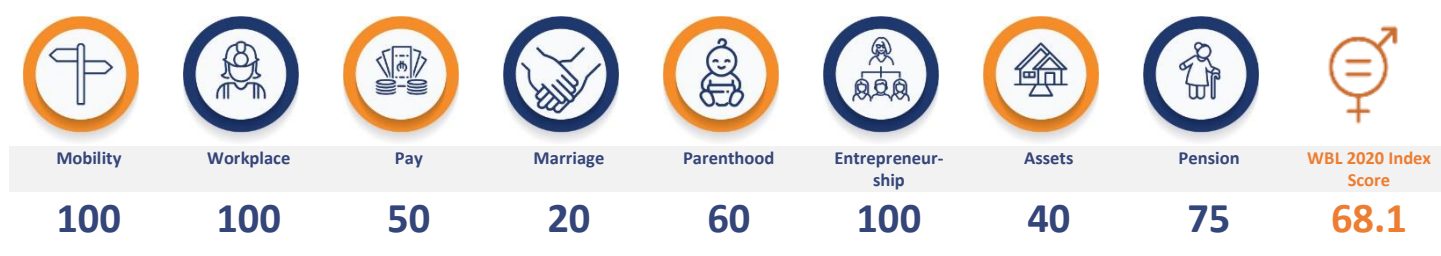


Djibouti

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 (Djibouti Ville). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Djibouti scores 68.1 out of 100**. The overall score for Djibouti is higher than the regional average observed across the Middle East & North Africa (49.6).

Djibouti - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, and constraints on women's starting and running a business, Djibouti gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, gender differences in property and inheritance, and laws affecting the size of a women's pension, Djibouti could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Djibouti is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Djibouti may wish to consider no longer requiring a married woman to obey her husband, allowing women to be head of household, allowing women to obtain a divorce in the same way as a man, and giving women the same rights to remarry as men.

Recent Reforms (2018-2019)

Workplace: Djibouti introduced legislation and criminal penalties for sexual harassment in employment.

Marriage: Djibouti 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?	Yes	No restrictions could be located
	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. 2017-053/PR/MI Portant sur la Mise en Circulation de Passeport Ordinaire Biométrique; 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	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 3
	Is there legislation on sexual harassment in employment?	Yes	Loi N° 221/AN/17/8ème L modifiant et complétant la loi n°133/AN/05/5ème L du 28 janvier 2006 portant Code du Travail, Art. 1(4 ter)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Loi N° 221/AN/17/8ème L modifiant et complétant la loi n°133/AN/05/5ème L du 28 janvier 2006 portant Code du Travail, Art. 2(290(k)) <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Code du Travail, Arts. 136 et 137
	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: No restrictions could be located Jobs deemed arduous: Code du Travail, Art. 112 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: No restrictions could be located 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: Code du Travail, Art. 111
Marriage	Is there no legal provision that requires a married woman to obey her husband?	No	Loi No. 152/AN/02/4ème Portant Code de la Famille, Art. 31
	Can a woman be head of household in the same way as a man?	No	Loi n°152/AN/02/4ème L portant Code de la Famille, Art. 31
	Is there legislation specifically addressing domestic violence?	Yes	Code Civil, Arts. 645-649
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Code de la Famille, Art. 39
Parenthood	Does a woman have the same rights to remarry as a man?	No	Code de la Famille, Arts. 42-44
	Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Art. 113
	Does the government pay 100% of maternity leave benefits?	No	Code du Travail, Art. 113
	Is there paid paternity leave?	Yes	Code du Travail, Art. 100(f)
Entrepreneurship	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 114
	Does the law prohibit discrimination in access to credit based on gender?	Yes	Code Pénal, Arts. 390 et 391
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
Assets	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 a man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Code de la Famille, Art. 32
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Code de la Famille, Art. 115
Pension	Do female and male surviving spouses have equal rights to inherit assets?	No	Code de la Famille, Arts. 113 et 114
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Code de la Famille, Art. 32
	Does the law provide for the valuation of nonmonetary contributions?	No	Loi No. 152/AN/02/4ème Portant Code de la Famille, Art. 32
	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: Loi n°17/AN/8/6ème L portant modification de l'âge de départ à la retraite, Art. 1 Men: Loi No. 17/AN/8/6ème L portant modification de l'âge de départ à la retraite, Art. 1
Pension	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Loi No. 17/AN/8/6ème L portant modification de l'âge de départ à la retraite, Art. 3 Men: Loi No. 17/AN/8/6ème L portant modification de l'âge de départ à la retraite, Art. 3
	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	Loi No. 154/AN/02/4ème L portant codification du fonctionnement de l'OPS et du régime général de retraite des travailleurs salariés, Art. 53

