



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the fourth periodic report of Mauritania*

1. The Committee considered the fourth periodic report of Mauritania (CEDAW/C/MRT/4) at its 1953rd and 1954th meetings (see CEDAW/C/SR.1953 and CEDAW/C/SR.1954), held on 15 February 2023. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/MRT/Q/4, and the responses of Mauritania are contained in CEDAW/C/MRT/RQ/4.

A. Introduction

2. The Committee appreciates the submission by the State party of its fourth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/MRT/CO/2-3/Add.1) and its written replies to the list of issues and questions raised by the pre-sessional working group on the fourth periodic report. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister and Commissioner for Human Rights, Humanitarian Affairs and Relations with Civil Society, Cheikh Ahmedou Sidi. The delegation included representatives of the Ministry of Justice, the Ministry of the Interior and Decentralization, the Ministry of Civil Service, Employment and the Modernization of the Administration, the Ministry of Social Affairs, Children and the Family, the Ministry of Higher Education, the Directorate General of National Security, and the judiciary, as well as the Ambassador and Permanent Representative, Mohamed El Habib Bal, and other members of the Permanent Mission of Mauritania to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2014 of the State party's combined second and third periodic reports (CEDAW/C/MRT/CO/2-3) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its eighty-fourth session (6–24 February 2023).



- (a) Law No. 2022-023 of 17 August 2022 on the Orientation of the National Education System, introducing also compulsory education from 6 to 16 years of age;
- (b) Law No. 2020-017 of 6 August 2020 on the Prevention and Punishment of Trafficking in Persons and the Protection of Victims;
- (c) Law No. 2018-023 of 15 August 2018, which criminalizes discrimination, guaranteeing gender equality;
- (d) Law No. 2018-024 of 21 June 2018 on the General Child Protection Code, criminalizing female genital mutilation;
- (e) Law No. 2017-025 of 27 December 2017 on Reproductive Health, with a special focus on women;
- (f) Law No. 2015-030 of 10 September 2015 on Legal Aid and Order No. 171-2017 on the composition of legal aid offices, increasing women's access to legal assistance.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

- (a) National Observatory on the Rights of Women and Girls (Decree No. 2020/140), in 2020;
- (b) National Strategy for Gender Institutionalization (2015–2025).

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the parliament, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Withdrawal of reservations

8. The Committee notes that, while the State party has withdrawn its general reservation to the Convention, it is concerned that it has retained its reservations to articles 13 (a) and 16 of the Convention, which constitute an obstacle to the

implementation of the Convention as a whole, and that no time frame has been set for such withdrawal.

9. **The Committee recalls its previous recommendation (CEDAW/C/MRT/CO/2-3, para. 9) that the State party lift its reservation to article 13 (a) of the Convention with a view to the withdrawal also of the reservation to article 16 and welcomes the commitment made by the State party's delegation during the constructive dialogue to consider doing so. In this regard, the State party should factor into its consideration the practices of countries with similar cultural backgrounds and legal systems that have successfully harmonized their national legislation with their international human rights obligations, in particular those under the Convention. The Committee further recommends that the State party ensure the engagement of religious and community leaders and civil society, in particular women's organizations, in that process.**

Definition of discrimination against women and discriminatory laws

10. The Committee commends the State party for the legislative review of several sections of the Personal Status Code (2001) in 2017 and the Nationality Code (1961) in 2021. It nevertheless remains concerned by the absence of a legal definition of discrimination against women that explicitly prohibits direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination. It further notes with concern that there are still legal provisions that discriminate against women, including articles 307 and 308 of the Penal Code (1983) regarding consensual sex outside of marriage (*zina*) and other so-called moral crimes, articles 8, 13 and 16 of the Nationality Code (1961) concerning the transmission of nationality to children and foreign spouses, and provisions in the Personal Status Code on guardianship, child and forced marriage, polygamy, divorce, custody and management of property.

