



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fifth and sixth periodic reports of Morocco*

Legislative framework and definition of discrimination against women

1. Please indicate whether the Convention takes precedence over national legislation in the light of the preamble to the 2011 Constitution and describe measures taken to harmonize national legislation accordingly ([CEDAW/C/MAR/5-6](#), para. 6).¹ Please provide information on progress made in adopting comprehensive gender equality legislation ([CEDAW/C/MAR/CO/4](#), para. 11), as well as a definition of direct and indirect discrimination against women in the public and private spheres, including intersecting forms of discrimination, that is in accordance with articles 1 and 2 of the Convention. Please inform the Committee about steps taken to repeal provisions and practices attributing less value to women's testimony compared with that of men.

Withdrawal of reservations and ratification of the Optional Protocol

2. Please describe progress made by the State party towards withdrawing its remaining reservations and declarations to articles 2, 15 and 29 of the Convention and ratifying the Optional Protocol (para. 8).

Access to justice

3. In the light of the low number of complaints filed by women (para. 17), please describe measures taken to raise women's awareness of their rights and how to claim them and measures taken to raise men's awareness of women's rights, in particular in rural and remote areas, in line with the Committee's general recommendation No. 33 (2015) on women's access to justice. Please also provide information on the legal remedies available to women to complain about gender-based discrimination

* Adopted by the pre-sessional working group on 13 November 2020.

¹ Unless otherwise indicated, paragraph numbers refer to the combined fifth and sixth reports of the State party.



(CEDAW/C/MAR/CO/4, paras. 11 and 17). Please describe how the State party enables women in the media to gain access to justice.

Impact of the pandemic on women's rights and gender equality

4. In line with the Committee's guidance note on the Convention on the Elimination of All Forms of Discrimination against Women and coronavirus disease (COVID-19) issued on 22 April 2020, please indicate measures implemented by the State party in the context of the COVID-19 pandemic to redress long-standing inequalities between women and men by placing women at the centre of the recovery as an economic diversification strategy; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in conflict or other humanitarian situations; and to ensure that lockdown measures, whether partial or total, and post-crisis recovery plans do not see women and girls relegated to stereotyped gender roles. Please indicate measures in place to ensure that all COVID-19 crisis response and recovery efforts: (a) address and are aimed at effectively preventing gender-based violence against women and girls; (b) guarantee that women and girls have equal participation in political and public life, decision-making, economic empowerment and service delivery; and (c) seek to ensure that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit access by women and girls, including those from disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

National machinery for the advancement of women

5. In line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, please provide information on the establishment of the Gender Parity and Anti-Discrimination Authority (para. 9), its mandate to coordinate and monitor the implementation of gender equality legislation and policies, and the human, technical and financial resources allocated to it. Please describe the impact of the implementation of the national and regional plans for equality for the periods 2012–2016 and 2017–2021 and of the Plan of Action on Democracy and Human Rights (2018–2021) on women's rights and the level of involvement of civil society in the preparation, implementation and evaluation of those plans. Please indicate whether gender-responsive budgeting is mandatory for all government departments and whether specific budgetary benchmarks have been defined (paras. 30–31).

Temporary special measures

6. Please indicate whether the State party has adopted temporary special measures in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, aimed at accelerating the achievement of substantive equality of women and men in all areas in which women are underrepresented or disadvantaged, in particular in political and public life, education and employment.

Discriminatory stereotypes and harmful practices

7. Please provide more detailed information on measures taken to eliminate discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society and their impact, including awareness-raising and educational programmes and media campaigns to convey positive images of women as active participants in economic, social and political life (paras. 34–42 and 43–52). Please indicate measures taken to address discriminatory gender stereotypes and negative portrayals and objectification of women in the media and advertisements (para. 48) and their results. Please also describe mechanisms in place to ensure compliance with media guidelines on gender equality (paras. 44–48) and women’s representation in the National Observatory for the Image of Women in the Media (para. 50).

8. In line with joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, please provide information on legislative and other measures adopted to eradicate harmful practices, such as child marriage and polygamy, in the State party, including by reducing the number of waiver requests for girls (art. 20 of the Family Code) and promoting attitude change.

