

Social Institutions and Gender Index

Morocco

SIGI Country Profile

17 of June 2024

SIGI Country Profiles are produced by the OECD Development Centre

The information and analysis contained in this profile are based on data from the fifth edition of the Social Institutions and Gender Index (SIGI) published in March 2023. The cut-off date for legal data is 31 August 2022; the cut-off date for quantitative data is 1 January 2023.

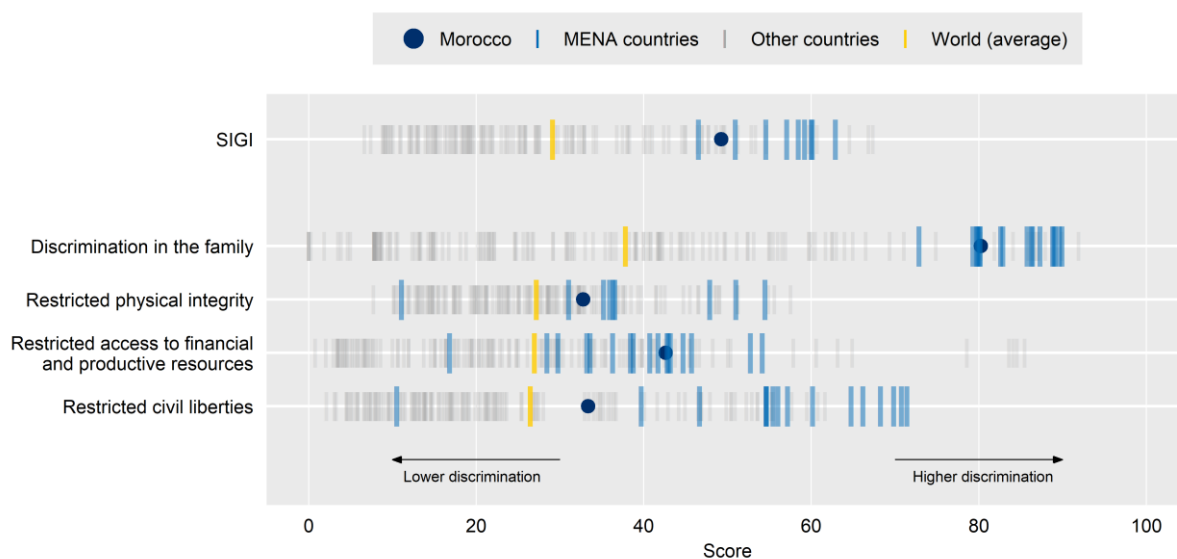
Suggested citation: OECD Development Centre (2023), "Morocco SIGI Country Profile", *SIGI 2023 Country Profiles*, OECD, <https://oe.cd/sigi-dashboard>

Social institutions in Morocco

The state of gender equality in Morocco

The SIGI 2023 profile for Morocco provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI). The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

Figure 1. SIGI and dimension scores for Morocco, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

In 2023, Morocco obtained a SIGI score of 49 denoting high levels of discrimination, compared to an average score of 56 in the MENA region, denoting very high levels of discrimination, and a world average score of 29 (Figure 1).¹ The country obtained a score of 80 in the "Discrimination in the family" dimension,

¹ Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

followed by “Restricted access to productive and financial resources” (43), “Restricted civil liberties” (33) and “Restricted physical integrity” (33).

Legislative framework in Morocco

The legal system is based on Civil law. Article 3 of the Constitution states that Islam is the religion of the State, but freedom of religion is granted to all citizens. The Family Code (*Moudawana*) incorporates provisions derived from the Sharia. Nevertheless, the King’s Decrees of 1918 and 1919 recognise the right of the Jewish community to be administered by their own laws. Additionally, Article 2 of the *Moudawana* states that Moroccans of Jewish faith shall be governed by the provisions of the Hebraic Moroccan Family Law. First-instance courts (*sadad* courts) have jurisdiction over personal status disputes for Jewish and Muslim citizens. These courts are divided into different sections such as Sharia, Rabbinical or civil.² In addition, while codified laws regulate most aspects of life, an informal justice system of dispute resolution based on customs (*urf*) exists and continues to be applied across the country.³

The Preamble of the Constitution recognises and prohibits multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Moreover, Morocco ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁴ in 1993 but expresses declarations and reservations on Articles 2, 15(4) and 29(1).⁵ On Article 2, which covers the incorporation of the principle of equality between men and women in the Constitution and other appropriate legislations, as well as the elimination of any existing legal discrimination, Morocco expresses its readiness to apply the provision as long as it does not conflict with provisions of the Islamic Sharia. Moreover, Morocco states its willingness to implement Article 15(4), which covers freedom of movement and choice of domicile, only to the extent that it does not conflict with the Moroccan Code of Personal Status (Articles 34 and 36).

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Morocco, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

The law in Morocco protects women’s access to productive and financial resources as well as their civil rights. Since 2016, legislated quotas and mechanisms of alternating the sexes on party lists are in place to promote women’s political participation at the national and local levels. The law further guarantees women’s freedom of movement inside and outside the country and guarantees equal access to justice. Women and men also enjoy the same rights to own and use land and non-land assets as well as financial services. However, informal laws often undermine women’s access to these assets in practice.

² The World Law Guide (2011), *Courts and Cases Morocco*, <https://www.lexadin.nl/wlg/courts/nofr/oeur/lxctmar.htm>.

³ Hanafi, L. (2020), *The Legal System of Morocco: An Overview*, Konrad Adenauer Stiftung, <https://www.kas.de/documents/265308/265357/Legal+System+of+Morocco.pdf/23060d5a-26e0-64a0-7b8f-8b3640d68865>.

⁴ United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, United Nations, New York, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

⁵ United Nations (2023), “Status of Treaties: Chapter IV- 8. Convention on the Elimination of All Forms of Discrimination against Women”, *Treaty Collection*, United Nations, New York, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4.

