According to Freedom House, violence against women in Morocco "remains a problem" that is "sometimes justified using social or even religious terms" (14 Oct. 2006). Women's rights associations in Morocco have reportedly expressed "dismay" over "indiscriminate violence against women in all walks of life, often within their own family" (Magharebia 5 Apr. 2007).

However, Freedom House also reports that Morocco's laws are "progressively becoming less discriminatory toward women" (Freedom House 14 Oct. 2006). In particular, in 2004 the code which governs family life -- the Personal Status Code or Al Mudawwana -- was amended after two years of "contentious" debate (UNFPA 2007, 31-33). The amendments grant women equal rights to men regarding divorce (Development 2006; European Forum 26 Feb. 2007) and no longer include a wife's duty of obedience to her husband (ibid; UNFPA 2007, 33). The new family code also:

- grants men and women equal status within the family...raises the age of marriage for women from 15 to 18 years; grants women property rights, takes measures to limit polygamy even though it is not completely outlawed and recognizes children's rights. (Development 2006)
- A bill reportedly designed to "provide protection and safe harbour" to women who are victims of violence has been drafted and sent to women's groups for comments (Magharebia 8 Feb. 2007), according to a news Web site sponsored by the United States (US) European Command, the joint military command responsible for US operations in Europe, Africa and the Mediterranean Basin (ibid. 18 May 2005). As of April 2007, the proposed law, which addresses spousal abuse, had not been passed (ibid. 8 Feb. 2007).

Nonetheless, Morocco has introduced a new provision to its penal code calling for heavier sentences if one spouse strikes or wounds another (Freedom House 14 Oct. 2006). A further revision to the penal code allows health professionals to bypass professional secrecy in cases of violence against a spouse (ibid.). However, the law still grants "extenuating circumstances" to those who physically harm - even murder - their spouse after finding the spouse "in flagrante delicto committing adultery" (ibid.). The law originally made allowances only for husbands who caught their wives committing adultery; now the law is gender neutral (ibid.).

A Professor of Law, specializing in family law at the University Mohamed V. Rabat in Morocco, commented on spousal abuse in Morocco in correspondence with the Research Directorate (18 Apr. 2007). With respect to the way the judicial system responds to women who are victims of violence, he stated, [translation] "the situation is not yet satisfactory, but it is continually improving" (Professor 18 Apr. 2007).

The Professor also indicated that victims of abuse within the family do not always report violence to the authorities (18 Apr. 2007). He noted that traditional Arab-Islamic values include a belief in the sacred nature of the family as well as the obligation for family members to stand in solidarity against outside threats to the household (Professor 18 Apr. 2007). According to Freedom House, a poll of 1,500 people found that 45 percent of respondents said it was "legitimate for husbands to use violence against their wives in certain circumstances" (14 Oct. 2006).

The Professor said there is no police unit that deals specifically with domestic violence, although there is are procedures for dealing with family issues (ibid.).

Freedom House states that the government has "a policy of neglect" and that the government has not ensured that enough healthcare, professionals, police and members of the judiciary are "adequately prepared" to deal with women in situations of domestic violence (14 Oct. 2006).

Commenting on the various services available to women who are victims of domestic violence, the Professor said, [translation] "We cannot say whether these services are adequate because they are brand new" (18 Apr. 2007).
In 2004, the government of Morocco began implementing a national strategy to address violence against women (UNFPA 2007, 32). In addition, the government has undertaken public awareness campaigns related to violence against women (Magherebia 28 Nov. 2006). More details on the implementation of the national strategy - which was developed with support from the United Nations Population Fund (UNFPA 2007, 33) - could not be found within the time constraints of this Response. However, according to a review of UNFPA-supported projects addressing violence against women in Morocco (ibid., iii), the following results were achieved.

- Existing shelters for women were strengthened through training of staff, sensitization workshops on women’s rights, and the collection, analysis and dissemination of data on violence against women.

- More than 30 centres for psychological and legal support were established for women survivors of violence (with 40 slated for completion by the end of 2006).

- Four pilot units supporting women and children victims of violence at two large hospitals (in Casablanca and Rabat) are being institutionalized. These units are providing medical and psychological assistance as well as mobile counselling services. Four additional units are being established in Marrakech Tensift Al Haouz and Tadla-Azilal.

- In Marrakech, Fes and Oujda, support was provided to NGOs offering legal, psychological and other services to women victims of violence through a national network of listening centres.

- A toll-free telephone hotline (called the ‘green line’) was created for women and girl victims of violence to link them to legal and other service providers.

- Counselors were trained to receive calls and provide appropriate information to callers. The launch of the service was attended by the prime minister, other government officials and the director-generals of the Moroccan Telecommunications Agency. ...

- Sensitization workshops were also conducted for government ministries and NGOs on the new provisions of Al Mudawwana, the Penal Code and the Labour Code that relate to violence against women.

- In collaboration with the Ministry of Justice, special areas of the courts are being reserved for women and children victims of violence, and women are being recruited to staff them.

- The Ministry of Justice surveyed divorce cases in court databases; the results were used to sensitize ministry staff on the amendments to Al Mudawwana and to ensure that the new amendments are properly applied. Furthermore, the staff of 70 courts - family courts newly established in each of the country’s 70 districts - are being trained to put the new amendments into effect.

- The capacity of SEFEPH [Ministry of Family State and the Disabled] to implement the national strategy to combat violence against women and its operational plan was strengthened through support at the national, regional, and local levels.

- Gender-related training curricula that include components on gender-based violence were designed and tested among health-care providers in urban hospitals and rural clinics.

- TV spots on violence against women were produced and disseminated and were effective in sensitizing a wide spectrum of the population to the impact of violence on women and families and helped spawn a national debate on the issue.

- Two social mobilization campaigns on violence against women were carried out, involving senior government officials as well as representatives of civil society and various political parties.

- The Mediterranean Forum on Violence against Women was organized in November 2005 to share experiences and good practices with other countries in the region.

- An information system of violence against women was established that links the Ministry of Health, Ministry of Justice, the Ministry of the Interior, and the police.

- A documentary film on the Moroccan experience in combating violence against women was produced to mobilize resources and raise awareness (UNFPA 2007, 33).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References


Professor. University Mohamed V. Rabat, Morocco. 18 April 2007. Correspondence.


Additional Sources Consulted

Internet sites, including: Amnesty International, Arabic News, Canadian International Development Agency (CIDA), Collectif 95 Maghreb Egalité, Human Rights Watch (HRW), Maghreb Arab Press, United Nations Economic and Social Commission for Western Asia, United Nations Development Fund for Women (UNIFEM), World Bank, World Organization Against Torture.