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## **Tangier court sentences husband to two years for raping wife**

***The court's decision could pave the way for a law that criminalizes marital rape in Morocco.***

Morocco World News (29.12.2018) - <https://bit.ly/2H1KNx6> - The Tangier Court of Appeals has sentenced a husband to two years in jail for raping his wife. The court also ordered the man to pay an MAD 2,000 fine and MAD 30,000 in compensation to the victim.

The convicted 25-year-old husband from Larache, a town near Tangier, had violently forced his wife to engage in sexual intercourse, reported Al Ahdath al Maghribiya on Saturday. The woman suffers from severe depression.

The court's decision was based on Articles 485 and 400 of the penal code. Article 400 states: "Any act of violence or assault, even if it caused no disability or illness is punishable by imprisonment from one month to one year in addition to a fine of MAD 200 to 500."

The wife's lawyer reported that her medical certificate verified serious indications of physical violence. The lawyer noted that the woman already suffers from depression, and the rape could induce her to become suicidal.

Law 103-13 to eliminate violence against women, sexual harassment, and gender-based discrimination, which took effect in September, does not list marital rape as a punishable crime.

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## **Morocco criminalises violence against women and sexual harassment**

***New bill imposes tougher penalties on various types of sexual violence and harassment, but critics say it falls short.***

Al Jazeera (12.09.2018) - <https://bit.ly/2xbQ6Ce> - A new law in Morocco criminalising violence against women goes into effect on Wednesday, in what critics say is merely a first step in the right direction.

Approved by parliament on February 14, the bill imposes tougher penalties on perpetrators of various types of violence committed both in the private and public spheres, including rape, sexual harassment and domestic abuse.

Locally known as Hakkaoui law after family affairs and women's issues minister Bassima Hakkaoui, the legislation also declares the definition of sexual harassment, including unsolicited acts, statements or signals of a sexual nature, delivered in person, online or via telephone.

Along with harassment, there are also measures stipulating punishment for people who try to force someone into a marriage using violence or the threat of violence.

Those found guilty of violating the law face prison terms ranging from one month to five years and fines from \$200 to \$1,000.

While welcoming the law, critics say it stops short of addressing the full repertoire of crimes.

More specifically, the legislation does not explicitly outlaw marital rape or spousal violence, and does not provide a precise definition of domestic violence, leaving women vulnerable.

The law also fails in providing financial assistance for survivors and does not define the government's role in providing support and services to victims, Human Rights Watch group said in a press release.

### **Women violence**

Violence against Moroccan women remains widespread and a largely taboo subject in the country, according to research data.

In 2009, a national survey reported that 62.8 percent of women had experienced physical, psychological, sexual or economic abuse.

Of the sample interviewed, 55 percent reported "conjugal" violence and 13.5 percent reported "familial" violence.

It also became a hot issue last August after a video was posted on the internet showing a young woman on a bus being sexually molested by a group of boys while the driver or other passengers failed to react to her appeals for help.

This sent shockwaves throughout the country and intensified calls for more to be done in the kingdom.

According to AFP news agency, about 1,600 cases of rape were heard by Moroccan courts last year, twice as many as previous years.

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## **Moroccan women will soon be able to pass citizenship to non-Moroccan spouses**

By Safaa Kasraoui

Morocco World News (17.03.2018) - <https://bit.ly/2FSsQjL> - Moroccan women will finally be able to pass their citizenship on to their non-citizen spouses, according to a recent statement from Bassima Hakkaoui, the Minister of Solidarity, Women, Family and Social Development on the sidelines of the 62nd UN Commission on the Status of Women (CSW62) in New York.

"Borders should not deprive people of the right to nationality," said the minister on Wednesday, adding that Morocco is currently working to put in place procedures that would allow women to easily transmit citizenship to their husbands.

At the meeting organized by the NGO "Global Campaign for Equality of Rights in Nationality" and UN-Women. Hakkaoui said that no child in Morocco is living in a situation of statelessness, as the authorities are working to allow Moroccan women to transmit their nationality to their non-citizen spouses.

