

Mexico

Women, Business and the Law 2023 (WBL2023) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 (Mexico City). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Mexico scores 88.8 out of 100**. The overall score for Mexico is higher than the regional average observed across Latin America and the Caribbean (80.9). Within the Latin America and the Caribbean region, the maximum score observed is 95 (Peru).

Mexico - Scores for Women, Business and the Law 2023

| Mobility | Workplace | Pay | Marriage | Parenthood | Entrepreneurship | Assets | Pension | WBL 2023 Index Score |
|----------|-----------|-----|----------|------------|------------------|--------|---------|----------------------|
| 100 | 100 | 75 | 100 | 60 | 100 | 100 | 75 | 88.8 |

Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, constraints on women starting and running a business, and gender differences in property and inheritance, Mexico gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a woman's pension, Mexico could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Mexico is on the indicator measuring laws affecting women's work after having children (the WBL2023 Parenthood indicator). To improve on the Parenthood indicator, Mexico may wish to consider making paid leave of at least 14 weeks available to mothers, and making paid parental leave available.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).



Further data details for Mexico are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/mexico/2023>



| | QUESTION | ANSWER | LEGAL BASIS |
|------------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | Código Civil para el Distrito Federal, Art. 163 |
| | 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 | Procedimientos de solicitud de pasaporte; Formulario de solicitud de pasaporte |
| | 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 | Código Civil para el Distrito Federal, Art. 169 |
| | Does the law prohibit discrimination in employment based on gender? | Yes | Ley Federal del Trabajo, Art. 133 |
| | Is there legislation on sexual harassment in employment? | Yes | Código Penal Federal, Art. 259 bis; Ley Federal del Trabajo, Arts. 3 bis y 133(XIII); Ley General de Acceso a las Mujeres a una Vida Libre de Violencia, Arts. 10, 11 y 13 |
| | Are there criminal penalties or civil remedies for sexual harassment in employment? | Yes | <i>Criminal:</i> Código Penal Federal, Art. 259 bis; Ley Federal del Trabajo, Arts. 133(XIII) y 994(VI) <i>Civil:</i> Ley Federal del Trabajo, Arts. 51(II) y 52 |
| Pay | Does the law mandate equal remuneration for work of equal value? | No | No applicable provisions could be located |
| | Can a woman work at night in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in a job deemed dangerous in the same way as a man? | Yes | No restrictions could be located |
| | Can a woman work in an industrial job in the same way as a man? | Yes | No restrictions could be located |
| Marriage | Is the law free of legal provisions that require a married woman to obey her husband? | Yes | Código Civil para el Distrito Federal, Art. 162 |
| | Can a woman be head of household in the same way as a man? | Yes | Código Civil para el Distrito Federal, Arts. 164 y 168 |
| | Is there legislation specifically addressing domestic violence? | Yes | Ley General de Acceso de las Mujeres a una Vida Libre de Violencia, Tit. II, Cap. I; Código Penal Federal, Arts. 343 bis - 343 quáter; Ley de Acceso de las Mujeres a una Vida Libre de Violencia del Distrito Federal, Título II, Cap I |
| | Can a woman obtain a judgment of divorce in the same way as a man? | Yes | Código Civil para el Distrito Federal, Arts. 266 y 267 |
| Parenthood | Does a woman have the same rights to remarry as a man? | Yes | Código Civil para el Distrito Federal, Art. 158 |
| | Is paid leave of at least 14 weeks available to mothers? | No | Ley Federal del Trabajo, Art. 170 |
| | Does the government pay 100% of maternity leave benefits? | Yes | Ley del Seguro Social 1995, Arts. 11 y 13 |
| | Is paid leave available to fathers? | Yes | Ley Federal del Trabajo, Art. 132 XXVII bis. |
| | Is there paid parental leave? | No | No applicable provisions could be located |
| Entrepreneurship | Is dismissal of pregnant workers prohibited? | Yes | Ley Federal del Trabajo, Arts. 133(XV) y 995 |
| | Does the law prohibit discrimination in access to credit based on gender? | Yes | Ley general para la igualdad entre mujeres y hombres, Arts. 3 y 5(IV); Ley de instituciones de crédito, Art. 44 bis 4 |
| | Can a woman sign a contract in the same way as a man? | Yes | Código Civil para el Distrito Federal, Arts. 2 y 172 |
| | Can a woman register a business in the same way as a man? | Yes | No restrictions could be located |
| Assets | Can a woman open a bank account in the same way as man? | Yes | No restrictions could be located |
| | Do men and women have equal ownership rights to immovable property? | Yes | Código Civil para el Distrito Federal, Arts. 183, 189(VII) y 194 |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | Código Civil para el Distrito Federal, Arts. 1602(I) y 1607-1614 |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | Código Civil para el Distrito Federal, Arts. 1602(I) y 1624-1629 |
| | Does the law grant spouses equal administrative authority over assets during marriage? | Yes | Código Civil para el Distrito Federal, Arts. 183, 189(VII) y 194 |
| | Does the law provide for the valuation of nonmonetary contributions? | Yes | Código Civil para el Distrito Federal, Arts. 164 y 164 bis |
| Pension | Is the age at which men and women can retire with full pension benefits the same? | Yes | Ley del Seguro Social 1995, Art. 162 |
| | Is the age at which men and women can retire with partial pension benefits the same? | Yes | No applicable provisions could be located |
| | Is the mandatory retirement age for men and women the same? | Yes | No applicable provisions could be located |
| | Are periods of absence due to childcare accounted for in pension benefits? | No | No applicable provisions could be located |