











# Benin

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>70.0</b>	<b>29.2</b>	<b>65.6</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Benin, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Cotonou). The scores for Benin are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	75.0	75.0	75.0	75.0	75.0	25.0	75.0	75.0	100.0
Supportive frameworks score	25.0	66.7	33.3	50.0	0.0	33.3	0.0	33.3	0.0	50.0
Expert opinions score	25.0	75.0	75.0	50.0	81.3	62.5	25.0	87.5	75.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Benin (70.0 out of 100.0) is higher than the global average (64.2) and higher than the Sub-Saharan Africa regional average (57.4). When it comes to laws affecting the size of a woman’s pension, Benin obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Benin is on the indicator measuring laws affecting childcare. To improve on the Childcare indicator, Benin may wish to consider introducing legislation on any form of support to families for childcare services, putting in place legislation on any form of support to non-state childcare providers and adopting legislation on quality standards for the provision of childcare services in center-based settings.

The **WBL 2.0 supportive frameworks score** for Benin (29.2 out of 100.0) is lower than the global average (39.5) and higher than the Sub-Saharan Africa regional average (24.5). Benin does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Benin is on the indicator measuring supportive frameworks related to marriage. To improve on the Marriage

indicator, Benin may wish to consider making available a fast-track process or procedure for family law disputes, establishing specialized family courts and making legal aid available for family law disputes.

The **WBL 2.0 expert opinions score** for Benin (65.6 out of 100.0) is lower than the global average (65.7) and higher than the Sub-Saharan Africa regional average (54.6). When it comes to expert opinions on women's pensions, Benin obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Benin is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Is there legislation on domestic violence?	Yes	Loi No. 2011-26 du 09 janvier 2012 Portant prévention et répression des violences faites aux femmes, Arts. 2, 3, 30, 32 et 33
Is there legislation on femicide?	No	No applicable provisions could be located
Is there comprehensive legislation on sexual harassment?	Yes	Loi No. 2011-26 du 09 janvier 2012 portant prévention et répression des violences faites aux femmes, Arts. 2, 3 et 21-26; Loi No. 2006-19 portant répression du harcèlement sexuel et protection des victimes en République du Bénin, Arts. 1, 6, 8, 12, 22 et 23; Loi N. 2021 - 11 du 20 décembre 2021 portant dispositions spéciales de répression des infractions commises à raison du sexe des personnes et de protection de la femme en République du Bénin, Art. 2, modifiant Loi n° 2018-16 portant code pénal, Art. 551; Loi n° 2018-16 portant code pénal, Arts. 549-550; Loi n° 2018-16 portant code pénal, Arts. 549-550; Loi N°2017-20 portant Code du numérique, Art. 550
Is there legislation on child marriage?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman travel internationally in the same way as a man?	Yes	Loi no. 2017 - 08 du 19 Juin 2017 portant identification des personnes physiques en République du Bénin, Arts. 54, 55 and 56
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
Do women and men have equal rights to confer citizenship to their spouses and their children?	Yes	Loi no. 2022-32 du 20 décembre 2022 portant code de la nationalité béninoise, Arts. 18 et 23
<b>Workplace</b>		
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
Does the law prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	Yes	Coronavirus - Directives à l'Endroit des Employeurs et des Travailleurs face à la COVID-19
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Code du Travail, Art. 208
Can a woman work at night 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
Can a woman work in a job deemed dangerous in the same way as a man?	No	Code du Travail, Art. 169
<b>Marriage</b>		
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located



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 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
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
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	Yes	Code du Travail, Art. 170
Are leave benefits for mothers paid solely by the government?	No	Code du Travail, Art. 170; Code de Sécurité Sociale, Arts. 49 et 50
Is there paid leave available to fathers?	Yes	Convention Collective Générale du Travail du 3 décembre 2005, Art. 54
Is dismissal of pregnant workers prohibited?	Yes	Code du Travail, Art. 171
<b>Childcare</b>		
Does the law establish provision of childcare services in center-based settings?	Yes	Décret No. 2023-291, Arts. 1 et 3
Does the law establish any form of support to families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support to non-state childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of childcare services in center-based settings?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Arts. 173 and 175
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
Does the law prescribe a gender quota on corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Loi no. 2020-26 du 29 septembre 2020 portant code des marchés publics en République du Bénin et ses décrets d'application, Arts. 7 et 73
<b>Assets</b>		
Do men and women have equal administrative power and ownership rights to immovable property, including land?	Yes	Loi no. 2002-07 portant code des personnes et de la famille, Art. 185; Loi no. 2013 - 1 du 14 août 2013 portant code foncier et domanial en République du Bénin, Arts. 14 and 316
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 male and female 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 provide for the valuation of nonmonetary contributions?	No	Loi no. 2002-07 portant code des personnes et de la famille, Art. 185
<b>Pension</b>		
Are the ages at which men and women can retire with full pension benefits equal?	Yes	Loi No. 2010-10 du 22 mars 2010, Art. 1er
Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Loi No. 2010-10 du 22 mars 2010, Art. 1er
Is the mandatory retirement age for men and women equal?	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