11. **While noting that the State party's legislation is derived from sharia, the Committee considers that diversity of opinion and juridical concepts exist in the jurisdictions of other Muslim States having undergone legislative reform. Recalling its previous concluding observations (CEDAW/C/MRT/CO/2-3, para. 15) and the links between articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, the Committee recommends that the State party:**

(a) **Urgently repeal or amend all provisions that discriminate against women, such as articles 307 and 308 of the Penal Code, articles 8, 13 and 16 of the Nationality Code (1961), articles of the Personal Status Code on guardianship, child and forced marriage, polygamy, divorce, custody and management of property;**

(b) **Adopt a definition of discrimination against women encompassing direct and indirect discrimination in the public and private sphere, as well as intersecting forms of discrimination, in accordance with article 1 of the Convention;**

(c) **Intensify efforts to raise awareness of the Convention and the Committee's general recommendations among women, men, religious and political leaders, legislators, judges (magistrates), prosecutors, lawyers, police and other law enforcement actors, in both urban and rural areas, in particular by disseminating information on good practices of other Muslim countries with regard to the application of sharia in line with the Convention.**

Access to justice

12. The Committee notes with concern the barriers to women's access to justice in the State party, including limited awareness of their rights and of the legal remedies available to claim those rights, fear of stigmatization for filing complaints, complex legal procedures, unavailability of legal aid and the geographical inaccessibility of courts. It is further concerned that the judiciary is not sufficiently responsive to discrimination faced by women and lacks knowledge of their rights and the remedies available to them under the human rights treaties ratified by the State party.

13. **In line with its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **In its planned overhaul and reorganization of its justice system, strengthen its gender responsiveness, including by integrating capacity-building in relation to the Convention and the Committee's general recommendations into legal education and into continuous professional training for judges, prosecutors, lawyers and paralegals, also emphasizing the supremacy of ratified international conventions as set out in article 80 of the Constitution (1991), with a view to enabling the judiciary and other legal professionals to apply or invoke the Convention in legal proceedings and/or to interpret national law in line with the Convention;**

(b) **In cooperation with civil society and intergovernmental organizations, raise awareness among women and girls, in particular women in poverty, formerly enslaved women or women from enslaved communities (Haratine), rural women and women with disabilities and other disadvantaged groups of women, of their rights under the Convention and the remedies available to them to claim those rights;**

(c) **Strengthen women's access to affordable and, when necessary, free legal assistance, including by adequately resourcing the legal aid scheme;**

(d) **Ensure that all women accused of capital crimes have access to free and effective legal representation by attorneys who specialize in death penalty cases, ensure access to counsel at all times, in particular regarding gender-specific defences in cases of women and girls who are survivors of gender-based violence, including rape and sexual assault, as well as harmful practices, such as child and/or forced marriage, who subsequently engage in criminal conduct against their abusers;**

(e) **Effectively enforce orders granting women remedies for violations of their rights, including compensation and protection orders, and impose adequate deterrent penalties for non-compliance with such orders.**

National machinery for the advancement of women

14. The Committee welcomes the establishment in 2020 of the National Observatory on the Rights of Women and Girls, which acts as the national machinery for the advancement of women and girls in the State party. It regrets, however, the lack of information on its relationship with the Ministry of Social Affairs, Children and the Family, as well as on its human, technical and financial resources. It also notes with concern the absence of a mechanism to effectively coordinate, monitor and evaluate the impact of strategies to mainstream gender across all sectors notwithstanding the establishment of sectoral gender units in all ministerial departments. The Committee is further concerned by the lack of details concerning the national gender policy and the related action plan linked with the national development plan and the lack of systemized consultation and cooperation between

the Ministry of Social Affairs, Children and the Family, the National Observatory on the Rights of Women and Girls, and women's rights organizations.

15. Recalling the guidance provided in the Beijing Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:

(a) **Allocate adequate human, technical and financial resources to the National Observatory on the Rights of Women and Girls also to enhance gender-specific expertise among its staff and to enable it to monitor and publicly report on the situation of women's rights across the State party;**

(b) **Strengthen consultation of and coordination between the National Observatory on the Rights of Women and Girls and the Ministry of Social Affairs, Children and the Family and cooperation with women's rights organizations, including those that are critical of the Government;**

(c) **Strengthen implementation of the national gender policy through the development of an action plan to guide the State party's actions in promoting substantive equality for women across all sectors, which includes targeted measures for disadvantaged groups of women, and defines time-bound indicators, targets and an adequate monitoring and accountability framework, including public reporting requirements;**