Gender-based violence against women

9. In line with the Committee’s general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, please provide information on:

(a) The number of investigations, prosecutions and convictions and the sentences imposed under Act No. 103-13 on combating violence against women (para. 232), disaggregated by age and relationship between the perpetrator and the victim;

(b) Measures taken to review the definition of rape based on lack of consent and criminalize all forms of gender-based violence against women, including physical, psychological and economic domestic violence, marital rape, online violence and sexual harassment;

(c) Capacity-building for the judiciary, police officers and other law enforcement officials on the implementation of the Act;

(d) The impact of the implementation of the national strategy to combat violence against women.

10. Please indicate whether acts of gender-based violence against women are subject to ex officio prosecution, including in cases of withdrawal of the complaint or the absence of testimony by the victim in court, and how the non-prosecution of the victim and confidentiality of the proceedings are ensured. Please indicate measures taken to ensure that:

(a) Protection orders (paras. 232 and 236) are issued immediately and are effectively monitored and enforced in domestic violence cases;

(b) An enabling environment is created to encourage victims to report incidents of domestic violence, and that victims are informed about the importance of obtaining a permanent protection order and of not withdrawing their complaint upon reconciliation with the perpetrator;

(c) Gender bias, discriminatory stereotypes, patriarchal attitudes and victim-blaming beliefs among the judiciary, police officers, religious and traditional leaders, teachers and health professionals are eliminated, and that those people are made aware of the specific risks and protection needs of women heads of household, women and girls who are domestic workers, migrant women and girls, and women and girls with disabilities.

11. Please provide information on support services, shelters, medical and legal assistance, psychosocial assistance and reparations available to victims of gender-based violence against women and the levels of funding of victim support services from the State budget, in particular in rural and remote areas.

Trafficking and exploitation of prostitution

12. Please provide information on the main findings and the implementation of the recommendations of the study on the trafficking in persons situation in Morocco (para. 71), including with regard to women and girls who are domestic workers. Please also provide information on measures taken to train border police, immigration authorities and other law enforcement agencies on the application of Act No. 27-14 on combating trafficking, early identification of and gender-sensitive procedures to deal with women and girls who are victims of trafficking, referral to relevant services and non-prosecution of victims for immigration violations and engaging in prostitution, and to protect victims from arrest, detention, forced relocation and deportation. Please indicate the number of women and girls identified as victims of trafficking and the rehabilitation and reintegration services provided to them, in line with the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration. Please specify measures taken to dismantle sex tourism networks and investigate reports of trafficking in organs affecting women and girls.

13. Please clarify whether women in prostitution in the State party are subjected to administrative fines and/or criminal penalties. Please describe measures taken:

(a) To discourage the demand for prostitution;

(b) To ensure access to health care, including HIV testing and treatment, and modern contraceptives, including condoms, for women in prostitution and provide exit programmes and alternative income opportunities to enable women to leave prostitution;

(c) To address the root causes of women's exploitation in prostitution and their stigmatization.

Participation in political and public life

14. Please indicate measures taken by the State party to achieve parity (art. 19 of the Constitution) in all areas of political and public life and their impact. Please provide updated data on the representation of women in the judiciary, including the Constitutional Court, the police, the public service, the foreign service and the security sector, in particular at decision-making levels. Please describe: (a) the mandate and achievements of the Observatory for Gender Mainstreaming (para. 84); (b) the findings of the interministerial network regarding gender in public service (para. 85) and any follow-up thereto; and (c) the impact of the strategy and action plan to institutionalize gender equality in the public service (para. 85). Please indicate measures taken to address factors deterring women from participating in political and

public life, including their limited representation in decision-making positions and the lack of training, childcare facilities and financial resources.

Nationality

15. Please provide information on measures taken to amend the Citizenship Act to allow Moroccan women to transmit their citizenship to foreign spouses (para. 97). Please clarify whether Moroccan women retain their nationality upon acquiring the nationality of their foreign spouse. Please indicate whether the State party has taken steps to ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

Education

16. Please describe measures taken, including temporary special measures, to increase school enrolment and completion rates (paras. 102–106) and reduce school dropout rates (para. 107) among girls, including girls living in the street, nomadic girls and girls with disabilities, at all levels of education, particularly in rural and remote areas. Please provide information on measures taken to encourage women and girls to choose non-traditional fields of study, in particular science, technology, engineering and mathematics and information and communications technology. Please also indicate measures taken to eliminate discriminatory gender stereotypes in school curricula and textbooks and the impact of measures taken to reduce illiteracy among women (paras. 107–108). Please provide updated information on progress made in introducing inclusive education for women and girls with disabilities at all levels of education (para. 115).