The high-level meeting was attended by several UN officials, including Phumzile Mlambo-Ngcuka, the Executive Director of UN-Women; Sierra Leone's Minister of Social Affairs, Gender and Children, Isata Kabia; and the Director of the Global Campaign for Equal Rights in Nationality, Catherine Harrington

The Moroccan official pointed out that more than 33,500 children of Moroccan mothers and non-citizen spouses have been granted Moroccan nationality, as mandated by the nationality law adopted in 2007.

Moroccan citizenship is also granted to children of unknown parents and children in Morocco or abroad, according to a statement from Hakkaoui printed in Moroccan news source 2M.

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## **Will Morocco's new law protect women from violence?**

***Legislation criminalises violence against women, but some claim law falls short, leaving domestic abuse victims at risk***

By Ahmed El Amraoui

Al Jazeera (08.03.2018) - <http://bit.ly/2oUtlWv> - A new law in Morocco criminalising violence towards women has divided opinion, with some observers applauding the legislation as progress while critics claim some women would still be left at risk.

Until recently, women were vulnerable to various types of violence in private and public spheres, including rape, sexual harassment and domestic abuse.

Much of this abuse had gone unreported, with such incidents considered private matters and not criminal.

In a bill approved by parliament on February 14 after years of debate among political parties, civil and women's rights groups, the new law defines violence against women as "any act based on gender discrimination that entails physical, psychological, sexual, or economic harm to a woman. It also criminalises cyber harassment and forced marriage".

The new law imposes tougher penalties on perpetrators, including prison terms ranging from one month to five years and fines from \$200 to \$1,000.

The law, however, does not explicitly outlaw marital rape or spousal violence and does not provide a precise definition of domestic violence.

### ***Domestic violence***

Bassima Hakkaoui, minister of Family, Solidarity, Equality and Social Development, praised the bill as defining "all kinds of violence against women, offers preventive and protection measures and increases penalties for people who commit violent acts against women."

Human Rights Watch said the law includes positive provisions, but leaves women at risk of being abused in a marriage.

"The law allows for protection orders that prohibit an accused person from contacting, approaching, or communicating with the victim," the rights group said. "But these can only be issued during a criminal prosecution or after a criminal conviction. Moreover, the orders can be cancelled if spouses reconcile which will only add more pressure on women to drop such orders."

In 2009, in a survey of 8,300 women, 62.8 percent said they had been subject to psychological, physical, sexual or economical violence, according to High Planning Commission (HCP), an independent government statistical institution.

Miloud Kaouass, professor of Islamic studies at Ibn Tofail University in the city of Kenitra, applauded the law, but stressed the importance of raising awareness for such a move to be effective.

"The law is good but we need to enhance the importance of moral values and manners among our youths both in school and at home. As long as we get away from ethics, morality and manners, violence and harassment against women would never stop.

"Teaching our youth Islamic values will also help. Islam considers even looks with some kind of sexual attraction as harassment," Kaouass told Al Jazeera.

Kaouass claimed it would be difficult for the new law to address claims of violence by married women against husbands, saying loopholes in the legislation could lead to false accusations.

"A relationship between a husband and wife is supposed to be based on love and consent. In the case of a married couple, it is difficult to differentiate if the relationship was with or without consent," he said.

Hayat Ndichi, a member of the Aspiration Feminine NGO, said the law lacks clarity, which in turn would not deter molestation or limit violence.

"The main problem of the new law is the way it defines abuses. Articles of the law lack clarity and are not as precise as international norms. This means opening the door for many legal loopholes and interpretations," she told Al Jazeera, adding conjugal rape had been ignored.

However, she praised the bill for getting tough on perpetrators and including cybercrimes.

### ***'I didn't know what to do. I was so afraid'***

Fatima Zahra, a 17-year-old journalism student, said proving violence against women could be challenging.

"If you don't have evidence that someone did something bad to you, you can't prove it and police can't prove it as well. So how the law would be implemented?" she said.

"When a man harasses you, he knows you can do nothing about it. Because you will be afraid of those people who are around who will think that you are the reason because you attracted him.

"The problem is always you. This is why there are many places where I can't wear whatever I want, especially if I am alone," she told Al Jazeera.

Sarah, a 22-year-old university student, remembers with bitterness one of many incidents where harassment went beyond words.

"I don't know from where some men get the nerve to ... start touching you.

