



## Resolution 1293 (2002)<sup>1</sup>

# Situation of Maghrebi women

### Parliamentary Assembly

1. Despite positive developments in recent decades in the countries of the Maghreb, women are still trapped in a “legal ghetto” that violates the international conventions ratified by these countries themselves, in particular the United Nations Convention on the Elimination of All Forms of Discrimination against Women.
2. The societies of the Maghreb are still a mixture of archaic habits and customs and modernity. In these societies, even in countries like Tunisia where women’s rights have developed considerably, women are still dependent upon, and sometimes dominated by, men.
3. The Parliamentary Assembly strongly condemns the practices of repudiation and polygamy which violate the principle of human dignity. It also condemns the principle still applied in Algerian and Moroccan society, according to which for the whole of their lives women are classed as minors.
4. The Assembly stresses that women’s rights as laid down in international treaties and conventions must never be violated in the name of religious and cultural traditions and that religious movements must never place themselves above human rights.
5. It also deplores the flagrant contradictions between family codes and the principles governing the European Convention on Human Rights.
6. It is particularly worrying that the illiteracy rate among women in the Maghreb is still very high, and that adolescent women are systematically isolated from educational structures in rural areas. It is also regrettable that a high proportion of women drop out of secondary schooling.
7. In the Maghreb countries, as in many other countries, the small percentage of women on the labour market is the result of discrimination on the grounds of sex.
8. The Assembly considers that women must be able to control their own identities, independently of religions, traditions and cultures, and that their clothing, values, lifestyles and habits must be strictly a matter of personal preference.
9. The Assembly also considers that procreation should normally be a matter for joint decision between couples and in cases of disagreement between partners, women should have the last word. It also notes that women’s reproductive functions are unfortunately still often controlled by the family, domestic legislation and/or religious leaders, and that in addition men occupy most positions of responsibility.
10. The Assembly considers that immigrants from the Maghreb must be informed of the existing laws in the host country, in particular those which prohibit all forms of discrimination against women, and of the obligation to obey these laws on pain of expulsion.
11. The Assembly considers it inconceivable that, from one day to the next, a woman who has shared a man’s life for many years can find herself repudiated and without a roof over her head.

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1. Assembly debate on 27 June 2002 (23rd Sitting) (see [Doc. 9487](#), report of the Committee on Equal Opportunities for Women and Men, rapporteur: Mrs Roudy). Text adopted by the Assembly on 27 June 2002 (23rd Sitting).



12. The Assembly therefore asks the governments of member states:
- to revise their bilateral conventions in order to guarantee the principles included in the European Convention on Human Rights;*
  - to authorise consulates to grant individual visas for women, even if their passport is in the name of the whole family;*
  - to grant women individual residence permits;*
  - to ensure equality of treatment in respect of applications for work and residence permits and improve immigrants' legal status;*
  - to raise media awareness so that immigrants are subject to less negative publicity.*
13. The Assembly wishes to draw attention to the deplorable situation of the women of the Western Sahara and of women refugees from the Western Sahara who have been living for over a generation in refugee camps in Algeria.
14. The Assembly invites the governments of the Maghreb countries:
- to amend their family codes in order to secure real equality between women and men and grant women their own genuine legal status, and to bring the codes into conformity with the international treaties and conventions which are in force;*
  - to abolish the practices of repudiation and polygamy, which are a violation of human dignity;*
  - to enable women to acquire the same inheritance rights as men;*
  - to grant women the same entitlement to file for divorce as men;*
  - to guarantee the right to work, the right to education, the right of access to decision-making bodies, and the right to perform public duties;*
  - to apply international conventions guaranteeing equality of treatment between women and men;*
  - to promote the role of women in economic and social life;*
  - to ensure that women have adequate access to vocational training;*
  - to make it possible for women to reconcile family life with a career;*
  - to ensure that women have free access to financial instruments and loan facilities;*
  - to ensure that women have access to reproductive health services and to introduce a family planning system.*
15. The Assembly asks the national parliaments of member states to invite their political parties:
- to ensure that the immigrant population is represented in parliaments and that women are also represented;*
  - to ensure a gender-balanced representation of immigrant communities on municipal electoral lists.*