



2021 Regional Index on Violence against Women and Girls (VAWG)

National Report - Morocco

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Acronyms

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSOs	Civil Society Organisations
MoH	Ministry of Health
Mol	Ministry of Interior
MoJ	Ministry of Justice
MoNE	Ministry of National Education
NCCHT	National Committee on Combating Human Trafficking
NCSWV	National Commission for the Support of Women Victims of Violence
RCSO	Regional Civil Society Observatory on VAWG
UfM	Union for Mediterranean
VAWG	Violence Against Women and Girls

Introduction

The purpose of this report is to analyse the outcomes of the 2021 Regional Index on Violence Against Women and Girls (VAWG) for Morocco. The report presents the position of the State on the international women's rights covenants, and its commitment to implement them through the alignment of the Constitution and national laws to these covenants. Furthermore, the report presents the measures and the services on the ground that ensure the appropriate enforcement of these laws. It also provides recommendations to improve the protection of women from VAWG.

Morocco achieved a score of 55.9 in the 2021 Regional Index on VAWG. the country ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) but still has reservations to article 29 and maintains declaration to articles 2 and 15. In this context, Morocco recently joined the Optional Protocol to the Convention as the documents for Morocco's adhesion were deposited with the UN Secretary-General in April 2022.

The Constitution includes specific provisions on women's rights and gender equality. Article 19 stipulates that the State aims to implement the principle of equality between men and women. Thus, to this purpose, the authority for equality and the fight against all forms of discrimination was established."

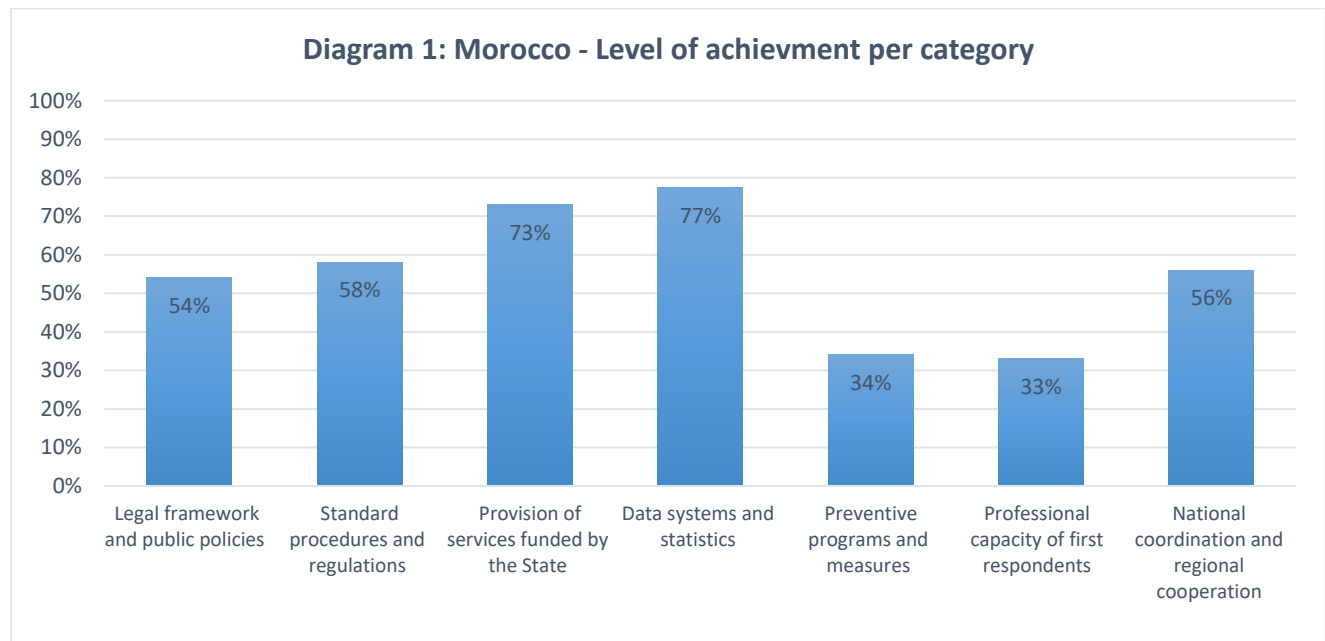
The country made progressive steps for combating VAWG, chief among them is enacting the law no 103-13 on combating violence against women of 2018. The law brought in specific definition for VAWG to mean "any act based on gender discrimination that entails physical, psychological, sexual, or economic harm to a woman". The law includes the four dimensions pertaining to the elimination of violence against women: prevention, protection, prosecution, and support. It criminalises some forms of domestic violence, establishes prevention measures, and provides new protections for survivors. The law did not only criminalise some forms of domestic violence, but also all forms of VAWG in various areas, settings, and situations.

On the theme of services provided for women victims of VAWG, there are 132 police units set up to support women victims of VAWG, particularly domestic violence. Specialised services are provided to women victims in 10 shelters under the supervision of the Ministry of Solidarity, Social Development, Equality and Family (MoSDEF). The same Ministry leads the national awareness raising campaigns on combating VAWG.

Score Analysis

This section provides analysis of the scores under each category. The scores achieved for each indicator in relation to the weights assigned are shown in the diagrams. The section also

highlights the main gaps and provides recommendations to tackle these gaps and improve the prevention and protection of women from VAWG as well as panelising adequately the perpetrators. The Index methodology is available on the website of Regional Civil Society Observatory on VAWG (RCSO) at [Methodology of 2021 Regional Index on VAWG](#).