"I remember once, I was in my first year of high school and I got into a taxi, which is supposed to be a safe place. He started to feel my leg with his hand. I didn't know what to do. I was so afraid," she told Al Jazeera.

**Further reading:**

[Morocco: New Violence Against Women Law](#)

[Violence against Women: 16 Reasons to Amend Morocco's 103-13 Bill](#)

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## **In Morocco's Atlas mountains, Berber girls find the way out of rural poverty: an education**

***The remoteness of many villages meant that secondary school was not an option***

By Nicola Slawson

The Guardian (19.06.2016) - <http://bit.ly/1ZZb8uy> - Deep in Morocco's High Atlas mountains, in the hamlet of Tazalt, two girls are doing their laundry in stream water. Inside one of the small reddish-brown stone houses, Malika Boumessoud, 38, is serving sweet mint tea and looking at a photo of herself while shaking her head at how old she looks.

In the next room, where five of her six children all sleep on two single mattresses on the floor, Boumessoud's daughter Zahra, 19, is preparing to leave this classic scene of rural Moroccan life. She is a participant in a bold new experiment that could transform the lives of the girls and young women in the region: unlike the vast majority of her peers, Zahra is being granted an education.

For the past seven years, she has lived in a boarding house run by a small Moroccan NGO, Education For All (EFA), in the town of Asni, 56 kilometres away. The house is a five-minute walk from the school she has attended during the week since the age of 12. In September, she hopes to go to university in Marrakech. Her mother, who married at 16, is acutely aware of how different her daughter's life could have been had Zahra finished school at 12, like most of the other girls in the valley.

"I still wish I had gone to school," says Malika. "Even after all these years of marriage and having all my children, I still regret not finishing my education. I don't go out of the village, I just stay in the house day after day. I feel like a bird without any wings."

In rural Morocco, her experience is far from rare. Illiteracy rates for rural women and girls remain as high as 90%. Girls, especially those in areas such as the High Atlas, are more likely to drop out after primary school. Only 26% of girls in rural areas enrol for secondary education, according to the World Bank.

These problems disproportionately affect the Amazigh, commonly known as Berbers, the indigenous people of Morocco. While most Berbers adopted Islam and began speaking Arabic after the conquests of the seventh century, Berber culture and dialects of the Tamazight language survived, especially in the High Atlas. At school, lessons are in Arabic, which for most Berber children is their second language, if they have it at all. Unsurprisingly, they do poorly compared with Arabic children.

But in rural areas, it's the distance to secondary schools that presents the biggest barrier, especially for girls. Khalid Chenguiti, education specialist at Unicef Morocco says: "Girls' education, especially at secondary level, remains a challenge. There are many reasons for this, including the fact that schools are often poorly equipped with washrooms and sanitary facilitation, transportation is often difficult and, in some areas, girls are still required to support domestic tasks and face sociocultural barriers for completion of higher secondary education. These factors often disproportionately affect girls in rural areas."

Chenguiti explains why it's a crucial problem to solve: "Providing girls with an education helps break the cycle of poverty: educated women are less likely to marry early and against their will; less likely to die in childbirth; more likely to have healthy babies; and are more likely to send their children to school."

EFA's solution is to bring the girls to the schools, an approach which is beginning to change the lives of Berber girls in a way that could transform the region's future. Their boarding houses, which are run solely by Berber women, provide accommodation, healthy food, support with homework and extra French and English lessons. On average, the pass rate for all academic years is 97%.

Zahra bubbles with enthusiasm for the chance that has been handed to her: "At primary school, I really enjoyed studying but I knew there was little chance I would get to go to secondary school. When I was selected [by EFA], I was so happy. I was really nervous when I first got to the boarding house but I feel like I have found myself since being there.

"I believe I will now have a good future and will be able to improve things for my family. My parents have been so supportive. They wanted me to have a better life than the one they have had. My first year of university will be very hard," she says. "I'm sure, as it's a very different life there, but I think it will be good for me."

In bustling Marrakech, which feels like a different planet in comparison to the mountain villages, Khadijah Ahedouami, 21, knows exactly how Zahra is feeling. Three years ago she was in the same position. She has no regrets, but it has been far from an easy road.