(d) **Provide capacity-building to the sectoral gender units, including by developing comprehensive guidelines for gender mainstreaming across government policies and for gender-responsive budgeting, ensuring they are working systematically to implement the national gender policy and to monitor and evaluate its impact;**

(e) **In cooperation with the National Agency for Statistical and Economic Analysis, strengthen the national capacity to systematically collect data, disaggregated by sex, age, disability, ethnicity, region and socioeconomic background, to benchmark progress towards realizing the objectives of its national gender policy and provide an assessment of progress made in its next periodic report.**

Women and peace and security

16. The Committee notes the strategic position of the State party in the Maghreb and Sahel regions to contribute to the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security. It notes with concern allegations of sexual exploitation or sexual abuse in 13 cases perpetrated by uniformed personnel of United Nations peace missions contributed by the State party.

17. The committee recommends that the State party:

(a) **Implement the national action plan on Security Council resolution [1325 \(2000\)](#) on women and peace and security, and its renewal, including by:**

(i) **Ensuring that women and women's rights organizations in the State party meaningfully participate in the implementation;**

(ii) **Strengthening the engagement and leadership of women in the Group of Five for the Sahel, in particular under the regional cooperation on development policies and security in West Africa launched in 2014 in the State party;**

(b) **Investigate, prosecute and adequately punish cases of sexual exploitation and abuse by uniformed personnel of United Nations peace missions contributed by the State party;**

(c) **Nominate a focal point to address paternity and child maintenance claims in the aforementioned cases where the sexual misconduct by contributed personnel resulted in the conception and birth of a child.**

Temporary special measures

18. The Committee notes the increased percentage of elected women representatives in decision-making bodies. However, it notes with concern the absence of temporary special measures to achieve the substantive equality of disadvantaged groups of women, such as Haratine women, refugee, stateless and migrant women, women with disabilities, rural women, and older women, in areas where they are underrepresented or disadvantaged, such as in access to education, health services, economic and social benefits and employment opportunities.

19. **In line with article 4 (1) of the Convention and general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

(a) **Avail itself of regional or international technical assistance to promote understanding of the non-discriminatory nature and purpose of temporary special measures among State officials, parliamentarians, policymakers, employers and the general public;**

(b) **Adopt temporary special measures, such as regulatory instruments, policies and practices, outreach and support programmes, allocation of resources, preferential treatment, targeted recruitment, hiring and promotion, and affirmative actions, as well as establish time-bound targets, as a necessary strategy to accelerate the achievement of substantive equality of women and men in all areas covered by the Convention where women are underrepresented or disadvantaged, such as in completion of mandatory schooling, enrolment in vocational training and tertiary education programmes, decreasing illiteracy through campaigns targeting adult and rural women, access to full-time formal employment opportunities, economic and social benefits and insurances, and unhindered access to affordable sexual and reproductive information and services, with particular attention to Haratine women, refugee, stateless and migrant women, women with disabilities, rural women and older women;**

(c) **Monitor the implementation of temporary special measures and assess their impact on achieving transformative results and the substantive equality of women and men;**

(d) **Systematically collect data on the impact of temporary special measures and include such data in its next periodic report.**

Discriminatory stereotypes and harmful practices

Female genital mutilation

20. The Committee notes the State party's recognition of female circumcision and similar harmful practices inflicted on girls, affecting their physical integrity, health or dignity, as cruel, inhuman or degrading treatment (article 79 of the General Child Protection Code (2018)). It is gravely concerned, however, by the persistence of this harmful practice throughout the State party and the widespread impunity enjoyed by perpetrators.