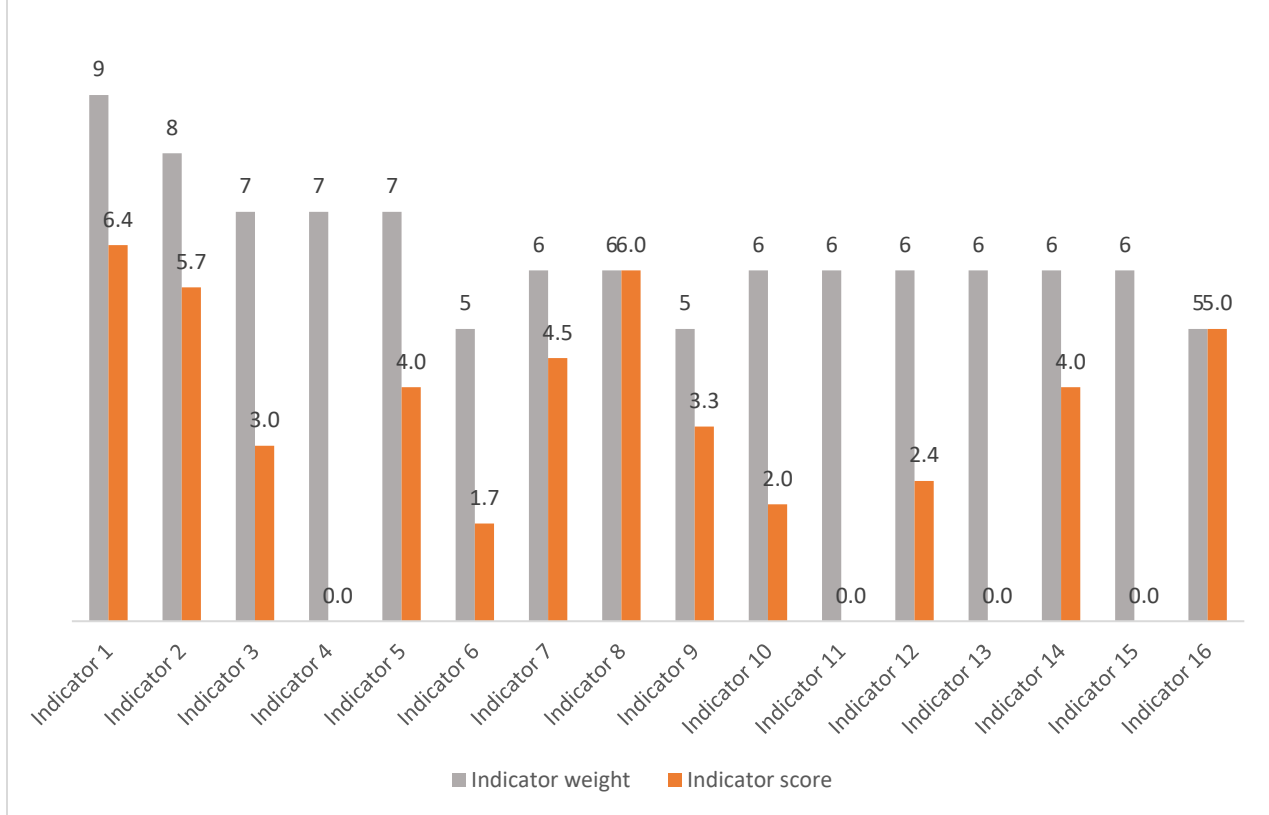
Morocco – Final Index Score 55.9 points

Legal Framework and Public Policies

The category of legal framework and public policies got level of achievement reaching to 54%. The category examines the legal framework and public policies on women’s rights, and its conformity with international standards, in particular CEDAW. It addresses laws specifically designed to combat VAWG, where such laws exist. It also concerns public policies and national strategies to combat VAWG. The category includes 16 indicators and 88 sub-indicators.

The diagram below shows the weight and the score achieved for the indicators under this category.

Diagram 2: Legal framework and public policies



Indicator 1: Ratification of all articles CEDAW

Indicator 2: Alignment of the Constitution with all international legal obligations pertaining to women’s rights

Indicator 3: Compliance of laws with all international legal obligations pertaining women’s rights

Indicator 4: Existence of specific law/s that address specific form or type of VAWG

Indicator 5: Existence of comprehensive law criminalising all forms of VAWG

Indicator 6: The definition of VAWG in legislation is in line with the UN resolutions on women rights

Indicator 7: Existence of parliamentary oversight role on the implementation of laws pertaining to VAWG

Indicator 8: The laws provide support to all victims of VAWG including legal aid

Indicator 9: The laws ensure the right of women to sexual and reproductive health and freedom on their own bodies

Indicator 10: The existing laws, including family laws, whether civil, customary or religious, protect women and girls from partners, male relatives, and current and ex-spouses who cause VAWG

Indicator 11: Existence of legal framework that offers women legal protection from marital rape

Indicator 12: Existence of legal framework offers women legal protection from harassment in the public space and work place

Indicator 13: Existing laws, in the absence of comprehensive law on VAWG, criminalise honor crimes and prohibit harmful practices such as FGM, early marriage

Indicator 14: The laws ensure the punishment of rapist regardless of the acceptance to marry his victim

Indicator 15: There is a national strategy for preventing and combating VAWG with adequate resources, budget, and monitoring and evaluation plan

Indicator 16: The national health policies address VAWG.

Despite efforts exerted by government at different levels to combat VAWG, challenges prevail. Morocco has a reservation to article 29 of CEDAW, relating to the administration of the convention and arbitration in the event of a dispute over the application of treaty provisions. The country also maintains a declaration to article 2 relating to policy measures regarding the elimination of discrimination against women, stating that the government is ready to apply the provisions of this article as long as these do not conflict the constitutional provisions regulating the laws of succession to the Moroccan throne and the Islamic Sharia. Also, the government maintains a declaration to article 15 (4) stating that it can only be bound by the provisions of this paragraph, in particular those relating to the right of women to choose their residence and domicile, as long as these do not contradict articles 34 and 36 of the Moroccan personal status code. Because of the mentioned above, the indicator related to the ratification of CEDAW agreement scored only 6.4 out of 9 points.

The Indicator of Constitution's compatibility with international agreements received a score of 5.7 out of 8 points. The promulgation of the Constitution, which affirms that: "the Kingdom of Morocco vows to prohibit and combat all forms of gender-based discrimination" and its adherence to international treaties as ratified by Morocco within the scope of constitutional provisions, the kingdom's laws, its deeply rooted national identity, take precedence, upon its publication over national laws and the work necessary to make these laws compatible with the ratification requirements.

The Constitution also includes specific provisions on women's rights and gender equality, as article 19 stipulates the principle of gender equality in all civil, political, social, economic, cultural, and environmental rights. Also, the Constitution adopts affirmative actions to ensure the women's participation, but not to achieve equity. Article 30 provides for the promotion of equal of opportunities between women and men in elective positions.