! Significant challenges

Discriminatory social institutions undermine women's and girls' rights at the household level and insufficiently protect them from gender-based violence. The Family Code contains discriminatory provisions that restrict women's rights to be legal guardians of their children, to file for divorce, and to inherit on equal grounds as men. Moreover, the law does not comprehensively protect women from all forms of violence. For instance, marital rape is not criminalised, and the law allows for penalty reductions in case of "honour crimes." In addition, 52% of women aged 15-49 years believe a husband to be justified in hitting his wife under certain circumstances and 46% report having suffered intimate-partner violence at least once during their lifetime. Morocco's legal framework also contains discriminatory provisions pertaining to citizenship and workplace rights. For instance, the Labour Code does not mandate equal remuneration for work of equal value and prohibits women from entering certain professions.

Summary of results for Morocco

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate ¹	%	8.8
Boy child marriage rate ¹	%	0.4
Laws on household responsibilities	Score	75
Share of the population that agrees or strongly agrees that “if a woman earns more than her husband, it is a problem”	%	47.2
Share of the population that agrees or strongly agrees that “when a mother works for pay, the children will suffer”	%	70.1
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	7
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	0.7
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	5
Laws on divorce	Score	100
Laws on inheritance	Score	100
Restricted physical integrity	Unit	Value
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	52.3
Lifetime intimate-partner violence rate ²	%	46
12-month intimate-partner violence rate ²	%	14.2
Laws on female genital mutilation	%	25
Share of the female population who has heard about female genital mutilation and think the practice should continue	%	-
Prevalence of female genital mutilation (% of women aged 15-49 years who have undergone FGM)	%	-
Boy-to-girl ratio at birth (natural = 105) ³	Ratio	104.5
Laws on reproductive autonomy	Score	75
Unmet needs for family planning ⁴	%	10.7
Restricted access to productive and financial resources	Unit	Value
Laws on land assets	Score	25
Share of women among landowners	%	-
Laws on non-land assets	Score	25
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	37.2
Laws on workplace rights	Score	100
Share of the population declaring that “when jobs are scarce, men should have more right to a job than women”	%	56.2
Share of the population declaring that “men make better business executives than women do”	%	38.8
Share of women among managers	%	12.8
Share of firms with a woman as top manager	%	5.4
Restricted civil liberties	Unit	Value
Laws on citizenship rights	Score	75
Laws on political voice	Score	0
Share of the population declaring that “men make better political leaders than women do”	%	42.8
Share of women in Parliament (lower chamber)	%	24.1
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	61.4
Laws on access to justice	Score	0
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	41.1

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.

¹ % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.

² % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV: 15 years and older.

³ A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

⁴ % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.

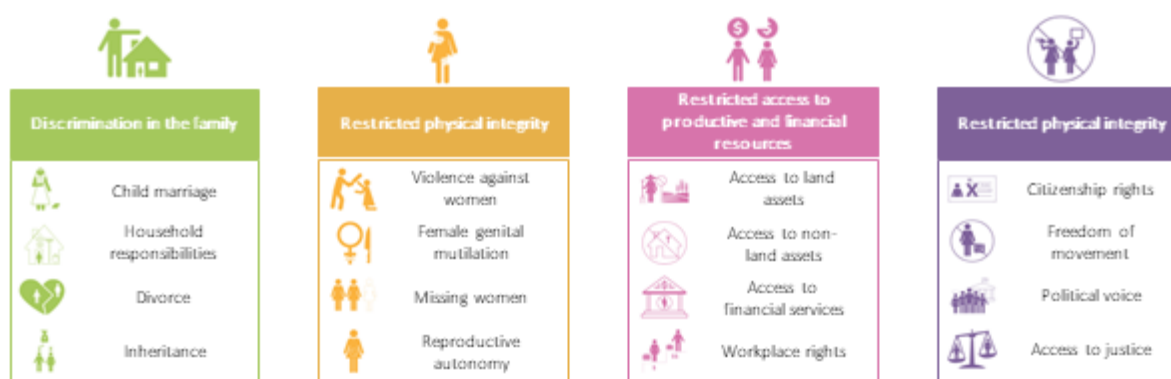
Source: OECD Development Centre/OECD (2023), “Gender, Institutions and Development Database”, <https://doi.org/10.1787/7b0af638-en>.

Results across the SIGI's four dimensions

The SIGI measures gender-based discrimination across four dimensions covering the major socio-economic areas that affect women and girls throughout their lifetime:



- The **“Discrimination in the family”** dimension captures social institutions that limit women’s decision-making power and weaken their status in the household and the family.
- The **“Restricted physical integrity”** dimension captures social institutions that increase women’s and girls’ vulnerability to multiple forms of violence and limit their control over their reproductive autonomy.
- The **“Restricted access to productive and financial resources”** dimension captures social institutions that limit women’s economic opportunities and rights.
- The **“Restricted civil liberties”** dimension captures social institutions restricting women’s access to, and participation and voice in, the public and political spheres.

Figure 2. Conceptual framework of the fifth edition of the SIGI



Each dimension builds on four indicators which, in turn, build on one to three variables depending on data availability (Figure 2). This section features the results by dimension, examining the pertinent social norms, practices and legal frameworks for each indicator.

The legal information collected through the *SIGI 2023 Legal Survey* covers both formal and codified laws, as well as informal laws. The information is assessed based on whether the law protects women’s rights or not, and is icon-coded as follows:

-  : The legal framework protects women’s rights.
-  : The legal framework does not fully protect women’s rights.

There is no universal agreement on what informal laws refer to, given contextual differences across time and place, as well as distinct disciplinary or theoretical approaches. In the context of the SIGI, informal laws (customary, traditional or religious laws/rules) describe mechanisms that operate outside the formal legal system of state-based laws. Informal laws vary from one community to another and are generally uncodified and unwritten. In some cases, informal laws may reflect unequal power dynamics within a given community and discriminatory social norms, with adverse consequences on women and girls and other vulnerable groups. Informal laws are unsteady and have been adapted over time in response to external factors.

