

Burkina Faso

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the 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 (Ouagadougou). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Burkina Faso scores 79.4 out of 100**. The overall score for Burkina Faso is higher than the regional average observed across Sub-Saharan Africa (69.9).

Burkina Faso - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to laws affecting women's decisions to work, gender differences in property and inheritance, and laws affecting the size of a women's pension, Burkina Faso gets a perfect score.

Areas for Improvement

However, when it comes to constraints on freedom of movement, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and constraints on women's starting and running a business, Burkina Faso could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Burkina Faso is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, Burkina Faso may wish to consider mandating equal remuneration for work of equal value, allowing women to work in jobs deemed dangerous in the same way as men, and allowing women to work in all the same industries as men.

Recent Reforms (2018-2019)

Marriage: Burkina Faso enacted legislation protecting women from domestic violence.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	No	Code des Personnes et de la Famille, Art. 294
	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	Décret No. 98-293 du 14 Juillet 2018 instituant des Titres de Voyages, Art. 5; Passport application form
	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	Code des Personnes et de la Famille, Art. 295 ; Code Civil, Art. 1123
	Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 4
	Is there legislation on sexual harassment in employment?	Yes	Code du Travail, Arts. 37 et 422; Loi n°061-2015/CNT portant prévention, répression et réparation des violences à l'égard des femmes et des filles et prise en charge des victimes, Arts. 11 et 36
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Code du Travail, Arts. 37 et 422 <i>Civil:</i> Loi n°061-2015/CNT portant prévention, répression et réparation des violences à l'égard des femmes et des filles et prise en charge des victimes, Arts. 11 et 36
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Code du Travail, Art. 142 Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	No	Mining: No restrictions could be located Construction: Code du Travail, Art. 142 Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Code des Personnes et de la Famille, Art. 292
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Loi N°025-2018/AN Portant Code Pénal, Art. 531-8 - 531-11
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	No	Code des Personnes et de la Famille, Arts. 246 et 393
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Arts. 145 et 146
	Does the government pay 100% of maternity leave benefits?	Yes	Code du Travail, Art. 146
	Is there paid paternity leave?	Yes	Convention Collective Interprofessionnelle de 1974, Art. 6
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 71
Entrepre.	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Code Civil, Art. 1123; Code des Personnes et de la Famille, Art. 298
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	Code des Personnes et de la Famille, Art. 300
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Code des Personnes et de la Famille, Art. 331
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Code des Personnes et de la Famille, Art. 733
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Code des Personnes et de la Famille, Art. 744
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Code des Personnes et de la Famille, Art. 331
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Code des Personnes et de la Famille, Arts. 309, 319 et 320
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Code de Sécurité Sociale, Art. 85 Men: Code de Sécurité Sociale, Art. 85
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Code de Sécurité Sociale, Arts. 84 et 1