21. **Recalling general recommendation No. 14 (1990) on female circumcision, joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and general recommendation No. 35 (2017) on gender-based violence against women,**

updating general recommendation No. 19, as well as its previous recommendations (CEDAW/C/MRT/CO/2-3, para. 25), the Committee urges the State party to:

(a) **Ensure the strict application and wide dissemination of the General Child Protection Code (2018), strengthen awareness-raising campaigns, in particular among religious and community leaders, health professionals, teachers, parents and girls, in cooperation with civil society, on the criminal nature of female genital mutilation, its adverse effects on the human rights, physical integrity, health and dignity of women and girls, its long-term physical and psychological consequences and the need to eradicate it and its underlying cultural justifications, in particular in the Hodh el Gharbi, Tagant and Guidimaka regions of the State party;**

(b) **Ensure that perpetrators of female genital mutilation are prosecuted and adequately punished, including those who are involved in procuring, aiding or abetting this harmful practice, and provide alternative income opportunities for traditional circumcisers.**

Child marriage

22. The Committee notes with concern the exceptions to the legal minimum age of marriage of 18 years under article 6 of the Personal Status Code (2001) and the persistently high rates of child and/or forced marriage in the State party, especially in rural areas, exposing girls and women in such forced unions to damaging consequences, in particular regarding the health and development of girls, including their right to education and bodily integrity, and increased risk to gender-based violence.

23. **The Committee recommends that the State party:**

(a) **Amend article 6 of the Personal Status Code to remove all exceptions to the minimum age of marriage of 18 years for both women and men, in line with the commitments that it made in the third cycle of the universal periodic review;¹**

(b) **Criminalize child marriage, and prosecute and adequately punish adults married to children, as well as persons who facilitate child marriage and the marriage of girls deemed to lack capacity under article 6 of the Personal Status Code;**

(c) **Allocate adequate human and financial resources to the implementation, monitoring and evaluation of the national action plan to eradicate child marriage, including to raise public awareness of 18 years as the minimum age of marriage;**

(d) **Establish support programmes aimed at providing rehabilitation, mentoring and support to victims of child and forced marriage, including by providing financial and technical support to civil society organizations delivering such services.**

Gender-based violence against women

24. The Committee notes with concern the high levels of gender-based violence against women in the State party, exacerbated during the coronavirus disease (COVID-19) pandemic and disproportionately affecting disadvantaged groups of women. It also notes with concern that perpetrators often enjoy impunity owing to an inadequate legal framework protecting women, as well as the underreporting of

¹ A/HRC/47/6/Add.1, para. 130.241.

incidents owing to women's mistrust in the justice system and the police, including their risk of being subjected to prosecution under an accusation of having sexual relations outside of marriage (*zina*), to which the death penalty applies, and to virginity testing during forensic examinations for rape that do not meet international health protocols and standards. The Committee further notes with concern that women are required to produce four witnesses to establish a prima facie case of rape and are often revictimized owing to gender-insensitive responses by first-line responders and law enforcement officers. It also regrets the lack of victim protection and support services in the State party, which are delegated largely to non-governmental organizations.

25. Recalling general recommendation No. 35, the Committee recommends that the State party:

(a) Urgently submit to the parliament for adoption the draft law on combating violence against women and girls in line with the commitment made by the State party's delegation during the constructive dialogue to do so in the first half of 2023, also echoed in the third cycle of its universal periodic review,² and adopt targeted measures to protect Haratine women, refugee, stateless and migrant women, women with disabilities and rural women;

(b) Criminalize all forms of gender-based violence against women, including domestic violence, marital rape and sexual harassment in the workplace, without exemptions, ensuring that the definition of rape is based on the lack of consent and takes into account all coercive circumstances, in line with international human rights standards;

(c) Revise the Penal Code in order to abolish the death penalty and commute the sentences of women sentenced to death for killing a person who had perpetrated gender-based violence against them;

(d) Immediately release any girls detained on charges of *zina*, discontinue the prosecution against them and urgently repeal articles 307 and 308 of the Penal Code, as well as the procedural requirement for women to produce four witnesses to establish a case of rape;

(e) Adequately fund victim support services and shelters run by non-governmental organizations and ensure their availability and accessibility in all regions of the State party;

(f) Encourage reporting of gender-based violence against women, including by establishing special gender-responsive sections in police stations to receive and register women's complaints and by establishing a protection programme for victims and witnesses;

(g) Support the establishment of sexual violence units for women and children in public hospitals and health centres, as well as digitized gender-based violence response and management systems;

(h) Adopt forensic guidelines and protocols on gender-sensitive documentation of cases of sexual violence, in line with the guidelines established by the World Health Organization, use standard forms, prohibit so-called virginity tests and remove any requirement for a police requisition in order to receive medical assistance and forensic analysis;

² [A/HRC/47/6/Add.1](#), paras. 130.51, 130.52, 130.54, 130.56, 130.192, 130.193 and 130.194.