The indicator on the compliance of laws with international agreements scored 3 out of 7 points. The low score is attributed to different reasons. The law on combating violence against women and the penal code do not criminalise marital rape. Although the right to sexual and reproductive health is guaranteed by law, but abortion is prohibited. Article 449 of the penal code prohibits abortion. It is however worth noting that abortion in the Moroccan Constitution is not universally prohibited. Instead, chapter 453 outlines exceptions to the general prohibition of abortion. The chapter describes these exceptional cases as follows: "Abortion is not penalised if it is necessary to preserve the health of the mother when a doctor or surgeon has publicly performed it with the permission of the husband."

Article 498 of the penal code criminalises women who engage in prostitution, while the law does not provide them with protection against violence and exploitation they are subjected to. There

is a legal framework that criminalises various forms of sexual exploitation of women in the form of law no. 14-27 on combating human trafficking. It considers sexual exploitation a punishable crime and asserts in its first article that the concept of exploitation encompasses all forms of sexual exploitation, especially the exploitation of the prostitution of others, exploitation through forced labour, coercion, begging, slavery or slavery-like practices, human organ or tissue removal or sale, as well as exploitation of a person to partake in criminal activities or armed conflicts.

As mentioned above, the 2018 law on combating violence against women establishes prevention measures, and provides new protections for survivors. In addition, the law has introduced bodies and mechanisms to provide for women victims of violence and adopt mechanisms and institutional frameworks to coordinate between various participants in combating violence against women and protecting them (e.g.: the judiciary, national security forces, the Royal Gendarmerie, relevant government sectors, etc.) Furthermore, prevention has been especially singled out through laws stating that public authorities must take all necessary measures and precautions to prevent violence against women.

Gaps:

- Existence of reservations and declarations to articles 2, 15, and 29 of CEDAW.
- Absence of a clear and explicit text in the Moroccan Constitution on the protection of women from violence or women’s rights.
- Existence of discriminatory laws against women relating to abortion, honour killings, early marriage of girls.
- Absence of clear and explicit criminalisation of marital rape in the comprehensive law to combat VAWG.

Recommendations:

- Lift reservations on all articles of CEDAW and align the national laws with the ratified articles of the Convention.
- Include comprehensive definition of VAWG comprising marital rape in the law on combating VAWG.
- Criminalise marital rape explicitly in the comprehensive law on combating violence against women.
- Eliminate discriminatory texts against women in domestic legislation such as reduced sentences in the case of honour killings and child marriage.

Standard Procedures and Guidelines

The category of standard procedures and guidelines got a percentage of 58% as level of achievement.

The category deals with police and judicial procedures put in place, whether in terms of the opportunities for victims to report offences or the obligation to inform the authorities of such offences by persons who are aware of them; legal aid or the existence of a guide for professionals, in order to unify and simplify procedures. This category consists of 13 indicators and 54 sub-indicators.

The diagrams below show the weights and the scores achieved for the indicators under the category of standard procedures and guidelines.

