

Benin

Women, Business and the Law 2023 (WBL2023) 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 (Cotonou). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Benin scores 83.8 out of 100**. The overall score for Benin is higher than the regional average observed across Sub-Saharan Africa (72.6). Within the Sub-Saharan Africa region, the maximum score observed is 95 (Côte d'Ivoire and Gabon).

Benin - Scores for Women, Business and the Law 2023



Relative Strengths

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

For example, one of the lowest scores for Benin is on the indicator measuring laws affecting women's work after having children (the WBL2023 Parenthood indicator). To improve on the Parenthood indicator, Benin may wish to consider making the government administer 100% of maternity leave benefits, and making paid parental leave available.

Recent Reforms

During the past year (October 2nd, 2021 to October 1st, 2022), Benin prohibited gender-based discrimination in financial services.



Further data details for Benin are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/benin/2023>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	No	Loi no. 2002-07 portant code des personnes et de la famille, Arts. 15 et 156
	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	Note circulaire - Allègement de procédure; Procédures de demande de passeport
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	Loi no. 2002-07 portant code des personnes et de la famille, Art. 157
	Does the law prohibit discrimination in employment based on gender?	Yes	Code du Travail, Art. 4
Pay	Is there legislation on sexual harassment in employment?	Yes	Loi No. 2011-26 du 09 janvier 2012 portant prévention et répression des violences faites aux femmes, Arts. 3 et 21-26; Loi No. 2006-19 portant répression du harcèlement sexuel et protection des victimes en République du Bénin, Arts. 1, 8 et 12
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Loi No. 2006-19 portant répression du harcèlement sexuel et protection des victimes en République du Bénin, Arts. 22-23 <i>Civil:</i> No applicable provisions could be located
	Does the law mandate equal remuneration for work of equal value?	Yes	Code du Travail, Art. 208
Marriage	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. 169
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Parenthood	Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 153
	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?	Yes	Loi No. 2011-26 du 09 janvier 2012 portant prévention et répression des violences faites aux femmes, Arts. 2-3
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Arts. 220 et 221
Entrepreneurship	Does a woman have the same rights to remarry as a man?	No	Loi no. 2021-13 du 20 décembre 2021 modifiant et complétant la loi no 2002-07 du 24 août 2004, Art. 124
	Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Art. 170
	Does the government pay 100% of maternity leave benefits?	No	Code du Travail, Art. 170; Code de Sécurité Sociale, Arts. 49 et 50
	Is paid leave available to fathers?	Yes	Convention Collective Générale du Travail du 3 décembre 2005, Art. 54
Assets	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 171
	Does the law prohibit discrimination in access to credit based on gender?	Yes	Arrêté année 2022 No. 2349-5 portant interdiction de toute discrimination basée sur le sexe en matière d'accès aux crédits, Art 1, 2 and 4
	Can a woman sign a contract in the same way as a man?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 173
	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	Loi no. 2002-07 portant code des personnes et de la famille, Art. 175
Pension	Do men and women have equal ownership rights to immovable property?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 185
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 619
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Arts. 630 et 634
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 185
	Does the law provide for the valuation of nonmonetary contributions?	No	Loi no. 2002-07 portant code des personnes et de la famille, Art. 185
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Loi No. 2010-10 du 22 mars 2010, Art. 1er
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Loi No. 2010-10 du 22 mars 2010, Art. 1er
	Is the mandatory retirement age for men and women the same?	Yes	No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	Yes	Code de Sécurité Sociale, Art. 101