## WBL 2.0 supportive frameworks data

### QUESTION

### ANSWER SOURCE

Safety

Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are there special procedures for cases of sexual harassment?	No	Insufficient evidence located
Is there a government entity responsible for the monitoring and implementation of national services, plans and programmes addressing violence against women?	No	Insufficient evidence located
Is there an annual budgetary allocation towards violence against women risk mitigation, prevention and response programs?	Yes	Projet de loi de finances, gestion 2023
<b>Mobility</b>		
Are passport application processes the same for women and men?	Yes	Procédures de demande de passeport
Are the application processes for official identity documents the same for women and men?	Yes	ID application procedures
Is there a current policy or plan that explicitly considers the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Has the government published guidelines on non-discrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	Yes	Coronavirus (COVID-19) Directives à l'endroit des employeurs et travailleurs, Arts. 1.1, 2.5
Is there a specialized body that receives complaints about gender discrimination in employment?	No	Insufficient evidence located
<b>Pay</b>		
Are there pay transparency measures or enforcement mechanisms to address the gender pay gap?	No	Insufficient evidence located
Is sex-disaggregated data on employment in different industries or sectors published at least on an annual basis?	Yes	Insufficient evidence located
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	No	Insufficient evidence located
Is legal aid available for family law disputes?	No	Insufficient evidence located
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Les prestations en cas de congé de maternité - La Caisse Nationale de Sécurité Sociale du Bénin
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Has sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers?	No	Insufficient evidence located
Has the government published any reports on quality of childcare services within the last 3 years?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Is sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses published on a regular basis?	No	Insufficient evidence located

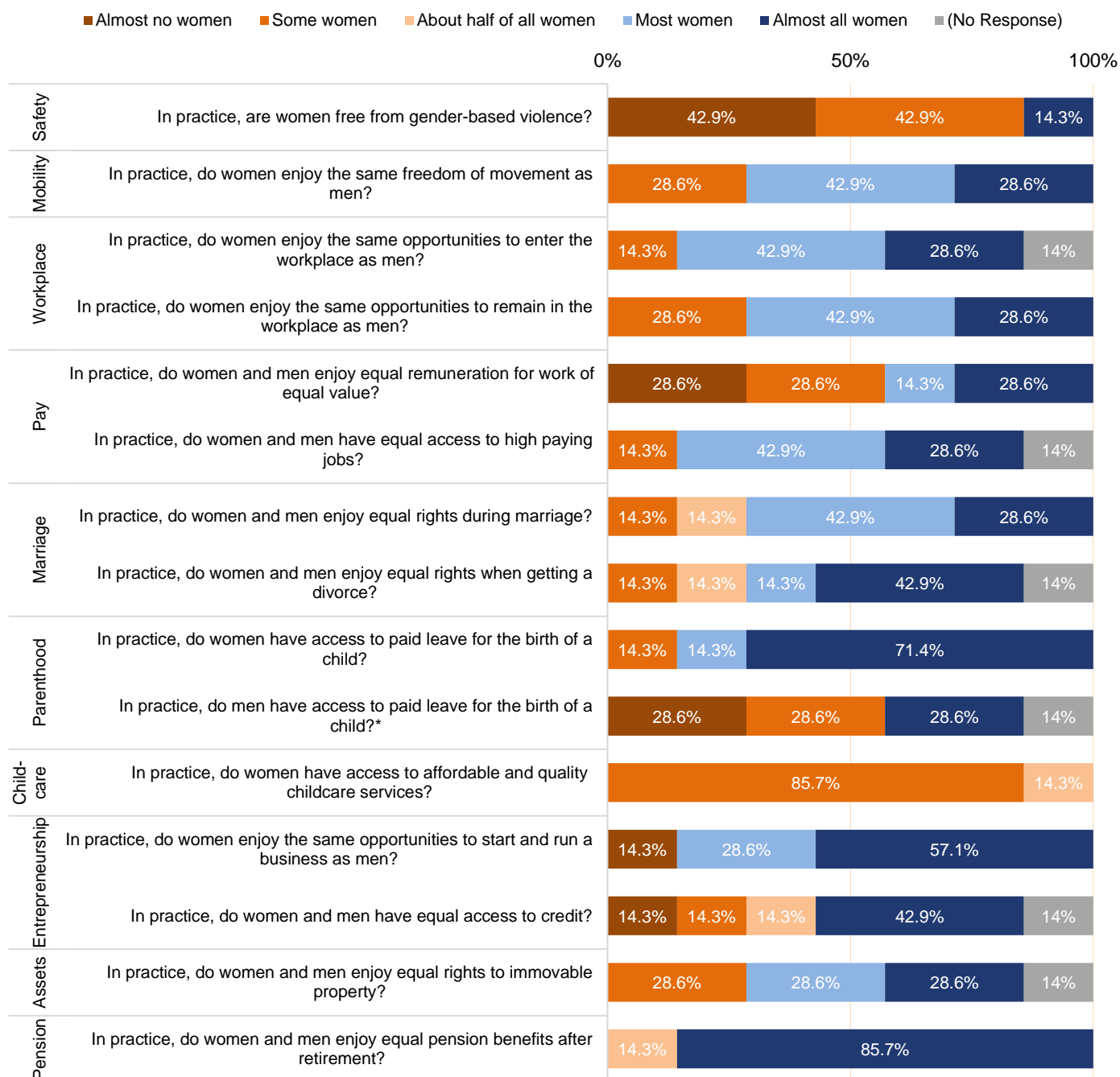


Are there government-led programs that provide support to female entrepreneurs such as access to finance or regarding agency and empowerment?	No	Insufficient evidence located
Is there a current national government plan or strategy with a focus on women's access to financial services?	Yes	Promotion du Genre et de l'Autonomisation des Femmes
<b>Assets</b>		
Are there mechanisms or incentives to encourage women to register immovable property?	No	Insufficient evidence located
Are there awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Is anonymized sex-disaggregated data on property ownership published on a regular basis?	No	Insufficient evidence located
<b>Pension</b>		
Are there incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
Is there a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Code de Sécurité Sociale, Art.131

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.