(i) **Train doctors, nurses and midwives to provide both medical treatment and forensic examinations in a single consultation to enhance the access of women who are survivors to court-proof medical evidence;**

(j) **Increase the number of women judges, prosecutors and police officers, provide capacity-building to the judiciary, the police and other law enforcement officers on the strict application of relevant criminal law provisions and on gender-sensitive investigation and interrogation methods;**

(k) **Adopt harmonized protocols for the collection of data on incidents of gender-based violence against women, in coordination with relevant government departments and the National Statistics Office, ensuring that the data are disaggregated by the form of violence, age, region, disability and relationship between the victim and the perpetrator.**

Trafficking

26. The Committee notes the progress made by the State party in establishing a legislative and institutional framework to combat and prevent trafficking in persons, in particular women and girls. However, it notes with concern the lack of a gender perspective within this framework, the limited attention paid to disadvantaged groups and the lack of early identification and referral of victims of trafficking to appropriate assistance and protection services and of the prosecution of their perpetrators.

27. **In line with general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party integrate a gender perspective into its anti-trafficking framework, strengthen the early identification and referral of victims of trafficking to appropriate services, and protect and support disadvantaged groups of women and girls who are at higher risk of being trafficked, including migrant women, Haratine women, women in prostitution, women with disabilities and girls who are exploited in forced begging. It requests the State party to provide in its next periodic report information on the number of investigations, prosecutions and convictions and on the sentences imposed on perpetrators in trafficking cases, including all complicit actors, as well as on support services, compensation and temporary residence permits provided to victims.**

Participation in political and public life

28. The Committee commends the State party on the temporary special measures taken, including legislative quotas and financial incentives, that have resulted in a significant increase in the representation of women in political life. However, it regrets the recent decrease in women's representation in the parliament and other elected bodies, as well as in decision-making positions within the administration of the State party. The Committee notes with concern that women continue to be significantly underrepresented in the judiciary, trade unions, academia, the foreign service and delegations of the State party to regional and international negotiations.

29. **Recalling general recommendations No. 23 (1997) on women in political and public life and No. 25, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Conduct awareness-raising campaigns aimed at women, political parties, politicians, electoral bodies, community and religious leaders, the media and the general public to enhance the understanding that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the Convention and for achieving political stability and economic development in the State party;**

(b) **Facilitate women's access to voter education and registration, targeting in particular all categories of disadvantaged groups of women;**

(c) **Strengthen training for women candidates on election campaigning and political negotiation skills and mentorship programmes to encourage their participation in political and public life, including by reactivating the Network of Mauritanian Women Parliamentarians and the Network of Former Mauritanians Ministers and Parliamentarians;**

(d) **Adopt temporary special measures, in accordance with article 4 (1) of the Convention, including preferential recruitment and minimum quotas, to increase women's representation in the civil service, the judiciary, the foreign service and the armed forces of the State party, as well as in regional and international delegations and bodies, paying particular attention to the representation of disadvantaged groups of women.**

Nationality and civil registration

30. The Committee welcomes the 2021 amendment to the Nationality Code (1961) permitting dual citizenship (article 31). It remains concerned, however, that the law retains provisions that discriminate against Mauritanian women in relation to the transfer of their nationality to their children and foreign spouses. It also notes with concern that the limited access of women – in particular Haratine, refugee, asylum-seeking and migrant women, their children, children born to unmarried mothers, and women in rural areas of the south of the State party – to civil registration procedures increases their risk of statelessness and may deprive them of access to basic services.

