

Somalia

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 (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 (71.5). Within the Sub-Saharan Africa region, the maximum score observed is 89.4 (Mauritius).

Somalia - Scores for Women, Business and the Law 2022



Relative Strengths

Somalia does not attain a perfect score on any of the WBL2022 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 starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman'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 measuring constraints related to marriage (the WBL2022 Marriage indicator). To improve on the Marriage indicator, Somalia may wish to consider allowing women to be head of household in the same way as men, 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 Somalia are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/somalia/2022>



	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
	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	Labor Code, Art. 4
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Code, Arts. 3 and 70
	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	Labor Code, Art. 70
	Can a woman work at night in the same way as a man?	No	Labor Code, Art. 88
	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?	No	Labor Code, Arts. 88 and 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 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	Labor Code, Art. 91(1)
	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 man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Family Law, Art. 1
	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	No applicable provisions could be located
	Is the age at which men and women can retire with full pension benefits the same?	No	Women: No applicable provisions could be located. Men: No applicable provisions could be located
	Is the age at which men and women can retire with partial pension benefits the same?	No	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?	No	No applicable provisions could be located