Employment

17. Please describe measures taken to reduce unemployment among women and enhance their access to formal employment, address occupational segregation and close the gender pay gap. Please indicate measures taken to extend labour and social protection to women working in the informal economy. Please also provide information on measures taken to encourage women to seek employment in traditionally male-dominated professions such as science, technology and engineering and in management positions, and provide relevant statistical data. Please provide information on the number and outcomes of complaints by women about discrimination and sexual harassment in the workplace and the effectiveness of labour inspections and other oversight mechanisms in the State party. Please indicate how the State party enforces and monitors compliance with legislation on domestic workers (para. 128), including the number of labour inspections of private households and the fines imposed on abusive employers. Please provide information about measures taken to ratify the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization. Please provide information on measures taken to enable young mothers to return to work, including by promoting flexible working arrangements and equal sharing of family responsibilities by women and men, adequate childcare facilities and incentives for employers.

Health

18. Please indicate measures taken to reduce the maternal mortality rate and enhance access by women and girls to health care, including sexual and reproductive

health services, in particular in rural and remote areas. Please also indicate whether abortion is legal, at least in cases of rape, incest, threats to the life or health of the pregnant woman or severe fetal impairment, and decriminalized in all other cases in the State party. Please provide information on measures taken to ensure that women and adolescent girls have access to safe abortion and post-abortion services and affordable modern forms of contraception without the consent of the husband or parents. Please provide information on the availability of age-appropriate sexuality education at all levels of education, including in rural and remote areas.

19. Please indicate the percentage of women and girls with health insurance in the State party, including in the context of COVID-19. Please provide information on the impact of the national plan for the health of persons with disabilities for the period 2015–2021 on improving the accessibility of health services for women and girls with disabilities. Please indicate measures in place to ensure that women and girls with disabilities are not placed in mental health institutions and that no medical interventions are performed on them without their free, full and informed consent.

Economic empowerment and social benefits

20. Please provide information on women's access to loans and financial credit without requirement of collateral. Please indicate measures taken to repeal discriminatory provisions regarding women's access to land and other property. Please indicate the percentage of businesses run by women and measures taken to promote women's entrepreneurship.

Rural women

21. In line with the Committee's general recommendation No. 34 (2016) on the rights of rural women, please indicate measures taken to enhance access by rural women to justice, education, employment, health care, including sexual and reproductive health services, social protection, public transport and access to the Internet and communications technologies. Please provide information on access to land ownership and use by rural women, including Soulalijat women. Please describe measures taken to improve the working conditions of women in agriculture and of women who are "family assistants", as well as the impact of those measures. Please indicate measures taken to ensure that rural women are able to participate in the formulation and implementation of agricultural programmes and policies (CEDAW/C/MAR/CO/4, para. 33), including the Green Morocco Plan (para. 207).

Disadvantaged groups of women

22. Please specify measures taken:

(a) To ensure access to health care, social protection, financial support and housing options for older women, including widowed women;

(b) To ensure access to inclusive education, employment, health care and information on family planning and the right to enter into marriage for women with disabilities;

(c) To address the stigmatization of and provide support to single mothers, including through social protection and child support schemes, paternity recognition procedures and enforcement of alimony and maintenance obligations of ex-husbands and fathers of their children.

Marriage and family relations

23. Please indicate measures taken to ensure the effective enforcement of the minimum age of marriage at 18 years without exception, including in religious marriages, and prohibit polygamy (CEDAW/C/MAR/CO/4, para. 37), in line with joint general recommendation No. 31/general comment No. 18. Please describe and provide relevant statistical data on how national courts take into consideration the non-financial contributions made by women to the family economy (para. 228) upon the division of marital property in divorce proceedings. Please provide information on measures taken to repeal discriminatory provisions relating to marriage, divorce, custody and legal guardianship of children, division of property and inheritance, including with regard to non-Muslim spouses.