For example, customary laws are laws that are embodied in customs, rules or traditions and accepted by members of the community as binding but remain adaptable, dynamic and flexible.⁶ The CEDAW General Recommendation No. 33 also recognises indigenous laws.⁷ These are similar to customary laws but are often given a distinct identity in recognition of the specific international standards related to the rights and protections of indigenous peoples and their justice systems. Informal religious laws may refer to norms that are derived from interpretations of codified religious texts and/or longstanding traditions.

⁶ United Nations (2018), "Module 1: The Theory and Practice of Women's Access to Justice Programming", *A Practitioner's Toolkit on Women's Access to Justice Programming*, UN Women, UNDP, UNDOC and OHCHR, New York, Vienna and Geneva, https://www.ohchr.org/sites/default/files/Documents/Publications/PractitionerToolkit/WA2J_Module1.pdf.

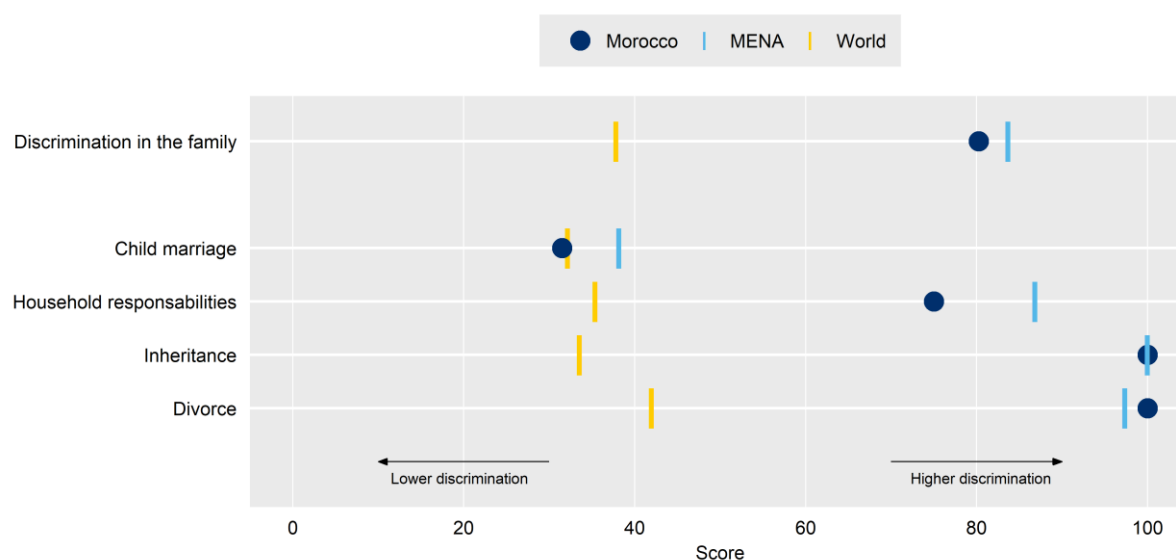
⁷ UN Committee on the Elimination of Discrimination against Women (2015), "General recommendation No. 33 on women's access to justice", *CEDAW/C/GC/33*, United Nations, New York, <https://digitallibrary.un.org/record/807253>.

Discrimination in the family

Morocco exhibits very high levels of discrimination within the family with a score of 80, compared to a world average of 38 and an average score of 84 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Morocco experience the highest levels of discrimination in the “Inheritance” and “Divorce” indicators with scores of 100 for both, followed by “Household responsibilities” with a score of 75. The lowest levels of discrimination are found in the “Child marriage” indicator with a score of 32, still denoting medium levels of discrimination.

Figure 3. Discrimination in the family scores for Morocco, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Child marriage

Practices related to child marriage

Child marriage remains a concern in Morocco, primarily affecting girls. In 2023, 9% of girls aged 15-19 were or are still married, divorced, widowed or in an informal union, compared to 0.4% of boys. In addition, 14% of women aged 20-24 were married or in a union before the age of 18,⁸ compared to a world average of 26% and an average of 17% in the MENA region – based on countries for which data are available.

Legal frameworks concerning child marriage

⁸ This indicator corresponds to SDG indicator 5.3.1

Article 20 of the Family Code,⁹ the so-called *Moudawana*, provides that a family affairs judge may permit the marriage of girls and boys aged below 18 years when well justified and only after inquiring the parents' or legal guardian's opinion or after conducting a social enquiry. Article 21 further specifies that the marriage of a minor is contingent upon the legal guardian's consent. If no consent is given, a family affairs judge may rule on the matter.

Question	Answer	Assessment
What is the legal age of marriage for men?	18	✓
What is the legal age of marriage for women?	18	✓
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of parent and/or legal guardian?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of judge or court?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of another person or institution?	No	✓
Does the legal age of marriage apply to all groups of women?	Yes	✓
Are there informal laws (customary, traditional or religious laws/rules) that allow or encourage the early marriage of girls?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Household responsibilities

Practices and social norms related to household responsibilities

In Morocco, domestic responsibilities disproportionately fall on women's shoulders. On average, women dedicate 5 hours per day to unpaid care and domestic tasks – such as caring for household members, preparing food and cleaning – compared to 0.7 hour for men. This translates into women dedicating 7 times more time on unpaid care and domestic work than men.¹⁰ In comparison, the world average ratio is 2.6 and the average ratio for the MENA region is 5.9 – based on countries for which data are available.

