

Human Rights Forum The necessity of equality

On the sidelines of the 21st Gnaoua and World Music Festival (GWMF), the National Human Rights Council (CNDH) and the GWMF hold their human rights forum, now in its seventh consecutive year, on the mornings of June 22 and 23, 2018.

The Festival's human rights event was initiated in 2012 and has soon become a venue for debate and exchange of ideas between national and international stakeholders on current issues in our societies. The first two editions of the forum, in 2012 and 2013, were devoted to youth and culture respectively. Africa was the focus of the event for the following three consecutive years, shedding light on African history in 2014, African women in 2015 and African diasporas in 2016. In 2017 the forum tackled creativity and cultural policies in the digital era. This year, the 7th Human Rights Forum will focus on gender equality and parity.

Cross-cutting par excellence, equality, non-discrimination and parity have been subject of intense debate and discussions in the last few years. The CNDH, for its part, has contributed to this debate with a series of publications and actions, including through several advisory opinions, reports and actions designed and executed to contribute to and support the implementation of the provisions of the constitution related to women's rights.

Since the 2011 Constitution, which enshrines the principle of gender equality and the fight against discrimination against women, several related bills have been approved and passed. These include law # 79.14, establishing the Authority for Parity and Fight against All Forms of Discrimination, law # 103.13 on violence against women, law # 78.14 establishing the Advisory Council for Family and Childhood, and law # 66.16 amending and supplementing audiovisual communication law # 77.03, which promotes gender equality and fight against discrimination based on sex. Thanks to the campaigns and mobilization of the women's rights movement, the organic laws related to the Parliament and local/regional administrations (*collectivités territoriales*) helped increase women's participation in elected bodies at national and regional levels¹.

However, the genuine progress in national legislations is not unfortunately affecting women's daily lives, particularly women who are most vulnerable to poverty and exclusion. In its report on gender equality and parity in Morocco, published in 2015, the CNDH shed light on this progress, but noted that “the constitutional promises have gradually evaporated” and that several legal and de facto forms of discrimination still persist. The CNDH also noted the delay in establishing the two constitutional bodies that are mandated under the constitution to promote gender equality and parity, namely the Authority for Parity and Fight against All Forms of Discrimination and the Advisory Council for Family and Childhood.

Equality and women's rights have been subject to intense and interesting debates in the last few weeks, including debates on gender gaps in accessing employment and socio-economic

¹ The organic law of the House of Representatives helped improve women's participation (reaching 81 seats, i.e. 21% of the total number of members of the current chamber) and the organic law of the House of Councillors, under which “no list of candidates must contain two successive names of two candidates of the same sex”. In addition, the organic laws related to local and regional authorities helped, during the 2015 elections, improve participation of women in the municipal and regional councils (21.6% and 37%, respectively).

activities, the high rates of violence against women in private and public spheres, the right of women to terminate unwanted pregnancy, women's right and freedom to choose their dress, child marriage, etc. Considered just till a few years ago as a taboo, equality in inheritance, as part of a comprehensive reform of the Family Code in accordance with the constitution and Morocco's international commitments as a party to CEDAW² convention, is now subject of public debate.

These debates, which are both unprecedented and fruitful, reflect the profound changes in society. The decline in fertility rates and the related consequences, the decrease in the size of households, the rise of nuclear families, the significant increases in age at first marriage, and the almost equal access of girls to education, especially in urban areas, are among the most significant changes in the Moroccan society.

These debates also reflect, however, that actually blatant injustices and discriminations still persist, both in the legal arsenal and in the choices of the gender-blind public policies that are strongly imbued with the traditional stereotyped paradigm breadwinner (men) vs. housewives.

These are the stakes and challenges that the Human Rights Forum, which take place on the sidelines of the 21st Gnaoua and World Music Festival in Essaouira, is seeking to debate. Several discussions and debate sessions are scheduled in the forum, focusing mainly on four priority points:

Equality, discrimination, and parity: concepts, consequences

In the debates that preceded and followed the adoption of the constitution, several governmental and non-governmental public stakeholders confused the concepts of discrimination, equality and parity. Sometimes it's the case even in academic contributions. And this is no insignificant issue. It is not about academic or theoretical discourse, but it is rather about significant challenges and stakes. Indeed, each one of these notions has implications and impacts in the national legal arsenal and public policies.

Undeniable progress, persistent discrimination

Despite increased participation of women in different areas, and despite constitutional rights gains, women are far from enjoying the same and equal rights as men.

Dynamic society: initiatives for women's rights

Changes are everywhere, the shape of society is ever changing, yet the status of women is not evolving. This panel will shed light on several initiatives and best practices.

Ways for reform

This panel will discuss the foundations and approaches upon which public policies should be based, at normative, operational and institutional levels, to fight all forms of discrimination and promote parity between men and women.

² Morocco ratified CEDAW in 1993 and withdrew its reservations on Articles 9 and 16 in 2017.