

Burkina Faso

Women, Business and the Law 2022 (WBL2022) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 82.5 out of 100**. The overall score for Burkina Faso is higher than the regional average observed across Sub-Saharan Africa (71.5). Within the Sub-Saharan Africa region, the maximum score observed is 89.4 (Mauritius).

Burkina Faso - Scores for Women, Business and the Law 2022



Relative Strengths

When it comes to laws affecting women's decisions to work, constraints on women starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman'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, and laws affecting women's work after having children, 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 measuring laws affecting women's pay (the WBL2022 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 an industrial job in the same way as men.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2020 – October 1st, 2021).



Further data details for Burkina Faso are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/burkina-faso/2022>



	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 procedures
	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 No. 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 No. 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 a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	No	Code du Travail, Art. 142; Décret No. 2010- 356 IPRES/PM/MTSSIMS portant détermination de la nature des travaux dangereux interdits aux femmes et aux femmes enceintes, Art. 3
	Can a woman work in an industrial job in the same way as a man?	No	Décret No. 2010- 356 IPRES/PM/MTSSIMS portant détermination de la nature des travaux dangereux interdits aux femmes et aux femmes enceintes, Art. 6
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	Code des Personnes et de la Famille, Art. 293
	Is there legislation specifically addressing domestic violence?	Yes	Loi No. 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; Code de la Sécurité Sociale, Art. 47
	Is paid leave available to fathers?	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
Entrepreneurship	Does the law prohibit discrimination in access to credit based on gender?	Yes	Code Pénal, Arts. 322-2 et 322-3
	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	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: Code de Sécurité Sociale, Art. 85. Men: Code de Sécurité Sociale, Art. 85
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located. Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: No applicable provisions could be located. Men: No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	Yes	Code de Sécurité Sociale, Arts. 84 et 100