These differences are rooted in discriminatory social norms that confine women to the household. In Morocco, 47% of the population thinks that if a woman earns more than her husband, it is almost certain to cause problems. Moreover, 70% of the population agrees that children will suffer if the mother has a paid job outside the home, compared to a world average of 56% and an average of 70% in the MENA region. Likewise, 62% of the population thinks that being a housewife is just as fulfilling as working for pay.

Legal frameworks concerning household responsibilities

Article 164 of the Family Code,¹¹ stipulates that both parents are entitled to child custody provided that they live together, but legal guardianship belongs in priority to the father. A mother can only become the legal guardian of her child in the absence of the father or when he has lost the capacity to be the legal guardian (Article 231 and following). Finally, the Family Code does not apply to all citizens: Article 2 stipulates that Moroccan Jews are subject to the provisions of the Hebraic Moroccan Family Law.

Question	Answer	Assessment
Does the law provide women with the same rights as men to be "head of household" or "head of family"?	Yes	✓
Does the law provide women with the same rights as men to be the legal guardians of their children during marriage?	Yes	✓
Does the law provide women with the same rights as men to be legal guardians of their children in informal unions?	No	!

⁹ Kingdom of Morocco (2004), "Loi No. 70-03 portant Code de la famille", *Official Gazette No. 5358 of 6 October 2005*.

¹⁰ This indicator corresponds to SDG indicator 5.4.1

¹¹ Kingdom of Morocco (2004), "Loi No. 70-03 portant Code de la famille", *Official Gazette No. 5358 of 6 October 2005*.

Question	Answer	Assessment
Regarding women's legal rights to be recognised as head of household or head of family, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being recognised as the head of household?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to the choice of where to live?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Divorce

Legal frameworks concerning divorce

Chapter II of Book II of the Family Code,¹² which covers matters related to the dissolution of marriage, stipulates different circumstances and rights for men and women upon which they can initiate and finalise a divorce. While a man can unilaterally divorce his spouse at his own will, Article 98 lists the specific grounds upon which a woman can ask for a divorce. Finally, the law grants married woman the right to seek divorce by *khul'* – the process whereby the woman obtains divorce in exchange of paying her spouse an agreed financial compensation. Article 124 also establishes a waiting period (*iddah*) for a divorced woman until she can remarry. During this period, a man has the right to take back his divorced spouse. Following divorce, child custody belongs to the mother until the children reach the age of 15 years. As of age 16, the children can decide whether the father or mother shall have the child custody (Articles 166 and 171). Finally, the Family Code does not apply to all citizens: Article 2 stipulates that Moroccan Jews are subject to the provisions of the Hebraic Moroccan Family Law.

Question	Answer	Assessment
Do women and men have the same rights to initiate/file for a divorce?	No	!
Can women and men finalise a divorce or annulment with the same requirements?	No	!
Do women and men have the same rights to child custody following a divorce?	No	!
Regarding divorce, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to initiating divorce?	Yes	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children after divorce?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Inheritance

Legal frameworks concerning inheritance rights

Provisions of the Family Code,¹³ (Book IV) governing inheritance matters follow the principles of Islamic Sharia, whereby female heirs are entitled to half of the inheritance share of male heirs. This means, for instance, that sons are entitled to twice the share received by daughters. Articles 342-344 stipulate that a surviving widower receives one half of the estate (or one quarter if there are surviving children), whereas a surviving widow receives one quarter of the estate (or one eighth if there are surviving children). Finally,

¹² Kingdom of Morocco (2004), "Loi No. 70-03 portant Code de la famille", *Official Gazette No. 5358 of 6 October 2005*.

¹³ Kingdom of Morocco (2004), "Loi No. 70-03 portant Code de la famille", *Official Gazette No. 5358 of 6 October 2005*.

the Family Code does not apply to all citizens: Article 2 stipulates that Moroccan Jews are subject to the provisions of the Hebraic Moroccan Family Law. In addition, Article 332 of the Family Code prohibits inheritance between Muslims and non-Muslims.

Question	Answer	Assessment
Do daughters and sons have the same rights to inherit?	No	!
Do female and male surviving spouses have the same rights to inherit?	No	!
Regarding inheritance rights of daughters, does the law apply to all groups of women?	No	!
Regarding inheritance rights of female surviving spouses, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between sons and daughters when it comes to inheritance?	Yes	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between male and female surviving spouses when it comes to inheritance?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

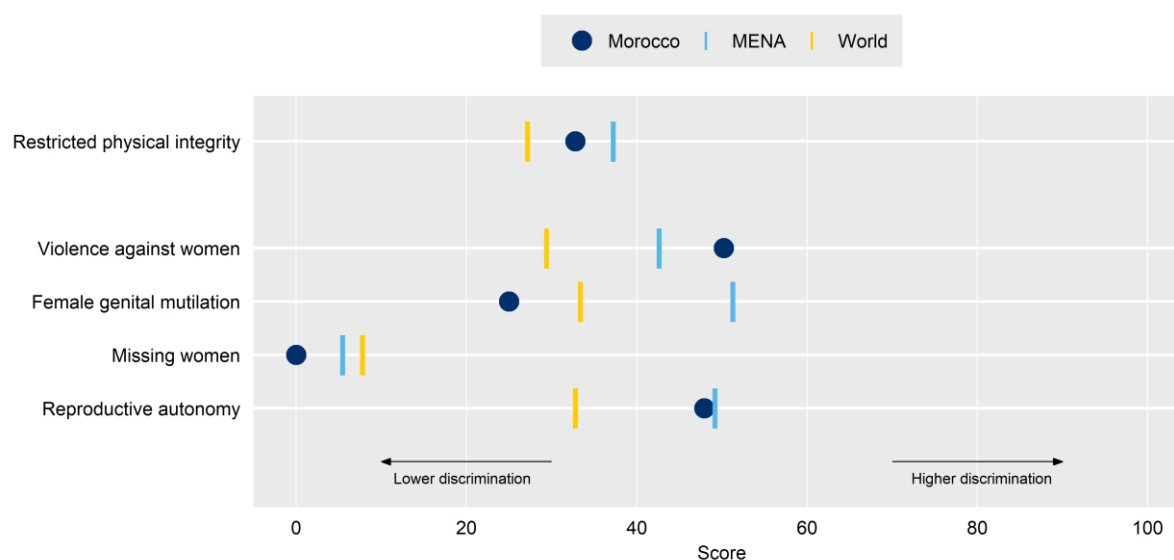
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Restricted physical integrity