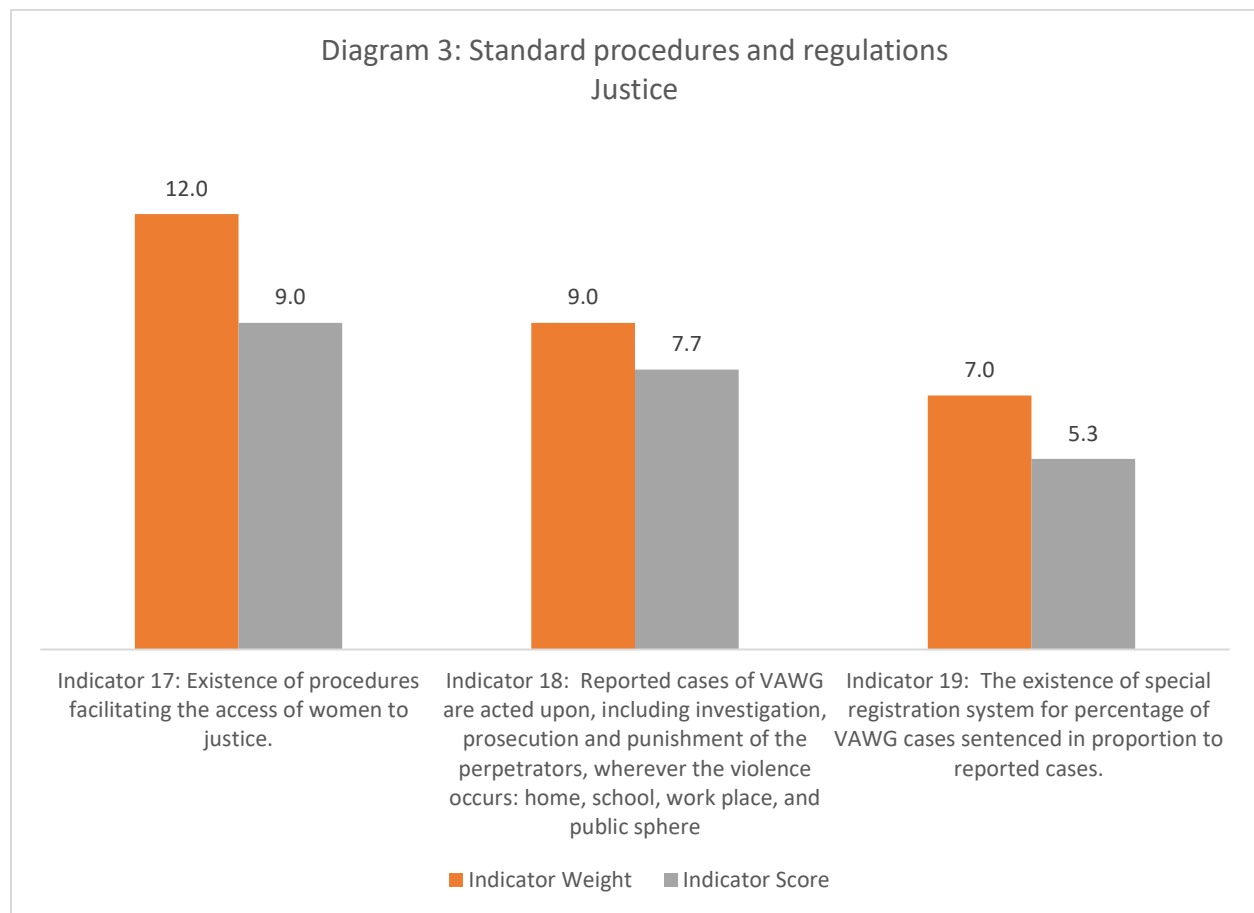


Diagram 4: Standard procedures and regulations
Police

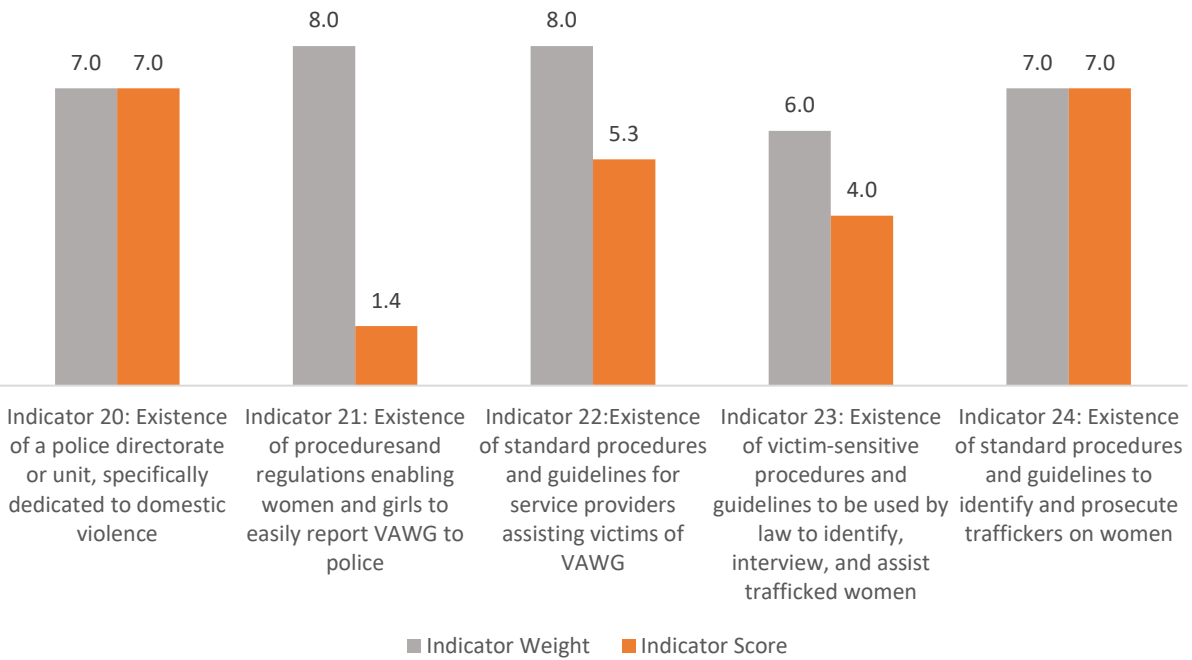
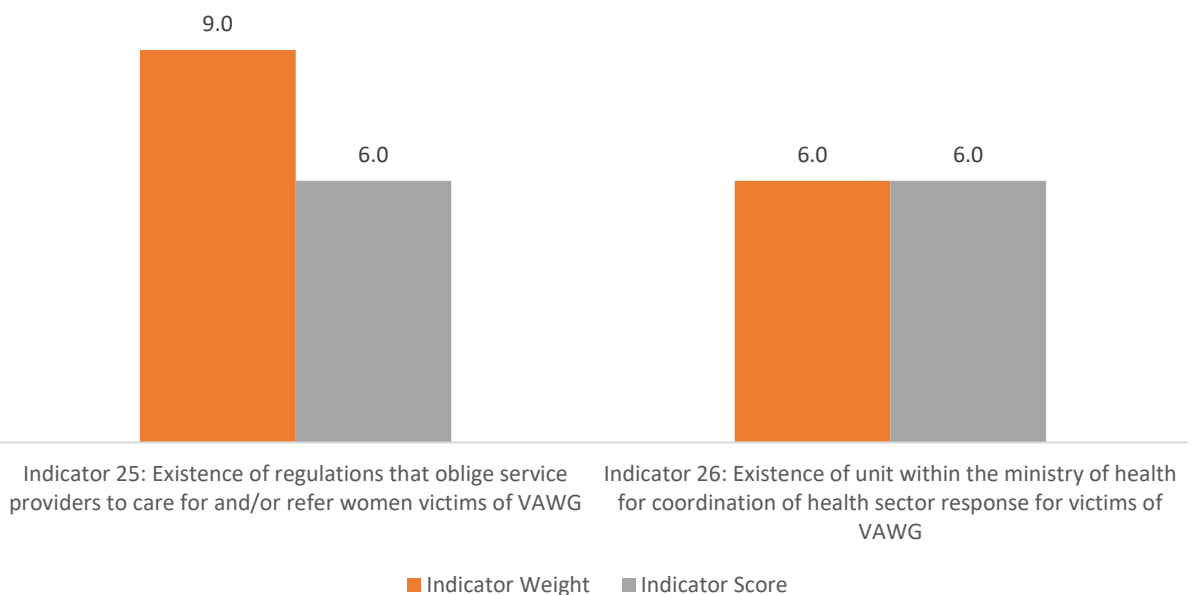
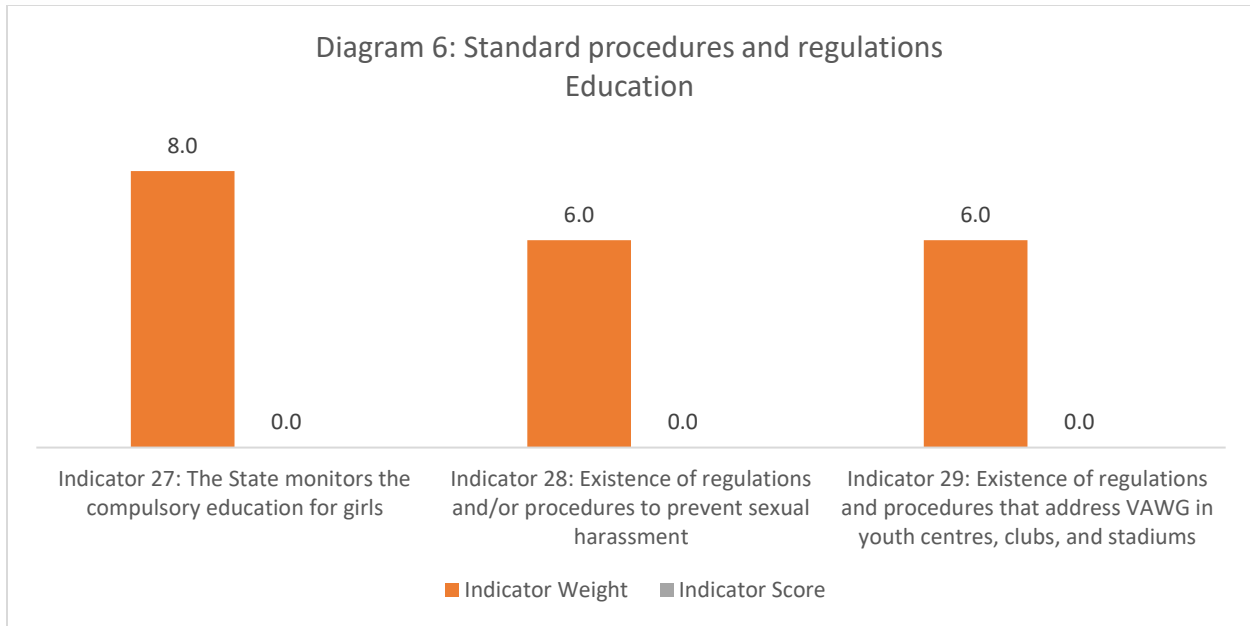


