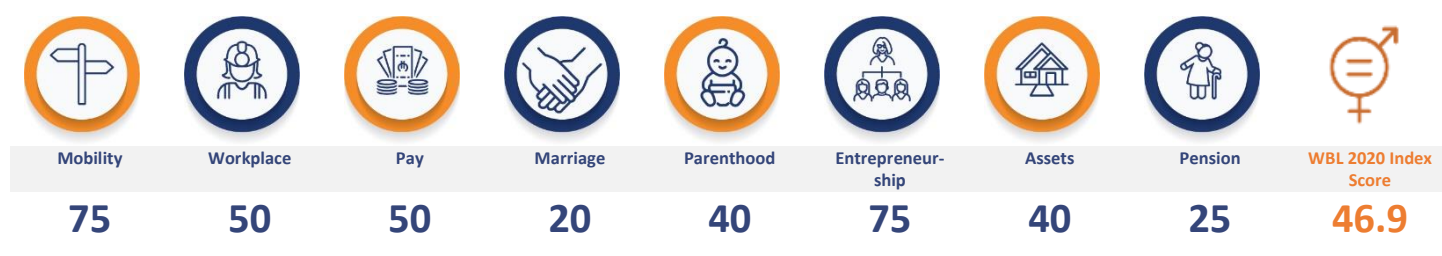


Somalia

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 (Mogadishu). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Somalia scores 46.9 out of 100**. The overall score for Somalia is lower than the regional average observed across Sub-Saharan Africa (69.9).

Somalia - Scores for Women, Business and the Law 2020



Relative Strengths

Somalia does not attain a perfect score on any of the WBL2020 indicators. There is room for improvement across all eight indicators.

Areas for Improvement

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

For example, one of the lowest scores for Somalia is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Somalia may wish to consider allowing women to be head of household, enacting legislation protecting women from domestic violence, 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)

No reforms impacting the WBL2020 indicators have been observed during the past two years.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	No	Family Law, Art. 33
	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	Passport Law, Art. 4(1); Passport application procedures
Workplace	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
	Can a woman get a job in the same way as a man?	Yes	Labor Code, Art. 4
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Arts. 3 and 70; Constitution of Somalia, Arts. 11 and 24(5)
	Is there legislation on sexual harassment in employment?	No	No applicable provisions could be located
Pay	Are there criminal penalties or civil remedies for sexual harassment in employment?	No	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located
	Does the law mandate equal remuneration for work of equal value?	Yes	Labor Code, Art. 70
	Can women work the same night hours as men?	No	Labor Code, Art. 88
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located 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: 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: Labor Code, Art. 90(1)
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	No	Family Law, Art. 4(2)
	Is there legislation specifically addressing domestic violence?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Family Law, Art. 36(1)
Parenthood	Does a woman have the same rights to remarry as a man?	No	Family Law, Arts. 22(3)(d), 23(2)(c), 48 and 50
	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Code, Art. 91(2)
	Does the government pay 100% of maternity leave benefits?	No	Labor Code, Art. 91(2)
	Is there paid paternity leave?	No	No applicable provisions could be located
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepren.	Is dismissal of pregnant workers prohibited?	Yes	Labor Code, Art. 91
	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	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
Assets	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	No restrictions could be located
	Do sons and daughters have equal rights to inherit assets from their parents?	No	Constitution of Somalia, Art. 2(3)
	Do female and male surviving spouses have equal rights to inherit assets?	No	Constitution of Somalia, Art. 2(3)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Family Law, Arts. 1 and 29(3)
Pension	Does the law provide for the valuation of nonmonetary contributions?	No	Family Law, Arts. 1 and 29
	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the ages at which men and women can retire with partial pension benefits equal?	No	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?	No	No applicable provision could be located