Morocco exhibits medium levels of discrimination within the family with a score of 33, compared to a world average of 27 and an average score of 37 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Morocco experience the highest levels of discrimination in the “Violence against women” indicator with a score of 50, followed by “Reproductive autonomy” and “Female genital mutilation” with scores of 48 and 25, respectively. No discrimination is found in the “Missing women” indicator with a score of 0.

Figure 4. Restricted physical integrity scores for Morocco, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Violence against women

Practices and social norms related to violence against women

Violence against women remains a major concern in Morocco. In 2023, 46% of women aged 15-49 have experienced physical and/or sexual violence by a current or former partner at least once during their lifetime, and 14% of women aged more than 15 have experienced such violence at least once over the last 12 months.¹⁴

These levels of intimate-partner violence are rooted in its widespread social acceptance. In 2023, 52% of women aged 15-49 think that it is justified for a husband to hit or beat his wife under certain circumstances, such as burning the food, arguing with the spouse, going out without telling him, neglecting the children,

¹⁴ This indicator corresponds to SDG indicator 5.2.1

or refusing to have sex. In comparison, 30% of women holds these discriminatory attitudes worldwide, as well as across the MENA region – based on countries for which data are available.

Legal frameworks concerning violence against women

Article 418 of the Penal Code,¹⁵ as amended, provides for reduced penalties in cases of so-called “honour crimes.” Murder and injuries are excusable when committed by one of the spouses on the other spouse and/or the person with whom they are committing adultery. Although Article 486 criminalises rape and grounds its definition in the notion of consent, it does not explicitly cover marital rape.

Question	Answer	Assessment
Is there a law specifically addressing violence against women?	Yes	✓
If there is a specific law addressing violence against women, are there specific provisions for investigation, prosecution and punishment of the perpetrator?	Yes	✓
If there is a specific law addressing violence against women, are there specific provisions for protection and support services for victims/survivors?	Yes	✓
Does the law include reduced penalties in case of so-called “honour crimes”?	Yes	!
Domestic violence		
Is domestic violence a criminal offence?	Yes	✓
Does domestic violence legislation cover physical abuse?	Yes	✓
Does domestic violence legislation cover sexual abuse?	Yes	✓
Does domestic violence legislation cover psychological abuse?	Yes	✓
Does domestic violence legislation cover economic abuse?	Yes	✓
Are there any exceptions included in informal laws (traditional, religious, and/or customary rules/laws) that reduce penalties for domestic violence?	No	✓
Rape		
Is rape a criminal offence?	Yes	✓
Is the legal definition of rape based on lack of consent?	Yes	✓
If the legal definition of rape is based on lack of consent, does this require proof of physical force?	No	✓
If the legal definition of rape is based on lack of consent, does this require proof of penetration?	No	✓
Does the legal definition of rape include marital rape?	No	!
Does the law permit the reduction or removal of legal punishment if the perpetrator marries the victim?	No	✓
Sexual harassment		
Does the law prohibit sexual harassment?	Yes	✓
Does the law on sexual harassment include criminal penalties?	Yes	✓
Do legal protections from sexual harassment apply in the workplace?	Yes	✓
Do legal protections from sexual harassment apply in educational establishments?	Yes	✓
Do legal protections from sexual harassment apply in public spaces?	Yes	✓
Do legal protections from sexual harassment apply online / on the internet?	Yes	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Female genital mutilation

Practices and social norms related to female genital mutilation and cutting (FGM/C)

Female genital mutilation and cutting (FGM/C) is traditionally concentrated in a limited number of countries that have been well-identified and documented by international organisations at the forefront of the fight against this harmful practice. Yet, evidence highlights that FGM/C takes place across all regions, among indigenous and/or diaspora communities originating from countries where FGM/C is known to be common.

¹⁵ Kingdom of Morocco (1962), “Dahir No. 1-59-413 du 28 jourmada II 1382 (26 novembre 1962) portant approbation du texte du Code pénal”, *Official Gazette No. 2460 bis of 5 June 1963*.

In some contexts, girls are taken across national borders to undergo FGM/C in a country where the legislation against the practice is either non-existent or less strict.¹⁶

There are no available data in Morocco that are comparable to other countries on practices and social norms related to female genital mutilation and cutting.

Legal frameworks concerning female genital mutilation and cutting (FGM/C)

Article 402 of the Penal Code,¹⁷ as amended, allows to prosecute FGM/C acts on broad grounds, namely under acts of mutilation. However, the law does not criminalise FGM/C on narrow grounds.

Question	Answer	Assessment
Does the law criminalise FGM/C on broad or narrow grounds?	Yes	✓
Does the law criminalise FGM/C on narrow grounds only?	No	!
Are there informal laws (customary, traditional or religious laws) that allow or encourage FGM/C?	No	✓
Does the law take precedence over informal laws (customary, traditional or religious laws) that allow, condone or prescribe FGM?	n.a.	n.a.