Diagram 5: Standard procedures and regulations
Health





The category of standard procedures and guidelines got 58% as level of achievement. Diagram 3 shows that the indicators under justice sector got high scores (indicator 17: 9 points out of 12, indicator 18: 7.7 points out of 9, indicator 19: 5.3 points out of 7). There is a specialised court that adopts specific procedures for cases of VAWG and there are options for the women victims of VAWG to contact women public prosecutor. Furthermore, there are procedures for service providers assisting victims of VAWG. These procedures were developed and adopted by the Ministry of Health (MoH), Ministry of Interior (MoI), Ministry of Justice (MoJ) and MoSDEF. These procedures include informing women victims of VAWG of their rights at all stages of litigation.

The country achieved considerably high scores for the indicators under police sector as shown in the diagram 4. There is a police directorate or unit dedicated to combating VAWG and there are 132 police units set up to support women victims of VAWG, particularly domestic violence. The police adopt measures to deal with cases of VAWG. Regarding trafficked women, there are victim-sensitive procedures and guidelines to be used by law to identify, interview, and assist trafficked women for sexual purpose. The National Committee on Combating Human Trafficking (NCCHT) developed guidelines as per the provisions of the law on combating violence against women. However, there are no mechanisms to monitor the application of these procedures.

Regarding health sector, there are regulations that oblige health service providers to care for and/or refer women victims of VAWG. To this end, MoH has a unit for coordination of health sector response for victims of VAWG. Article 10 of the law on combating violence against women 2018 includes establishing specialised units within courts, and sectors of health, women, youth, and gendarmerie for receiving, and referring women victims of VAWG.

As shown in diagram 6, the score achieved for the indicators under education are low. This is mainly attributed to the lack of mechanisms to monitor the compulsory education for girl (indicators 27), as well as the absence of specific regulations and procedures that address VAWG in youth centres, clubs, and stadium (indicator 29).

It should be noted that, a tracking information system (IT portal) “Ikram 2” was established to follow up on cases of violence within educational institutions. The directors of educational institutions and the heads of listening and mediation centres can report cases of harassment detected locally.

Gaps:

- Lack of regulations that include registering the complaint with all the detail, and lack of procedures for protection of witnesses and whistle-blowers.
- Absence of mechanism to monitor the compulsory education for girls
- Lack of specific regulations and procedures that address VAWG in youth centres, clubs, and stadiums.

Recommendation:

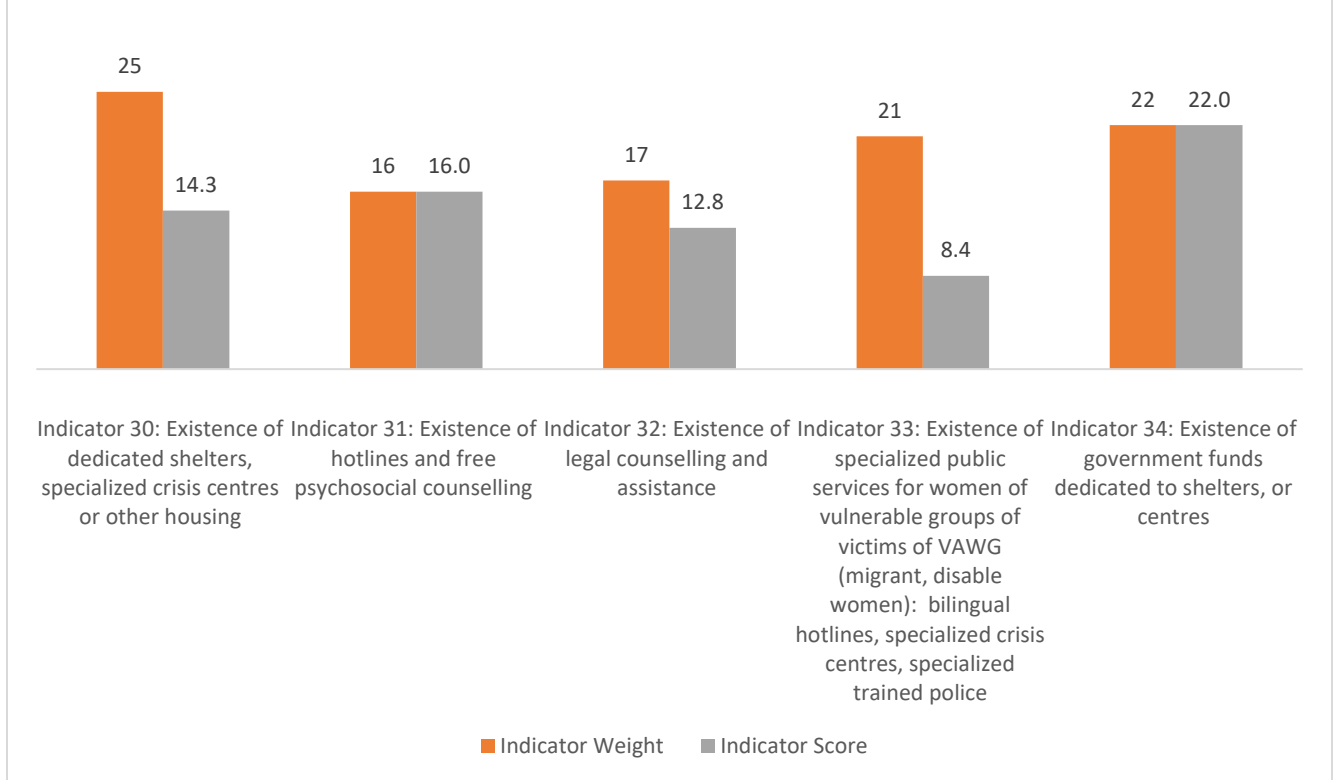
- Include regulations on registering the complaint in all its details, and on the protection of witnesses and whistle-blowers.
- Adopt a mechanism to monitor the compulsory education for girls.
- Adopt specific regulations and procedures to monitor VAWG especially sexual harassment in youth centres, clubs, and stadiums.