"I actually failed my first year," she says. "Coming to Marrakech and studying all these new subjects was a hard thing for me to do, especially because I had only just got used to learning in Arabic, but at university everything is in French. I also had to get used to living in the city which is so different."

The culture shock wasn't the only thing she struggled with. Her mother had died while she was in upper secondary school and soon afterwards she lost her brother-in-law. "I had some family problems and my father had just remarried following the death of my mother.

"Even though it was a year and a half after she died, my first year was the hardest time because I was living away from home. With everything going on, I thought 'if I push myself with my studies, I'm going to lose my mind', so I decided it was OK to take things slowly and repeat my first year."

Ahedouami was one of the 10 girls who went to live in Asni with EFA when the first house opened nine years ago. It was her mother who passionately wanted her to have an education because she had grown up in Casablanca, where it's normal for girls to be in school. But they first had to persuade her father.

She says: "My father agreed we could go to see the house and when we found it, he thought it seemed OK and liked Latifa, the house mother. He asked if I wanted to stay, and of course I said, yes. Studying is my purpose in life."

Khadijah is now not only the most educated girl in her village but the most educated in the whole valley. So respected is she that when she is home villagers come to her house to ask for advice on problems with their businesses or families. A lot of responsibility rests on her young shoulders.

She says: "In my final year of school, I started to prepare my parents for the idea that I might go to university. By then, my parents trusted me but they only did because I earned it. During my years with EFA, I learned how to talk to people, how to spend my money, and how to stay respectable. And because other families look to me as an example when trying to decide whether to send their girls to school, I feel like I have to act very responsibly so they know education doesn't make you go off the rails."

Maryk Stroosnijder, one of the founders of EFA, says: "I think it is quite hard for the first girls because others look up to them, but the attitudes are slowly changing. The first parents took a risk and now we have parents begging us to take their girls."

Nor is Stroosnijder surprised to hear about Zahra's mother feeling like a bird without wings because, she says, many mothers feel the same. "But," she adds, "they are giving their daughters wings."

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## **The dark reality for women migrants in Morocco**

***Morocco's policy toward migrants is more generous than most, issuing work permits and refusing to evict undocumented refugees. But it does little to account for gender, leaving women living in refugee camps vulnerable to exploitation and abuse.***

By Fabíola Ortiz

The World Post/Huffington Post (23.02.2017) - <http://huff.to/2mt32R1> - Born and raised in Lagos, 16-year-old Juliet Bamawo left her home and her family a year ago to travel thousands of miles from Nigeria to Morocco, propelled by the dream of studying at a European university and one day becoming a nurse. But soon after she arrived, reality set in. Instead of living in an apartment in Europe and learning about nursing, Bamawo is living in a makeshift camp beside Fez's newly refurbished train station, in a tent made



from plastic and scraps of material. There is no running water, and the tents are surrounded by garbage.

"I came here to travel to Europe, but there is no money," she says. "I am now trying to get money, I am looking for help. It is difficult to live here. If there was a job and I was paid, I would work."

Bamawo is among 15 Nigerian women living in the camp of around 300 residents from 10 sub-Saharan countries. Many were drawn by Morocco's recently relaxed immigration policy, which tolerates camps like the one in Fez. But that's as far as the welcome goes: Once migrants arrive, usually planning to continue on to Europe, they are given no support and essentially left to fend for themselves.

The lack of provisions leaves migrants unable to find work, abandoned in squalid, crime-ridden camps, and unable to move on to their final destination. And for women migrants who come to Morocco without an accompanying man, that usually means arriving to a life of poverty, exploitation and abuse.

The North African country of 35 million people has historically been a magnet for migrants. Many arrive with an "obsession to cross Gibraltar at any cost," says Mohamed Khachani, president of the Moroccan Association for Studies and Research on Migration. But in response to the ongoing refugee crisis, many European countries have strengthened their borders, leaving large numbers of migrants stuck in Morocco. "There used to be evictions of clandestine migrants from Morocco. Nowadays it is not common to deport anymore," says Khachani.

The drop in evictions is a result of a new strategy on immigration and asylum that Morocco announced in 2013, based on recommendations issued by the Moroccan National Human Rights Council. According to the report, Morocco "undoubtedly suffers from the effects of a strict European policy of control of its external borders." So the government decided to adopt a human rights-based approach to documenting migrants. In a one-off move, Moroccan authorities issued around 27,000 residence permits to migrants between September 2013 and February 2015. The *carte de séjour* includes a work permit and offers access to primary and secondary schooling, but not to public health insurance.