Note: The SIGI methodology assesses laws on FGM/C according to two scenarios: (1) criminalisation on narrow grounds includes laws that contain criminal penalties for acts of “female genital mutilation”, “permanent altering/removal of external genitalia”, “female circumcision”, “excision”, “infibulation” and “genital mutilation”; (2) criminalisation on broad grounds includes “mutilation”, “harming of a person’s organs”, “serious bodily injury” and “bodily injury/hurt/assault.” The presence of informal laws that allow or encourage FGM/C is proxied by the existence of nationally representative data on FGM/C or the existence of indirect estimates (usually used in countries where FGM/C is mainly practiced by diaspora communities), small-scale studies, or anecdotal evidence and media reports as reported by Equality Now, the End FGM European Network and the US End FGM/C Network in 2020.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>, and Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

Missing women

Practices related to missing women

The “Missing women” indicator captures whether there are any existing imbalances in the natural sex ratio between girls and boys aged 0-4 due to pre- and postnatal gender-biased sex selection. These imbalances can result from sex-selective abortions, female infanticide, and/or inadequate healthcare and nutrition for girls. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

In Morocco, the “missing women” phenomenon is not an issue. The boy-to-girl sex ratio for children aged 0-4 is estimated at 104.5, which means that there are approximately 104.5 boys aged 0-4 for 100 girls of the same age, which is in line with a natural sex ratio at birth.

Reproductive autonomy

Practices related to women’s reproductive autonomy

¹⁶ Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

¹⁷ Kingdom of Morocco (1962), “Dahir No. 1-59-413 du 28 jourmada II 1382 (26 novembre 1962) portant approbation du texte du Code pénal”, *Official Gazette No. 2460 bis of 5 June 1963*.

Unmet needs for family planning are calculated as the proportion of women of reproductive age (15-49 years), married or in union, who wish to interrupt or delay childbearing but do not use any method of contraception.

In Morocco, the gap between women's reproductive intentions and their contraceptive behaviour exists, with 11% of women aged 15-49 who declare having an unmet need for family planning, compared to a world average of 12% and an average of 13% in the MENA region – based on countries for which data are available.

Legal frameworks concerning women's reproductive autonomy

Women's reproductive autonomy can be restricted by laws that prohibit the access to safe and legal abortion under essential circumstances (in cases of rape, incest, threats to the life or health of the pregnant woman and severe foetal impairment).¹⁸ Evidence shows that the share of unsafe abortions is higher in countries with restrictive abortion laws. Unsafe abortions are a leading but preventable cause of maternal mortality and millions of girls and women are hospitalised every year following complications of unsafe abortion procedures.¹⁹

Article 453 of the Penal Code,²⁰ as amended, prohibits women's access to safe and legal abortion unless it is necessary to save the pregnant woman's life or health.

Question	Answer	Assessment
Is abortion illegal under any circumstances?	No	✓
Is abortion legally permitted in cases where: it is essential to save the woman's life?	Yes	✓
Is abortion legally permitted in cases where: it is essential to preserve the physical health of the woman?	Yes	✓
Is abortion legally permitted in cases where: it is essential to preserve the mental health of the woman?	No	!
Is abortion legally permitted in cases where: pregnancy is the result of rape or statutory rape?	No	!
Is abortion legally permitted in cases where: pregnancy is the result of incest?	No	!
Is abortion legally permitted in cases where: social and economic reasons do not allow the mother to sustain a pregnancy?	No	!
Is abortion legally permitted in cases where: foetal impairment?	No	!
Does a woman require the approval of a medical practitioner to seek a legal abortion?	Yes	!
Does the law require the approval of the father of the foetus to seek a legal abortion?	Yes	!
Is there any national plan or policy that provide universal access to family planning services?	Yes	✓
Is there any law or national policy that provide free or subsidised access to contraception?	Yes	✓
Does the national school curricula include mandatory and comprehensive sexuality education?	No	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

¹⁸ CEDAW (2022), *Access to safe and legal abortion: Urgent call for United States to adhere to women's rights convention*, <https://www.ohchr.org/en/statements/2022/07/access-safe-and-legal-abortion-urgent-call-united-states-adhere-womens-rights>.

¹⁹ UNFPA (2022), *State of World Population 2022: Seeing the Unseen - The Case for Action in the Neglected Crisis of Unintended Pregnancy*, UNFPA, Geneva, <https://doi.org/10.18356/9789210015004>.

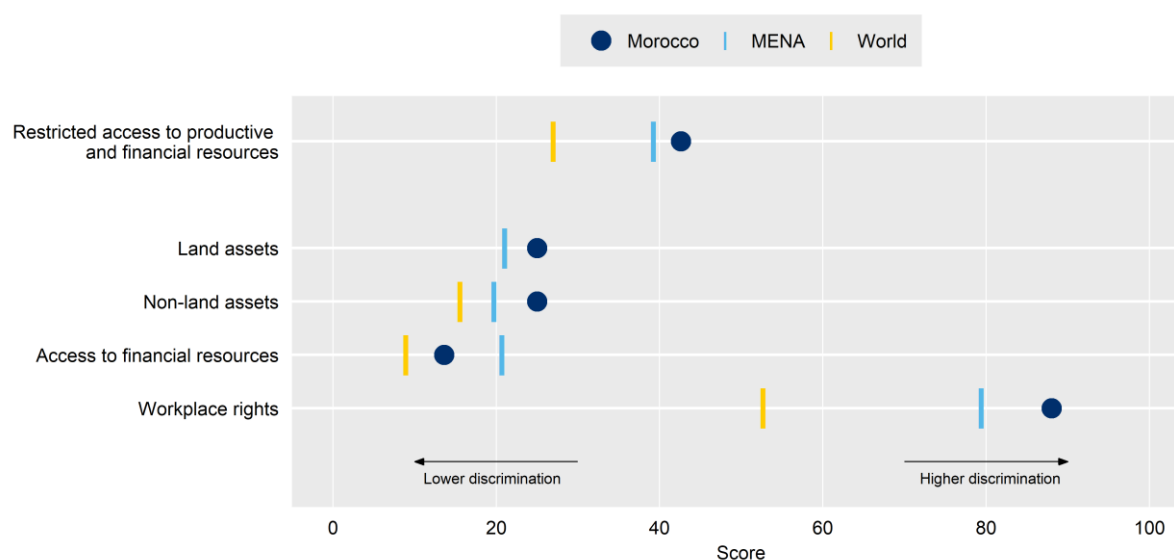
²⁰ Kingdom of Morocco (1962), "Dahir No. 1-59-413 du 28 jourmada II 1382 (26 novembre 1962) portant approbation du texte du Code pénal", *Official Gazette No. 2460 bis of 5 June 1963*.