Provision of Services Funded by the State

The category of provision of services funded by the State achieved high score reaching to 73%. The category addresses the victims, their physical and psychological care as well as the provision of shelters, legal aid and hotlines. It includes 6 indicators and 26 sub-indicators.

The diagram below shows the weights and the scores achieved for the indicators under this category.

Diagram 7: Provision of services funded by the State



Based on the provisions of the law on combating violence against women, a central cell/unit was created within MoSDEF to support women victims of VAWG. The law also provides for the establishment of institutional cells supporting women victims of violence within courts, hospitals, police stations and the royal gendarme, as well as additional cells in sectors relating to justice, women, youth and sports, responsible for receiving, and supporting victims.

There are 132 police units set up to support women victims of VAWG, particularly domestic violence. In terms of social services, specialised services are provided to women victims of VAWG in 10 shelters under the supervision of MoSDEF. There are also 85 sub-centres providing support for victims of VAWG. The overall mission of the specialised multifunctional institutions for women is manifested in the support of women victims of violence. These institutions offer a range of basic services such as: reception, shelter, social and legal assistance, social mediation, educational follow-up, capacity building, training, and rehabilitation, social follow-up, providing primary healthcare treatments, medical, and psychological support and counselling, as well as contributing to raising awareness on women’s rights in general.

In this context, a special programme was developed in centres for the reception and housing of abused women to form, rehabilitate, and empower them economically through income-generating projects to integrate them into public life and a sustainable development programme. In addition, MoSDEF fully funded the platform “Kuluna Maa’ki” providing listening and support

services to victims. The platform was launched by the National Union for Moroccan Women in partnership with MoSDEF and other actors.

Last but not least, one of the unique and positive mechanism under this category is the establishment of a tracking in training system (IT portal) within the educational institutions. The system was established to follow up on cases of violence within educational institutions. The directors of educational institutions and the heads of listening and mediation centres can report cases of violence detected locally.

Gaps:

- Lack of services and shelters that cover all regions across the country.
- Lack of specialised services for women victims of VAWG who are migrants or with disabilities.
- Lack of bilingual hotlines.
- Absence of specialised programmes for the economic and social reintegration of victims into everyday life.
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Recommendations:

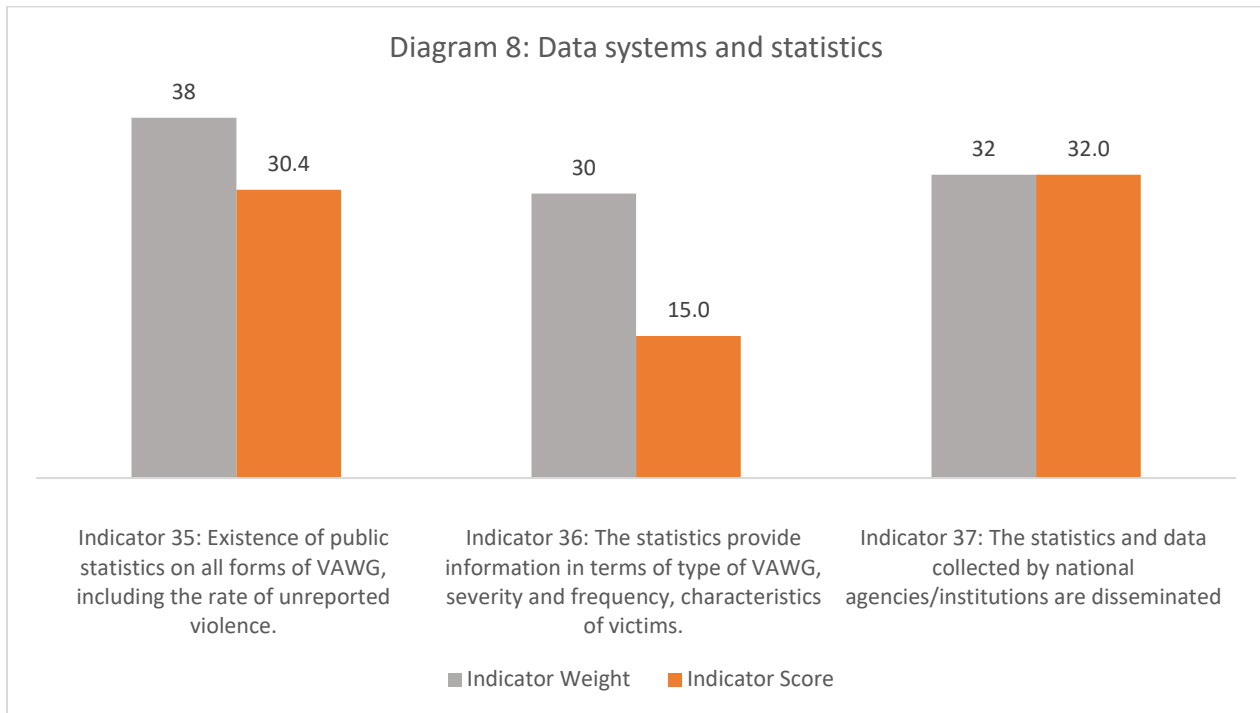
- Expand the scope of services and shelters to cover all regions across the country.
- Provide specialised services to women victims from the vulnerable groups and bilingual hotlines.
- Develop coordination among the competent authorities to allow the reintegration of victims into economic and social life.

