

# Morocco

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Casablanca). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Morocco scores 75.6 out of 100**. The overall score for Morocco is higher than the regional average observed across the Middle East & North Africa (49.6).

## Morocco - Scores for Women, Business and the Law 2020



### Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, and constraints on women's starting and running a business, Morocco gets a perfect score.

### Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, gender differences in property and inheritance, and laws affecting the size of a women's pension, Morocco could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Morocco is on the indicator related to gender differences in property and inheritance (the WBL2020 Assets Indicator). To improve on the Assets Indicator, Morocco may wish to consider equalizing inheritance rights for sons and daughters, equalizing inheritance rights for male and female surviving spouses, and recognizing the value of nonmonetary contributions.

### Recent Reforms (2018-2019)

Marriage: Morocco enacted legislation protecting women from domestic violence.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Décret No. 2-08-310 Instituant le Passeport Biométrique, Art. 2; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Code du Travail, Art. 9; Code de Commerce, Art. 17
	Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 9
	Is there legislation on sexual harassment in employment?	Yes	Code du Travail, Art. 40; Loi n° 103-13 relative à la lutte contre les violences faites aux femmes, Arts. 2 (503-1) et 5 (503-1-1)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Loi n° 103-13 relative à la lutte contre les violences faites aux femmes, Arts. 2 (503-1) et 5 (503-1-1) <i>Civil:</i> Code du Travail, Arts. 40, 51 et 59
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Code du Travail, Art. 346
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Code du Travail, Art. 181 Jobs deemed arduous: Code du Travail, Art. 181 Jobs deemed morally inappropriate: Code du Travail, Art. 181
	Are women able to work in the same industries as men?	No	Mining: Code du Travail, Art. 179 Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Loi n° 103-13 relative à la lutte contre les violences faites aux femmes, Art. 4(88-1)
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Code de la Famille (Moudawana), Arts. 89, 98 and 114
	Does a woman have the same rights to remarry as a man?	No	Code de La Famille (Moudawana), Arts. 129-136
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Art. 152
	Does the government pay 100% of maternity leave benefits?	Yes	Loi No. 1.72.184 du 1972, Arts. 37 et 38
	Is there paid paternity leave?	Yes	Code du Travail, Arts. 269 et 270
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 159
Entrepren.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Code Pénal, Arts. 431-1 et 431-2
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Code de la Famille (Moudawana), Art. 49
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Code de la Famille (Moudawana), Arts. 342 et 348-351
	Do female and male surviving spouses have equal rights to inherit assets?	No	Code de la Famille (Moudawana), Arts. 342-344
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Code de la Famille (Moudawana), Art. 49
	Does the law provide for the valuation of nonmonetary contributions?	No	Code de la Famille (Moudawana), Art. 49
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Code du Travail, Art. 526 Men: Code du Travail, Art. 526
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	Yes	Women: Code du Travail, Art. 526 Men: Code du Travail, Art. 526
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located