

Moroccan Nationality Code (Dahir of 6 September 1958, as amended by Law No. 62-06)

Reference: Dahir No. 1-58-250 of 21 Safar 1378 (6 September 1958) establishing the Moroccan Nationality Code, as amended and supplemented by Law No. 62-06 promulgated by Dahir No. 1-07-80 of 3 Rabii I 1428 (23 March 2007)

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Practice areas: Family law, Civil law, Administrative law

The Nationality Code determines who is Moroccan by descent, by birth in Morocco, by marriage or by naturalisation. The 2007 reform allowed Moroccan mothers to pass on their nationality to their children. The code also governs loss of nationality, deprivation of nationality and proof of nationality.

Nationality of origin

- A child born to a Moroccan father or a Moroccan mother is Moroccan, since the reform introduced by Law 62-06.
- A child born in Morocco to a Moroccan mother and a stateless father, or a child born in Morocco to unknown parents, is Moroccan.
- Nationality of origin takes effect from birth.

Acquisition of nationality

- By marriage: a foreign woman married to a Moroccan man may apply for nationality after at least five years of habitual and lawful residence in Morocco.
- By naturalisation: conditions as to residence, age of majority, health, good character and knowledge of Arabic, the decision remaining discretionary.
- By operation of law for certain categories specified by the code.

Loss, deprivation and proof

- Loss results in particular from the voluntary acquisition of a foreign nationality with authorisation, or from renunciation.
- Deprivation applies only to those who acquired nationality, in the cases exhaustively listed.
- Proof is provided by a nationality certificate issued by the Ministry of Justice; disputes fall within the jurisdiction of the Court of First Instance.

Points to watch

- Children born before 2007 to a Moroccan mother benefit from the reform: regularisation remains possible.

- Acquiring a foreign nationality without authorisation does not automatically entail loss of Moroccan nationality.
- A refusal to issue a nationality certificate may be challenged before the Court of First Instance.

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