Data System and Statistics

The data system and statistics category achieved the highest percentage among the categories which reached to 77%.

The category, is linked to the collection and dissemination of statistics on VAWG and their classification by type of violence and frequency, but also in relation to whether or not they have been the subject of complaints and whether or not these complaints have led to convictions and lawsuits. The category has 3 indicators and 14 sub-indicators.

The diagram below shows the weights and the scores achieved for the indicators under this category.



Information is published in the President of the Prosecutor’s Office. There are annual reports on the implementation of criminal policy and the work of the Prosecutor’s Office, detailing felonies and offenses committed against women.

The statistics is published periodically on the website of the Presidency of the Prosecutor’s Office. However, these reports do not cover all characteristics of women victims of VAWG. Indicator 36 scored 15 points out of 30.

Gaps:

- These statistics do not represent the full picture of VAWG as there are still cases that are not reported and not covered by the statistics. They also do not include all characteristics of women victims.

Recommendations:

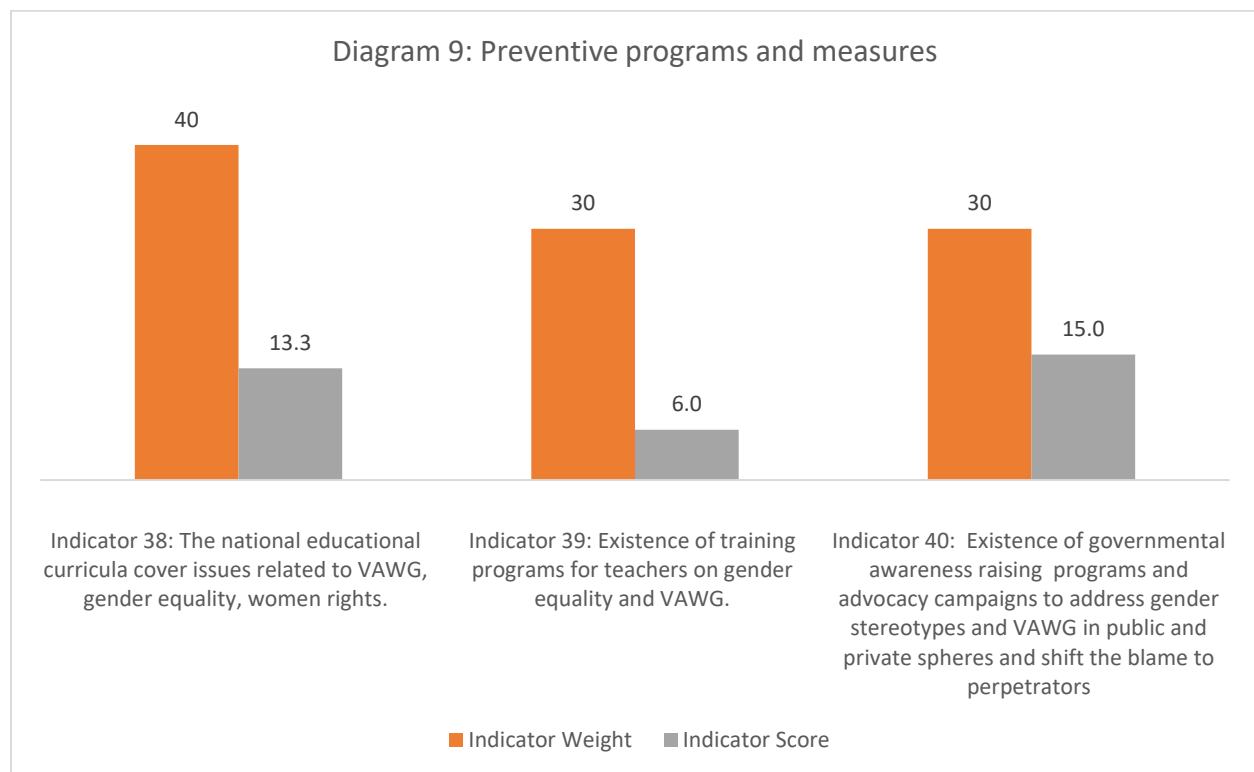
- Promote and expand statistics on VAWG to include all characteristics of women victims and update them regularly.
- Include the indicators of the Regional Index on VAWG in national surveys.

Preventive Programs and Measures

The category of preventive programs and measures got 34% as level of achievement.

The category has 3 indicators and 11 sub-indicators. It looks at preventive programs and measures, including whether specific training programs for teachers have been set up and whether curricula and handbooks for primary, secondary and university education have integrated issues related to VAWG. The category also looks at national awareness raising, and advocacy campaigns initiated by the governments to address VAWG.

The diagram below shows the weights and the scores achieved for the indicators under this category.



As for preventive programmes and measures, the national educational curricula include the concepts of gender equality, but they do not include issues related to VAWG or women’s rights. There are also no specific programmes available for school teachers on gender equality and VAWG. However, the Ministry of National Education (MoNE) oversees the organisation of awareness campaigns by using the activities of the listening and mediation cells, the educational clubs, and regional and local media and by disseminating publications and posters on VAWG. MoSDEF launches a 16-day campaign to eliminate violence against women.