31. **Recalling general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Raise awareness among civil registrars and the general public of women's equal rights to transfer their nationality to their children, irrespective of their marital status, and to their foreign spouse, in accordance with article 9 of the Convention, bearing in mind that article 6 of the Nationality Code (1961) provides that all provisions relating to nationality contained in duly ratified and published international treaties and agreements are applicable, even if they run counter to Mauritanian law, as also stipulated in the national Constitution;**

(b) **Amend articles 8, 13, 16 and 18 of the Nationality Code (1961) to ensure that Mauritanian women have rights equal to those of Mauritanian men to transfer their nationality, including to their children born abroad and to a foreign spouse;**

(c) **Ensure that all women, irrespective of their marital status, have access to birth registration for their children born in Mauritania, and amend the Personal Status Code to ensure that all women and men are entitled to obtain birth certificates for their children, regardless of their marital status;**

(d) **Ensure affordable and unbureaucratic access to birth registration and identity documents for Haratine, refugee, asylum-seeking and migrant women and women in rural areas of the south of the State party to guarantee their access to basic services, including education, employment, health care – which includes sexual and reproductive health services – social protection and housing;**

(e) **Expedite the process of acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of**

Statelessness, in line with the commitments that the State party made in the third cycle of the universal periodic review.³

Education

32. The Committee commends the State party on the measures taken to promote girls' access to education, including the promulgation of Law No. 2022-023 on the orientation law of the education system establishing compulsory education from 6 to 16 years of age. It remains concerned, however, by the high rate of attrition from primary school to secondary school and the very low number of girls and women enrolled in tertiary education, in particular in science, technology, engineering and mathematics. The Committee regrets the lack of updated data disaggregated by age and other relevant indicators on the dropout rates among married and pregnant girls and their rates of reinsertion into the education system following marriage and childbirth. It notes with concern the high levels of gender-based violence, including sexual violence, against girls in the school environment and on the way to school.

33. Recalling general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party raise awareness of the importance of girls' and women's education at all levels as a basis for their empowerment and the development of the country, as well as that the State party promote girls' and women's completion of secondary education and access to tertiary education, including by:

(a) **Increasing the number of secondary schools in rural areas, the number of women teachers and support staff at all levels of education, the availability of sex-segregated sanitary facilities to manage menstrual hygiene, the availability of safe transport to schools, access to inclusive education for girls with disabilities and access to financial support for girls' families;**

(b) **Ensuring the effective retention and reinsertion of married and/or pregnant girls and young mothers into the education system, including by providing affordable childcare facilities and out-of-school educational and parenting support for young mothers;**

(c) **Providing, in its next periodic report, updated data, disaggregated by age and location, on school dropout rates among adolescent girls and young women owing to child marriage and early pregnancy and on their reinsertion rates following marriage and childbirth;**

(d) **Integrating age-appropriate education on sexual and reproductive health and rights into school curricula at all levels, including responsible sexual behaviour and the prevention of sexually transmitted infections;**

(e) **Establishing effective procedures to investigate cases of gender-based violence, including sexual abuse and the sexual harassment of girls, in school environments and on the way to school, prosecute and adequately punish perpetrators, including teachers and school administrators, and provide victims with medical care, psychosocial counselling and rehabilitation;**

(f) **Continuing and enhancing temporary special measures, including financial subsidies and special scholarships for girls, to promote the enrolment of girls and women in non-traditional fields of study, including science, technology, engineering and mathematics and information and communications technology.**

³ A/HRC/47/6/Add.1, para. 130.37.

Employment

34. The Committee notes the legislation and policies adopted by the State party to ensure decent work for women, including Law 2018-023 on the criminalization of discrimination. However, it notes with concern:

(a) The lack of implementation of such legislation and decrees and the high unemployment rates among women, as well as their exclusion from the formal labour market and from labour and social protection;

(b) That, as set out in article 57 of the Personal Status Code, women are denied access to certain professions and types of work and are expected to choose their professions within the bounds of sharia;

(c) The high risk for women, in particular women domestic workers, of experiencing harassment, abuse, violence and exploitation in the workplace in the absence of effective labour inspections and confidential and independent complaint mechanisms, as well as high levels of impunity on the part of abusive employers.

