



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
16 August 2007

Original: English

Committee on the Elimination of Discrimination against Women

Pre-session working group

Fortieth and forty-first sessions

16-20 July 2007

List of issues and questions with regard to the consideration of periodic reports

Morocco

The pre-session working group examined the combined third and fourth periodic reports of Morocco (CEDAW/C/MAR/4).

General

1. The report states that the Ministry of Justice issued a statement in March 2006, announcing the withdrawal of Morocco's reservations to articles 9 (2), 15 (4), 16 (1) (f), 16 (2) and the substitution of a declaration of interpretation for the other subparagraphs of article 16 (1) and article 2 (2) (para. 29). Since an instrument of withdrawal has not as yet been deposited with the Secretary-General, please indicate the time frame for withdrawal.
2. The report indicates that an inter-ministerial technical committee is considering the desirability of accession to the Optional Protocol (para. 30). Please indicate progress made in this regard and the time frame for any contemplated accession.
3. The report indicates that government agencies, non-governmental organizations, international organizations and United Nations specialized agencies were consulted in the preparation of the report (paras. 2 and 3). Please indicate whether the report was also presented to, and considered by, Parliament.

Constitution, legislation and national machinery

4. The report indicates that "international instruments that have been duly ratified and published in the Official Gazette take precedence over domestic legislation in the event of a conflict, as may be seen from a number of Supreme Court rulings" (para. 32). Please specify court decisions where the Convention has been invoked.



5. The report acknowledges that despite various law reform efforts, the law has retained some discriminatory aspects, such as family benefits being paid to the husband even if both spouses are registered under the social security system (para. 48). Please indicate the steps being taken to reform this and other discriminatory provisions and the time frame for anticipated reform.

6. The report indicates that although there has been a clearly discernible trend towards the development of initiatives aimed at promoting a culture of human rights and gender equality, such efforts are hindered by a lack of coordination and dispersion of efforts and lack of financial and human resources (para. 96). Please indicate measures that are being taken to address such obstacles, including the strengthening (financially and in terms of human resources) of the Office of the Secretary of State for the Family, Child Welfare and Disabled Persons, as the national machinery for the advancement of women, so that it can play the role of coordinating and consolidating efforts to promote gender equality.

7. The report indicates that, in December 2002, the Minister of Finance initiated a process aimed at integrating a gender perspective into the Government's budget preparation and analysis of operations and that a gender report was prepared and appended to the economic and financial report that accompanied the draft 2006 Finance Act when the latter was submitted to Parliament (para. 69). Please indicate whether and how a gender perspective has been integrated into the 2006 Finance Act. Please also indicate the percentage of the budget allocated to the national machinery for the advancement of women.

Participation of women in public life and decision-making

8. The report indicates that the Government introduced a system where political parties committed to reserving 10 per cent of the seats in the House of Representatives for women, bringing the representation of women up from 0.6 per cent in 1997 to 10.7 per cent in the 2002 elections, and that women's groups are mobilizing to advocate for a 30 per cent quota for women in the 2007 elections (paras. 77 and 78, 122-125). Please indicate the steps being taken to implement such a quota and the anticipated time frame of any relevant amendments to the 2007 Organic Law on the House of Representatives.

9. According to the report, there is no quota system or commitment of political parties to reserve seats for women candidates at the municipal level and, as a result, women comprised only 0.53 per cent of the elected candidates at the municipal level in 2003. Please indicate the steps being taken, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, and the anticipated time frame, to increase the number of women legislators at the municipal level, especially in light of the Committee's previous concluding comments (A/58/38, para. 165).

10. The Committee, in its previous concluding comments called upon the State party to increase women's representation in decision-making positions in all spheres, in accordance with article 4 paragraph 1, of the Convention and general recommendation 25 of the Committee (A/58/38, para. 165). However, the report states that "not only are comparatively small numbers of decision-making posts held by women, the posts in question are concentrated essentially in the fields of social action and education" (para. 145). Please indicate the measures being taken,

including temporary special measures, to increase the number of women in decision-making, especially in fields dominated by men, and the impact of such measures.

11. Please provide information on what measures the Government is taking to increase the number of women in diplomacy and at the international level.

Violence against women

12. The report indicates that all police stations in Morocco have been instructed to gather monthly statistics and information on violence against women (para. 47). Please provide the information gathered in the last three years and indicate the number of these cases that resulted in prosecutions of the offender, the number that resulted in convictions and the sentences imposed.

13. The Committee on Economic, Social and Cultural Rights recently expressed concerns that domestic violence and sexual harassment were not offences under the Criminal Code and recommended that domestic violence and sexual harassment in the workplace be made criminal offences under the Criminal Code and that law enforcement personnel and judges be trained on the criminal nature of domestic violence (E/C.12/MAR/CO/3, paras. 23 and 50). Please indicate steps that have been taken in response to these recommendations.