Restricted access to productive and financial resources

Morocco exhibits high levels of discrimination within the family with a score of 43, compared to a world average of 27 and an average score of 39 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Morocco experience the highest levels of discrimination in the “Workplace rights” indicator with a score of 88, followed by the “Access to land assets” and “Access to non-land assets” indicators, with a score of 25 for both. The lowest levels of discrimination in this dimension are found in the “Access to financial services” indicator, with a score of 14.

Figure 5. Restricted access to productive and financial resources scores for Morocco, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Access to land assets

Practices related to women’s access to secure land assets

In Morocco, there are no available data that are comparable to other countries on practices related to access to land assets.

Legal frameworks concerning women’s access to land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own land?	Yes	✓
Does the law provide married women with the same rights as married men to use land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use land?	Yes	✓
Regarding land, does the law apply to all groups of women?	Yes	✓

Question	Answer	Assessment
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to non-land assets

Practices related to women's secure access to non-land assets

In Morocco, there are no available data that are comparable to other countries on practices related to access to non-land assets.

Legal frameworks concerning women's access to non-land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own property and other non-land assets?	Yes	✓
Does the law provide married women with the same rights as married men to use property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use property and other non-land assets?	Yes	✓
Regarding property and other non-land assets, does the law apply to all groups of women?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of non-land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to financial services

Practices related to women's access to formal financial services

Gender imbalances in terms of access to financial services remain an issue in Morocco, and the overall access of the population is low. In 2023, 31% of women have a bank account at a financial institution, compared to 53% of men. This translates into women accounting for 37% of bank account holders. In comparison, at the global level, 67% of women have a bank account, compared to 72% of men. Across the MENA region, on average, 40% of women have a bank account, compared to 54% of men, translating into women accounting for only 39% of bank account holders.

Legal frameworks concerning women's access to financial services

Question	Answer	Assessment
Does the law provide women with the same rights as men to open a bank account at a formal financial institution?	Yes	✓
Does the law require married women to obtain the signature and authority of their husband to open a bank account at a formal financial institution?	No	✓
Does the law provide women with the same rights as men to obtain credit?	Yes	✓
Regarding access to formal financial services, does the law apply to all groups of women (regardless of race, ethnicity, caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to opening a bank account?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to obtaining credit?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Workplace rights

Practices and social norms related to women's workplace rights

Women remain largely excluded from positions with decision-making power in the economic sphere. Women only account for 13% of employees in a managerial position,²¹ compared to a world average of 25% and an average of 14% in the MENA region – based on countries for which data are available. Only 5% of companies in the country are headed by women.

These gender gaps are upheld by discriminatory social norms that establish men as the main breadwinners and more fit to hold leadership positions. In Morocco, 39% of the population believes that men make better business executives than women, compared to a world average of 42% and an average of 60% in the MENA region. Likewise, 56% of the population agrees that when jobs are scarce, men should have more right to a job than women. In comparison, 45% of the population holds these discriminatory attitudes worldwide, and 73% of the people across the MENA region – based on countries for which data are available.

Legal frameworks concerning women's workplace rights

Article 179 of the Labour Code,²² as amended, prohibits women from carrying out underground work in mines. Article 182 stipulates that women may not be employed to perform hazardous or arduous work, or work that is likely to offend public decency – with the list of these professions being set by regulation.

Question	Answer	Assessment
Does the law prohibit discrimination in employment on the basis of sex?	Yes	✓
Does the law mandate equal remuneration for work of equal value?	Yes	✓
Does the law prohibit women from entering certain professions?	Yes	!
Does the law allow women to work the same night hours as men?	Yes	✓
Does the law mandate paid maternity leave?	Yes	✓
Does the law mandate paid paternity leave?	Yes	✓
Does the law mandate paid parental leave?	No	!
Does the law require women to have permission from their husband or legal guardian to take a paid job?	No	✓
Does the law require women to have permission from their husband or legal guardian to register a business?	No	✓
Regarding women's legal right to take a paid job or work and/or register a business, does the law apply to all groups of women (regardless of race, ethnicity caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to entering certain professions?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to take a paid job?	Yes	!
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to register a business?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

²¹ This indicator corresponds to SDG indicator 5.2.2

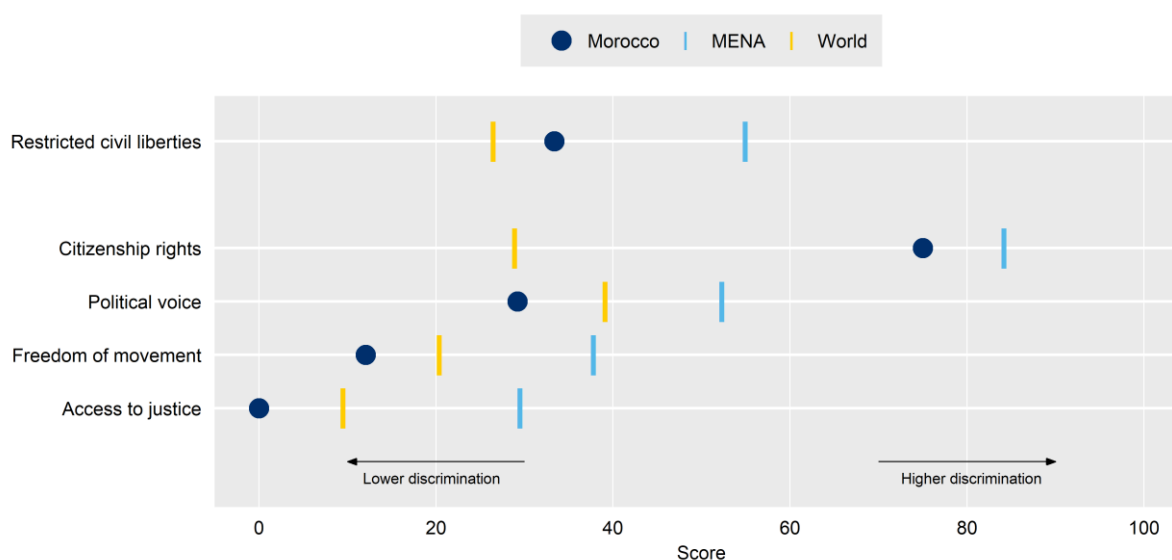
²² Kingdom of Morocco (2003), "Dahir No. 1-03-194 du 14 rejev 1424 (11 septembre 2003) portant promulgation de la loi No. 65-99 relative au Code du travail", *Official Gazette No. 5210 of 6 May 2004*.