35. The Committee draws attention to its general recommendation No. 13 (1989) on equal remuneration for work of equal value, as well as target 8.5 of the Sustainable Development Goals and recommends that the State party:

(a) Increase women's access to full-time employment in the formal economy, including by strengthening literacy programmes and professional training opportunities for women, with a special emphasis on disadvantaged groups of women;

(b) Extend social protection to women working in the informal economy, self-employed women and women in unpaid work, in particular rural women;

(c) Effectively enforce labour legislation protecting women's rights in the workplace by strengthening labour inspections and establishing confidential and independent complaint mechanisms, as well as through raising awareness of women's equal rights in employment;

(d) Convert the existing decrees that promote women's rights in employment and work into legislation, such as Order No. 1797 of 18 August 2011 determining the general conditions of employment for domestic workers, Decree No. 189-2022 establishing the percentage of family allowances and Decree No. 187-2022 raising the minimum wage, so that women can benefit from their protection through the legal enforcement of their provisions;

(e) Repeal article 57 of the Personal Status Code and eliminate any other restrictions on women's participation in certain professions or types of work;

(f) Ratify the Domestic Workers Convention, 2011 (No. 189), and the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization in line with the commitments that the State party made in the third cycle of the universal periodic review.⁴

Health

36. The Committee acknowledges the State party's efforts to enhance women's access to health care, including the adoption of Law No. 2017-025 on Reproductive Health. However, it notes with concern:

⁴ A/HRC/47/6/Add.1, para. 130.36.

(a) The inadequacy of women's and girls' access to sexual and reproductive health services and to the digital technologies that accelerate health service delivery, in particular in rural areas;

(b) The persistently high maternal mortality rates, including among adolescent girls, and the lack of adequate basic emergency obstetric and neonatal care in the State party;

(c) The high number of unsafe abortions in the State party, where abortions may be legally performed only in extremely restricted circumstances, including when the life of a pregnant woman is at risk;

(d) The limited access to antiretroviral treatment and the stigmatization and social exclusion of women and girls living with HIV/AIDS.

37. In line with general recommendation No. 24 (1999) on women and health, as well as targets of 3.1 and 3.7 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Effectively implement and raise awareness of the Reproductive Health Act (2017) and the national reproductive health strategy, with a special focus on girls and women who are victims of child and/or forced marriage and on rural women and girls;**

(b) **Increase its health expenditure and enhance coverage of and access to high-quality health services throughout its territory by allocating sufficient budgetary resources for the establishment of adequately equipped hospitals and investing in digital innovations, such as the Common Short Code, to accelerate health service delivery, especially to meet needs in rural and remote areas, ensuring in particular the provision of free prenatal and postnatal care, including the treatment of obstetric fistula, for all affected women and girls;**

(c) **Amend article 23 of the Penal Code and article 21 of the Reproductive Health Act to decriminalize abortion in all cases to ensure that women who attempt or undergo the procedure cannot be criminally prosecuted, and legalize abortion at least in cases of rape, incest, threats to the life or health of the pregnant woman or severe foetal impairment;**

(d) **Ensure that women and girls have adequate access to sexual and reproductive health information and that all women, including rural women and women with disabilities, have access to high-quality sexual and reproductive health services, including family planning, modern forms of contraception to prevent in particular early pregnancy and sexually transmitted infections, and safe abortion and post-abortion services;**

(e) **Strengthen HIV/AIDS responses, especially preventive strategies, continue to provide free antiretroviral treatment to all women and girls living with HIV/AIDS, including pregnant women so as to prevent mother-to-child transmission, and address the stigmatization and social exclusion of women and girls living with HIV/AIDS.**

Economic empowerment of women

38. The Committee welcomes the measures taken by the State party to promote women's economic empowerment, including targeted microfinance schemes. It nevertheless notes with concern the barriers to women's full participation in economic life in the State party, such as limited access to land ownership, capital, public procurement, financial credit, information and telecommunications technology and social protection schemes.

39. **The Committee recommends that the State party:**

(a) **Address the feminization of poverty by mainstreaming gender into the National Poverty Reduction Strategy and by ensuring that women, especially those belonging to disadvantaged groups, and their representative organizations meaningfully participate at every stage of the Strategy's implementation, monitoring, evaluation and renewal;**

(b) **Strengthen social and economic benefits for women, including rural women, self-employed women and women heads of household;**

(c) **Ensure that women have access equal to that of men to land ownership and financial credit – including low-interest loans without collateral, entrepreneurship, independent business and affirmative procurement opportunities, and information and communications technology, as well as by creating the infrastructure through which to gain access to markets – so that women may engage in e-commerce and cross-border trade with regard to their goods and products;**