In terms of education curricula, MoNE conducted in 2014 a comprehensive revision of all the books in the curriculum in terms of respecting the foundational values of the educational institution stipulated in the Kingdom’s Constitution. This process led to the publication of 147 revised textbooks devoid of any content or references on inequality, gender-based discrimination, or all forms of violence.

Gaps:

- Lack of topics on combating VAWG and blaming the perpetrator in educational curricula.
- Insufficient training programmes on women’s rights and VAWG for teachers.

Recommendations:

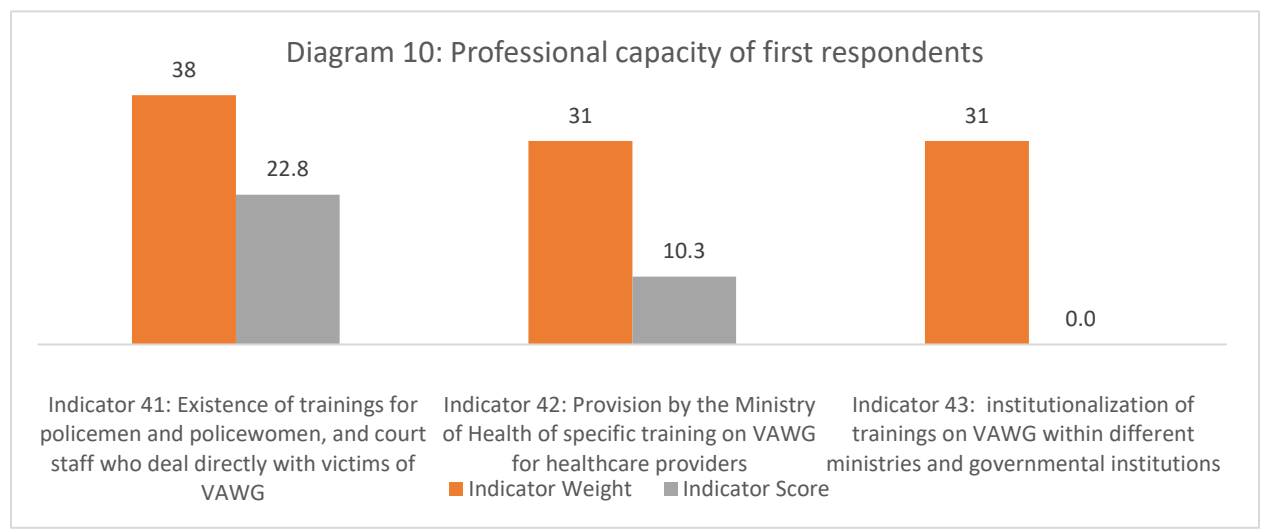
- Amend the educational curricula and add topics on combating VAWG.
- Increase trainings for educational sector staff and teachers.

Professional Capacity of First Respondents

The category of professional capacity of first respondents got the lowest level of achievement among categories which stood at 33%.

The category has 3 indicators and 12 sub-indicators. It covers institutional trainings for policemen and policewomen and court staff who deal directly with victims of VAWG as well as the institutionalisation of these trainings.

The diagram below shows the weights and the scores achieved for the indicators under this category.



Regarding professional capacity of first respondents, there are trainings for the policemen and court staff provided by MoI and MoJ. Conversely, there is no specific training provided by the MoH for nurses or doctors who respond to victims of VAWG. At all sectors, training programs are not institutionalised within ministries and governmental institutions.

MoSDEF launched the training programme for human resources working in NCSWV. The Ministry organised trainings within the framework of the same program, which targeted around 1369 participants.

Gaps

- Absence of comprehensive training for the health and judicial sector on dealing with VAWG across Morocco.
- Lack of institutionalisation of training programs within ministries and government institutions.

Recommendation

- Establish training programme in the health and judicial sectors for staff and judges.
- Institutionalise training programs on dealing with VAWG within ministries and government institutions.

National Coordination and Regional Cooperation

The category of national coordination and regional cooperation got 56% as level of achievement. The category includes 4 indicators for cooperation mechanisms between police, shelters, hospitals, courts/judiciaries, ministries and civil society organisations (CSOs) on national level, and 2 indicators for regional or international cooperation mechanisms, which have respectively 10 and 6 sub-indicators.

The diagram below shows the weights and the scores achieved for the indicators under this category.

Diagram 11: National Coordination and Regional Cooperation



There are cooperation mechanisms between police, hospitals, and ministries. The government established a protocol for the cooperation between police, shelters, hospitals, courts/ judiciaries, ministries, and civil society. The institutional information system on violence against women was created to consolidate all data related to women victims of VAWG. A protocol on exchange of information on cases of violence against women was signed in 2014 by different governmental institutions. There is also a guide that has been prepared for the institutional cells providing support to women victims of violence.

As part of the efforts to develop institutional mechanisms, the National Commission for the Support of Women Victims of Violence (NCSWV) was established. The Commission is charged with important responsibilities as stipulated by law on combating VAWG, particularly in guaranteeing communication and coordination between various agents to address violence against women and contributing to the implementation of mechanisms to improve and develop the support structure for women victims of violence. It is also in charge of reinforcing partnerships and cooperation with various actors, presenting proposals, and producing reports.

Furthermore, Regional and Local Commissions for the Support of Women Victims of Violence were established and activated to increase coordination between those involved in providing

support services for women according to an integrated, participatory perspective with the aim of achieving comprehensive protection in three dimensions, pre-, during, and post.

In contrast, Morocco did not receive any point on the indicator for the existence of bi/multi-agreements and programmes to address VAWG at the regional level. Another aspect that reduced the score for this category is the lack of a specific clause within the State's general budget dedicated to addressing VAWG with sufficient funds.

Gaps:

- Lack of bilateral agreements and regional cooperation to combat VAWG.
- Absence of a clause in the State budget dedicated to combating VAWG.
- Limited cooperation in the region, including in the frame of Union for Mediterranean (UfM) Ministerial Declarations on Strengthening the Role of Women Society.

Recommendations:

- Join bilateral agreements and regional cooperation in the fight against VAWG.
- Strengthen inter-ministerial communication and coordination mechanisms to address VAWG.
- Adopt gender responsive budget in the State's general budget with specific line for combating VAWG.
- Enhance the regional cooperation in the frame of UfM Ministerial Declarations.