

Using Property

Using property analyzes women's ability to own, manage, control and inherit property. It also examines women's ownership rights in the marital home and whether legislation accounts for nonmonetary contributions, such as unpaid care for children or the elderly.

Key Findings in this Indicator:

- 73 economies have partial community of property marital regimes.
- Kenya enacted a new law on marital property, making partial community of property the default regime and granting spouses equal rights in the administration of joint property.
- Husbands have the sole right to administer joint property in Cameroon, Chad, Chile, the Democratic Republic of Congo, the Republic of Congo, Côte d'Ivoire and Swaziland.
- 64 economies have separation of property marital regimes, where the spouse who purchases the property owns it.
- Nicaragua's new Family Code makes separation of property the default regime. Now, all separate property remains with the original owner and contested assets are presumed to be jointly owned by both spouses.
- In 27% of the economies where separation of property is the default, laws have been enacted recognizing non-monetary contributions, meaning that upon divorce, the non-earning spouse is given an equal or equitable share of property.
- 38 economies have special protections in place governing transactions concerning the marital home.
- Croatia now requires written spousal consent to sell or mortgage the marital home.
- Hungary introduced special provisions preventing either spouse from selling the marital home and requiring the consent of the other spouse even after divorce, until tenancy is settled.
- In 20% of economies women do not have the same inheritance rights as men. In Sub-Saharan Africa, men and women do not have the same inheritance rights in: Burundi, Guinea, Kenya, Mauritania, Senegal, Sudan, Swaziland, Tanzania and Uganda.
- In East Asia and the Pacific, Brunei Darussalam, Indonesia, Malaysia and Tonga have different inheritance rights for women and men.
- Every economy in the Middle East and North Africa region except for Malta has differences in inheritance rights for women and men.

Women, Business and the Law measures how laws, regulations and institutions differentiate between women and men in ways that may affect women's incentives or capacity to work or to set up and operate a business. It analyzes legal differences on the basis of gender in 173 economies, covering seven areas: accessing institutions, using property, getting a job, providing incentives to work, building credit, going to court and protecting women from violence. The report is published every two years.

The full report and accompanying datasets are available at wbl.worldbank.org

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