(d) **Ensure that the unpaid work of women is recognized, reduced and redistributed, including by increasing the availability of affordable childcare facilities and promoting the participation of men in domestic and family responsibilities.**

Rural women and climate change

40. The Committee acknowledges the State party's efforts to improve the economic sustainability and livelihood of rural women, including through the National Strategy for Gender Institutionalization (2015–2025). However, it notes with concern that rural women have limited access to basic services, such as potable water, housing, infrastructure, education and health care. The Committee also notes with concern the lack of recognition of the important role and knowledge of women in ensuring food security despite their disproportionate burden of unpaid work in fishing and agricultural labour, as well as their exclusion from decision-making on the use of natural resources and rural development strategies. It is further concerned that patriarchal attitudes restrict rural women's ownership, control and use of land, as well as their access to agricultural credits and modern farming technologies, in addition to the absence of policies to regulate the private sector and promote gender-responsive investment and corporate social responsibility.

41. **In line with general recommendation No. 34 (2016) on the rights of rural women, the Committee recalls its previous recommendation (CEDAW/C/MRT/CO/2-3, para. 43) and recommends that the State party:**

(a) **Renew the National Action Plan for Rural Women (2009–2012) and integrate a gender perspective into fishing, agricultural, livestock and forestry management, as well as on resource and land use, to effectively address the needs of rural women and the protection of women's cooperatives;**

(b) **Dismantle patriarchal attitudes and gender stereotypes that impede the equal access of rural women to land and productive resources, and adopt legislation to protect the equal rights of rural women to land ownership and use, as well as adopting regulations on private sector investment and operations that are responsive to the needs of rural women;**

(c) **Strengthen the equal participation of rural women and girls in decision-making on disaster mitigation, climate change and energy transition, including with regard to the National Strategy for the Environment and Sustainable Development and the national climate change plan, in line with**

general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change and in the light of the State party commitments made in the third cycle of the universal periodic review,⁵ and also by:

- (i) Collecting accurate and disaggregated data, as well as researching and analysing the impact of climate change, climate mobility, and sudden-onset and slow-onset natural disasters, on women and girls;
- (ii) Reflecting and integrating the climate change needs of girls and women in laws, decrees, policies, budgeting and programmes;
- (iii) Actively supporting and participating in the creation and operation of new funding arrangements for responding to loss and damage, as decided during the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, held in 2022;
- (d) Intensify efforts to ensure service delivery in rural areas to promote rural women's access to health care, including through sexual and reproductive health services, education, formal employment, social protection, housing and adequate water and sanitation;
- (e) Enhance gender-responsive investment in infrastructure and Internet access in rural areas, and build the capacity of rural women in the use of new technologies to participate meaningfully in the new digital economy.

Marriage and family relations

42. The Committee notes with concern the slow progress on family law reform in the State party, the maintenance of its reservation to article 16 of the Convention and the persistence of discriminatory provisions in the Personal Status Code in relation to male guardianship over women and children, marriage, divorce, custody and legal guardianship of children, polygamy, division of property and inheritance.

43. Recalling general recommendations No. 21 (1994) on equality in marriage and family relations and No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:

(a) Finalize the revision of the Personal Status Code to ensure that it is based on the principles of non-discrimination and the equality of women and men, repeal all discriminatory provisions regulating legal capacity, polygamy, divorce, custody, the guardianship system, division of property and inheritance, and raise awareness of women's equal rights in marriage and family relations among the general public, the judiciary, including qadis, and religious and community leaders;

(b) Prohibit polygamy, in line with general recommendation No. 21 and joint general recommendation No. 31/general comment No. 18 of the Committee on the Rights of the Child.

Data collection and analysis

44. The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the

⁵ A/HRC/47/6/Add.1, paras. 130.81 and 130.82.

Convention and the gender-related targets of the Sustainable Development Goals.

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

45. The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Beijing Declaration and Platform for Action

46. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

Dissemination

47. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.

Technical assistance

48. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Follow-up to the concluding observations

49. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 9, 11 (a), 25 (a) and 37 (c) above.

Preparation of the next report

50. The Committee will establish and communicate the due date of the fifth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

51. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (HRI/GEN/2/Rev.6, chap. I).