policies in the area of equality and the fight against gender-based discrimination, to activate the other constitutional mechanisms that guarantee rights

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and freedoms, and to provide them with the means necessary for their operation so as to ensure their effectiveness and independence.

The Federal Bureau

On March 7, 2022

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At the same time, efforts to transform mindsets and combat the patriarchal ideology that is deeply rooted in society remain uncertain and ineffective.

In view of all these considerations, the FLDF:

- ✓ **Condemns and strongly denounces these humiliating crimes which undermine the dignity of female students, and which are part of gender-based violence against women who suffer from it on a daily basis. This violence, which heavily affects their economic and social conditions and harms their physical and psychological health, is one of the main factors that hinder the process of empowerment and liberation of women;**
- ✓ **Reiterates its solidarity and support for the student victims of these crimes, closely follows their cases and announces that it is at their disposal to provide them with legal and psychological assistance;**
- ✓ **Announces the launch of the hashtag:**

**#Me Too, Stop Harassment in Universities!**

- ✓ **Demands that the relevant supervisory departments provide the necessary protection to the female student complainants and ensure their right to continue their studies away from any behavior that could affect their academic career and hence their future;**
- ✓ **Considers that these crimes fall within the framework of human trafficking and demands that justice take its normal course against all proven perpetrators of these criminal acts and that it ensures that they do not enjoy impunity;**
- ✓ **Calls for improving Law 103-13 on violence against women in the perspective of adopting a comprehensive framework law capable of ensuring prevention, protection, punishment, compensation for damages sustained by victims and their rehabilitation, in order to break the taboos of sexual violence and stand against the trivialization of violence in society;**
- ✓ **Declares the continuation of its campaign to denounce all forms of violence and discrimination against women, reiterates its readiness to host all victims and especially victims of sexual harassment in universities;**
- ✓ **Announces the launch of its digital platform to provide services such as listening, psychological support, counselling and legal advice for victims, and calls on all components of civil society and all female students who are victims of sexual harassment to interact with the hashtag:**

**#Me Too, Stop Harassment in universities!**

The Federal Bureau

Rabat, on December 29, 2021

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equity, justice and equality. Indeed, 17 years after the implementation of the Family Code, it has become clear that a number of gaps and problems persist due to the fact that some of its provisions continue to discriminate against women and violate their dignity and human rights and maintain their inferior status within the family and society;

- The adoption of a modern penal code compatible with the constitution, that guarantees individual and collective rights and freedoms and abolishes all forms of gender-based discrimination and violence.

The Federal Bureau  
On October 9, 2021

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## PRESS RELEASE

« The Morocco we want » is heading towards consensus  
by compromising women's rights

Reforming the inheritance system in accordance with the principles of  
equality, non-discrimination and the redistribution of wealth

Following the publication of the reports on the New Development Model, the Fédération des Ligues des Droits des Femmes (FLDF) wished to contribute to part of the ongoing debate and share its positions on the place of women and their rights in particular...

- While taking note of the positive aspects of the report concerning the major structuring areas in terms of diagnosis and alternatives at the economic, social and territorial level, as well as in terms of supporting human skills, integrating the various social categories, implementing good governance, and the willingness to link responsibility to accountability, and the separation of powers, in addition to strengthening the choice of extended regionalization and its acceleration, and the inclusion of a new sector, a third sector of a social nature, as a concept that is not at all foreign to the history of Morocco that can draw on the culture of solidarity existing in several regions and fulfill important economic, social and environmental roles at the local level ...;
- In addition to the positive measures suggested to promote women's economic activity, to reject all forms of violence against them, and to courageously propose to uphold the right of the child to filiation in the case of its birth from its biological parents outside the bonds of marriage and to use genetic expertise, as well as to grant legal guardianship of children to both parents;
- Yet, the Fédération des Ligues des Droits des Femmes believes that the report is a step backwards from the Royal directives that have established Morocco's choice of an integrated and universal social protection system. Indeed, the report has left many grey areas regarding the role of the State in the field of social protection. Although the diagnosis made by the Commission on the Development Model confirmed the

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aggravation of social disparities and the decline in the standard of living of the middle classes due to the high cost of education and health services ... the report did not propose mechanisms to overcome these inequalities and disparities and did not insist on free education and health services as possible solutions ...

- In addressing women's and girls' rights, the report on the new development model was neither decisive nor bold enough in its diagnosis or in the alternatives proposed, but confined itself to consensual positions, and did not sufficiently highlight the fact that the situation of discrimination experienced by women and girls in our country is one of the main factors of the failure of the current development model, which hinders the completion of the democratic construction and good governance in the management of its affairs in all areas ...
- The report also failed to highlight the various positive achievements (the Family Code of 2004, the Constitution of 2011, access of women to the profession of religious notaries - adouls, ...), as well as the gains achieved over decades, and which deserve a new impetus, in tune with the Royal directives that had recommended the Commission to adopt an attitude of « impartiality and objectivity ... boldness and courage ... », and in line with the efforts of civil, human rights and women's rights organizations as well as the recommendations, studies and reports by constitutional institutions throughout the past years (the Economic, Social and Environmental Council, the National Human Rights Council, the High-Commissioner's Office for Planning ...).
- On the other hand, although the report noted the difficulty of access to social education and the need to enhance personal development through culture, it overlooked the role of women in promoting this education and the need to change mindsets and collective representations as well as stereotypes that maintain women's inferiority and prevent women from leading change. It also minimized the importance of adopting new norms to help rethink the social roles of the two sexes. Unfortunately, the report did not emphasize the need to reform legislation and harmonize it with universal and constitutional values in order to guarantee equality and eliminate discrimination, ignoring the role of the law in transforming the underdeveloped macho cultural mentality prevailing over society.
- The report also failed to make reference to the international system of human rights, women's rights and other categories, despite its central position and its continuous dynamics, and despite the fact that Morocco is a member state of the United Nations

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and is committed to the process of conventional practice. As such, it is called upon to play a leading role in the implementation and upgrading of this process within the framework of its current and geostrategic positioning ...

- The report merely called for limiting the discretionary power of judges to authorize the marriage of underage girls, at a time when several parties are calling for its abolition, as a result of demands from society and the advocacy action of the women's rights movement, including the Fédération des Ligues des Droits des Femmes, for a comprehensive reform of the Family Code and its harmonization with the Moroccan constitution and with the relevant international conventions on women's rights.
- The report has thus subjected several issues to a theological debate within society, including issues such as abortion and the legal status of single mothers, and « went far » in proposing that « Taasib » should not be a straightforward choice, and that its application should be subject to the discretionary power of judges, against the recommendations of some constitutional institutions and many organizations, including FLDF which calls for a reform of the inheritance system to allow for creative and informed Ijtihad, in line with the principles and provisions of the constitution especially the elimination of discrimination on the basis of sex or religion, equality between women and men and between children, and in a way that contributes to the redistribution of wealth by applying a progressive inheritance tax, which will be an entry point towards reducing economic disparities between social categories and strata and gender-based discrimination.
- The issue of constitutional parity, both horizontal and vertical, between women and men in decision-making positions and high office has not received the attention required in the report, despite the fact that its publication coincided with the context of preparations for the holding of professional, legislative and territorial elections ... and consultations with political parties, institutions and other relevant bodies.

The Federal Bureau

Rabat, 13 June 2021

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