

Law No. 103-13 on Combating Violence Against Women

Reference: Dahir No. 1-18-19 of 5 Jumada II 1439 (22 February 2018) promulgating Law No. 103-13 on combating violence against women

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Practice areas: Criminal law and business crime, Family law

Law 103-13 defines physical, psychological, sexual and economic violence, increases the penalties for several offences under the Criminal Code, creates new offences (harassment in public spaces, forced marriage, expulsion from the marital home) and introduces protective measures for victims and dedicated support units.

New offences and aggravated penalties

- Sexual harassment in public spaces, or by means of messages and images, is punishable by imprisonment and a fine (Art. 503-1-1 of the Criminal Code).
- Forcing a person into marriage is a criminal offence (Art. 503-2-1); expelling a spouse from the marital home and refusing to allow them back are punishable (Art. 480-1).
- Violence committed by a spouse, fiancé, ascendant or guardian constitutes an aggravating circumstance.

Protection of victims

- The judge may order the perpetrator to stay away, prohibit contact and order support for the victim, including before judgment.
- Support units for women victims are set up in the courts and in the police, gendarmerie and health services.
- A national commission and regional commissions coordinate the support provided.

Key articles

ART. 503-1-1 CRIMINAL CODE

Any person who persistently harasses another in public or other spaces through acts, words or gestures of a sexual nature, or through written, telephone or electronic messages, recordings or images of a sexual nature, is guilty of sexual harassment.

ART. 503-2-1 CRIMINAL CODE

Any person who forces another person into marriage through violence or threats is punishable by imprisonment and a fine; the penalty is increased where the victim is a minor.

Points to watch

- Have the violence documented by a medical certificate stating the period of incapacity: it determines the criminal classification of the offence.
- Protective measures may be requested as soon as the complaint is filed, in parallel with divorce proceedings for discord (chiqaq) before the family court.
- A complaint may be filed with the Crown Prosecutor, the judicial police or the victim support unit of the Rabat court.

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