The majority of women migrants who come to Morocco in hopes of crossing through the country to gain entry into Europe are from Nigeria and Cameroon, but there are also women from Mali, Ivory Coast and the Democratic Republic of Congo. And for many of them, the already risky journey along the Trans-Sahara Highway is made even more treacherous by the constant threat of exploitation and sexual violence.

"Women suffer more than men. When they cross over 6,000 kilometers (3,700 miles), imagine every single border they have to cross," says Khachani. "They suffer countless violations of numerous types." According to his research, one-third of the migrant women living in Morocco were abused on their way to North Africa.

The U.N. Refugee Agency (UNHCR) estimates that of the over 6,000 refugees and asylum seekers considered persons of concern in Morocco, 44 percent are women. And a study by the International Organization for Migration (IOM) found most women migrants in Morocco travel without family members, but often in groups with other migrants.

According to a report by the IOM, more than half of the women are single mothers, the majority of them having become pregnant on the route, most likely in a context of abuse.



Migrants' rights advocates say that while Morocco's new immigration policy seems to treat migrants more humanely than many other countries, it fails to protect those most vulnerable once they arrive. "Women should be treated differently, they should be protected from rape and human trafficking. We should give them shelters and healthcare support," says Moha Ennaji, president of the South-North Center for Intercultural Dialogue and Migration Studies and director of Morocco's first PhD program in gender studies. "And for those who have babies, we should help them with daycare and kindergartens."

Noting that Morocco has no women-only migrant shelters, Ennaji, who also works as a consultant to the United Nations Research Institute for Social Development, says more needs to be done to help migrants once they get to Morocco. The new policy "basically says that we don't deport them, we don't beat them up ... we tolerate them, [but] they can beg and fight for a job."

As head of the national body for the care and protection of migrants in Morocco, Fatima Attari deals directly with girls like Bamawo who are living in refugee camps. Attari says fighting against racism and discrimination are key to helping integrate undocumented women. "We need to welcome, listen, inform, guide, advise, assist them and provide legal, social and professional support," she says.

While Bamawo still plans to one day make the dangerous sea crossing to Europe, these days she isn't driven as much by her dream of becoming a nurse as by her desperation to move to somewhere safe and clean. "If I had good shelter, I would stay in Morocco," she says. "Look at our environment here, it is very dirty. We need help; we are sick. We don't know who can help us."

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## **Burqa ban in Morocco sparks anew the debate over women's rights**

Africa Times (11.01.2017) - <http://bit.ly/2iFVBjS> - Morocco's decision to ban the burqa, at least in part, has again touched off a controversy over women's right to choose to whether they wear the full-body Islamic covering, or whether the burqa represents an unacceptable security risk to society.

The Moroccan Ministry of Interior has announced it will prohibit the manufacture and sale of the burqa, effective immediately across the nation. The Morocco World News reported Tuesday that the ban is meant to stop criminals who have "repeatedly used this garment to perpetrate their crimes," according to media reports.

The decision was countered by a Moroccan human rights organization that issued a statement condemning the ban – although technically, Morocco's new law does not yet infringe on the right to wear one, as opposed to making or selling them. The ban violates women's right to express their identities, and political, social and cultural beliefs, it said.

Similar bans have long sparked debate in Europe, where this summer Switzerland joined France and Belgium in enacting a ban, and other nations with geographically limited or partial bans in place. The ban in France extends to those who would force a woman to wear a burqa, which is often associated with extremist or jihadist thought.

Yet Muslim nations in Africa also have banned the burqa, primarily for security reasons. Chad enacted a law in 2015 after bombing attacks in N'Djamena by people who were wearing them.

Former Prime Minister Kalzeube Pahimi Deubet said the risk of terror attacks in which the burqa serves as camouflage – as well as the niqab, which also covers the face – warranted the decision. The region’s Boko Haram threat prompted similar bans in parts of Niger and Cameroon. Nigeria and Senegal have considered it, while Congo-Brazzaville enacted a law that bans it in public places, specifically to limit the terror threat.