14. The report states that a national strategy to eliminate violence against women was adopted in 2002 that included among its four objectives “action to make various forms of violence against women criminal offences and violations of human rights” (paras. 394 and 398). However the 2004 plan to implement this strategy does not include criminalization of acts of violence against women in its five priority areas (paras. 399 and 400). Please explain the reasons for this discrepancy.

15. According to the report, the inadequacy of shelters for battered women is the main constraint in addressing violence against women (para. 49). Please indicate steps that are being taken to remedy this situation and to establish more shelters. Please also indicate what steps the Government is taking to support non-governmental organizations to deal with the issue of violence against women.

Trafficking and exploitation of prostitution

16. The report states that exploitation of the prostitution of others is a criminal offence under the Criminal Code (para. 109). Please provide information of the number of persons who have been arrested for exploitation of prostitution of others in the last three years, the numbers convicted and the sentences imposed.

Employment

17. According to the report, job creation has been an essential feature of Morocco’s development strategy but “the gender dimension has been conspicuously absent” from the various job creation initiatives (paras. 246 and 247) and gender has not been adequately mainstreamed into economic development strategies (para. 292). Please specify the steps being taken, with time bound targets, to mainstream gender equality concerns into job creation and economic development strategies, especially in light of the fact that unemployment rates are higher for women than men, women’s unemployment is more structural in nature and discrimination against women is endemic in the job market (paras. 240, 244 and 245).

18. While noting that the Labour Code prohibits sexual harassment and that legislation has been enacted to protect domestic workers (paras. 262 and 263), the report acknowledges that these measures “do not constitute an effective means of eliminating sexual harassment in the absence of supporting action” (para. 264). Please indicate the types of supportive actions that have been taken to address sexual harassment in the workplace.

19. The report indicates that “access to resources, credit and capital continues to be marked by inequality resulting primarily from cultural factors” and that loan conditions are an obstacle to funding of business ventures launched by women (para. 295). Please indicate steps being taken to facilitate women’s access to credit and low interest loans, especially in light of the Committee’s previous concluding comments recommending that the State ensure that women have equal access to loans and other forms of financial support (A/58/38, para. 175).

Education and stereotypes

20. The report identifies the low level of literacy among Moroccan women, especially in rural areas, as an impediment to gender equality (para. 49) and points out that the lack of coordination among originators of policies and programmes relating to literacy has hampered their effectiveness such that most projects have not progressed beyond the trial stage (para. 198). Please specify measures being taken to coordinate policies and programmes aimed at improving women’s literacy rates and to improve their effectiveness.

21. The report states that in 1997, 120 school textbooks were analysed and found to contain sexist materials (para. 81). Please indicate whether such textbooks have been revised to eliminate gender stereotypes and what steps have been taken to ensure that school textbooks and curricula do not portray stereotyped roles for men and women.

22. The report indicates that girls tend to dominate educational “fields that constitute extensions of the domestic sphere” and “do not provide them with marketable skills” (para. 201). Please describe the strategies and targets in place for increasing the number of female students in non-traditional fields of study, such as industrial studies and scientific studies, including the impact of such strategies.

23. Please provide more precise information on the number of women at universities as compared to men, disaggregated by area of discipline, including women students and faculty members.

Health

24. The report indicates that women accounted for 38 per cent of all reported cases of HIV/AIDS in 2004 (para. 284). Please indicate whether existing programmes to combat HIV/AIDS integrate a gender perspective and whether special measures for prevention that target women are in place.

25. In its previous concluding comments, the Committee expressed concern about the insufficient number of health-care facilities and the lack of access of rural women to health services (A/58/38, para. 172). However, the report does not provide adequate information about the number of health-care facilities, particularly in rural and marginalized areas, or about women’s access to health-care services. Please provide this information.

Marriage and family relations

26. The report indicates that the Ministry of Habous and Islamic Affairs has issued guidelines for Friday sermons in mosques, featuring greater emphasis on human dignity and moderation (para. 93). Please indicate whether such guidelines and other initiatives of the Ministry of Habous and Islamic Affairs focus on gender equality and non-discrimination and, in particular, whether the Ministry is supportive of the new Family Code and has used Friday sermons to inform women of their rights under the Code.

27. The Human Rights Committee expressed a concern about the legal ban on marriages between Muslim women and non-Muslim men and about the new Family Code's failure to ban the practice of polygamy and recommended the revision of applicable legislation (CCPR/CO/82/MAR, para. 27). Please indicate steps being taken in this regard and the time frame for any contemplated amendments to relevant legislation.

Rural women

28. The report indicates that at the time of its submission a plan of action was being developed to integrate a gender approach into agricultural and rural developmental policies, programmes and projects (para. 310). Please indicate the status of this plan of action and its time bound targets for the benefit of rural women.

Article 20, paragraph 1

29. Please indicate when the State party intends to accept the amendment to article 20, paragraph 1, of the Convention pertaining to the Committee's meeting time.