Restricted civil liberties

Morocco exhibits medium levels of discrimination within the family with a score of 33, compared to a world average of 26 and an average score of 55 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Morocco experience the highest levels of discrimination in the “Citizenship rights” indicator with a score of 75, followed by the “Political voice” and “Freedom of movement” indicators with scores of 29 and 12, respectively. No discrimination is found in the “Access to justice” indicator with a score of 0.

Figure 6. Restricted civil liberties scores for Morocco, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Citizenship rights

Legal frameworks concerning women's citizenship rights

Article 10 of the Nationality Code,²³ as amended, notably in 2007,²⁴ stipulates the conditions upon which a Moroccan man can confer the Moroccan nationality to his foreign spouse, whereas no similar provision exists for Moroccan women married to a foreign man.

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to acquire nationality?	Yes	✓

²³ Kingdom of Morocco (1958), “Dahir No. 1-58-250 du 21 safar 1378 (6 septembre 1958) portant Code de la nationalité marocaine”, *Official Gazette No. 2394 of 12 September 1958*.

²⁴ Kingdom of Morocco (2007), “Dahir No. 1-07-80 du 3 rabii I 1428 (23 mars 2007) portant promulgation de la loi No. 62-06 modifiant et complétant le dahir No. 1-58-250 du 21 safar 1378 (6 septembre 1958) portant Code de la nationalité marocaine”, *Official Gazette No. 5514 of 5 April 2007*.

Question	Answer	Assessment
Does the law provide unmarried women with the same rights as unmarried men to acquire nationality?	Yes	✓
Does the law provide married women with the same rights as married men to change their nationality?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to change their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to retain their nationality?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to retain their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to confer nationality to their spouse?	No	!
Does the law provide married women with the same rights as married men to confer nationality to their children?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to confer nationality to their children?	Yes	✓
Regarding women's nationality rights, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to acquiring, changing, or retaining their nationality?	No	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to conferring nationality to their spouse and/or children?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Freedom of movement

Practices related to women's freedom of movement

Freedom of movement is recognised as a human right and mobility is essential in everyday life, for instance to reach the workplace or healthcare facilities. In Morocco, women feel more unsafe than men, and a large part of the overall population feels that way. Across the country, 41% of women declare not feeling safe walking alone at night in the city or in the area where they live, compared to 25% of men. This translates into women accounting for 61% of those who do not feel safe walking alone at night.

Legal frameworks concerning women's freedom of movement

Beyond the challenge of ensuring that everyone feels safe enough to move around in public spaces, laws must guarantee women and men the same rights to obtain identification documents and to travel by themselves within and outside of their country.

Question	Answer	Assessment
Does the government provide national identity cards?	Yes	✓
Can a married woman apply for a national identity card in the same way as a married man? (in terms of rights and procedures)	Yes	✓
Can an unmarried woman apply for a national identity card in the same way as an unmarried man? (in terms of rights and procedures)	Yes	✓
Can a married woman apply for a passport in the same way as a married man (in terms of rights and procedures)?	Yes	✓
Can an unmarried woman apply for a passport in the same way as an unmarried man (in terms of rights and procedures)?	Yes	✓
Regarding identity cards and/or passports, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside the country?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside their homes?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to applying for identity cards or passports?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Political voice

Practices and social norms related to women's political voice

Women's political representation in the country is low, with women accounting for 24% of the members of parliament in 2023, compared to a world average of 27% and an average of 17% in the MENA region.

Discriminatory attitudes that exclude women from positions of power in the political sphere are widespread, with 43% of the country's population declaring that men make better political leaders than women.

Legal frameworks concerning women's political voice

Question	Answer	Assessment
Does the law provide women with the same rights as men to vote?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the legislative branch?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the executive branch?	Yes	✓
Does the law provide women with the same rights as men to hold public office in the judiciary branch?	Yes	✓
Do constitutional/legislated gender quotas exist to promote women's political representation at the national level?	Yes	✓
Do constitutional/legislated gender quotas exist to promote women's political representation at the local level?	Yes	✓
Does the law provide for special measures other than quotas to promote women's political representation at the national level?	Yes	✓
Does the law provide for special measures other than quotas to promote women's political representation at the local level?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to voting?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to holding public office?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to justice

Practices related to women's access to justice

In Morocco, 54% of women do not trust the judicial system and courts, compared to 65% of men. This translates into women accounting for 41% of those who do not trust the country's judicial system.

Legal frameworks concerning women's access to justice

Question	Answer	Assessment
Does the law provide women with the same rights as men to sue?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the civil courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the criminal courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the family courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the tribunals?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes suing someone?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to providing testimony in court?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to being judges, advocates or other court officers?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.