

Haiti

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 (Port au Prince). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Haiti scores 61.3 out of 100**. The overall score for Haiti is lower than the regional average observed across Latin America and the Caribbean (80.4). Within the Latin America and the Caribbean region, the maximum score observed is 95 (Peru).

Haiti - Scores for Women, Business and the Law 2022



Relative Strengths

When it comes to laws affecting women's pay, Haiti gets a perfect score.

Areas for Improvement

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

For example, one of the lowest scores for Haiti is on the indicator measuring constraints related to marriage (the WBL2022 Marriage indicator). To improve on the Marriage indicator, Haiti may wish to consider 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

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



Further data details for Haiti are available at:
<https://wbl.worldbank.org/en/data/exploreeconomies/haiti/2022>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	No	Décret du 8 Octobre 1982 Fixant un Nouveau Statut à la Femme Mariée, Art. 5
	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?	No	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	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?	No	No applicable provisions could be located
	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
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Code du Travail, Arts. 135 et 317
	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?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Décret du 8 octobre 1982 fixant un nouveau statut à la femme mariée, Art. 2
	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?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Code Civil, Arts. 216 et 265
Parenthood	Does a woman have the same rights to remarry as a man?	No	Code Civil, Art. 213
	Is paid leave of at least 14 weeks available to mothers?	No	Code du Travail, Art. 321
	Does the government pay 100% of maternity leave benefits?	Yes	Code du Travail, Art. 321
	Is paid leave available to fathers?	No	No applicable provisions could be located
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepreneurship	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 330(b)
	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	Décret du 8 Octobre 1982 Fixant un Nouveau Statut à la Femme Mariée, Art. 2
	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 man?	Yes	Décret du 8 octobre 1982 Fixant un Nouveau Statut à la Femme Mariée, Art. 2
	Do men and women have equal ownership rights to immovable property?	No	Décret portant Réforme des Régimes Matrimoniaux du 9 avril 2020, Art. 1203; Décret du 8 octobre 1982 Fixant un Nouveau Statut à la Femme Mariée, Art. 8
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Code Civil, Art. 605
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Code Civil, Art. 627
	Does the law grant spouses equal administrative authority over assets during marriage?	No	Décret portant réforme des régimes matrimoniaux du 9 avril 2020, Art. 1203; Décret du 8 octobre 1982 Fixant un Nouveau Statut à la Femme Mariée, Art. 8
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Décret portant réforme des régimes matrimoniaux du 9 avril 2020, Arts. 1186-1193
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: Loi du 28 août 1967, Art. 183. Men: Loi du 28 août 1967, Art. 183
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: Loi du 28 août 1967, Arts. 184 to 186. Men: Loi du 28 août 1967, Arts. 184 et 186
	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?	No	No applicable provisions could be located