

Social Institutions and Gender Index

Bahrain

SIGI Country Profile

17 of June 2024

SIGI Country Profiles are produced by the OECD Development Centre

The information and analysis contained in this profile are based on data from the fifth edition of the Social Institutions and Gender Index (SIGI) published in March 2023. The cut-off date for legal data is 31 August 2022; the cut-off date for quantitative data is 1 January 2023.

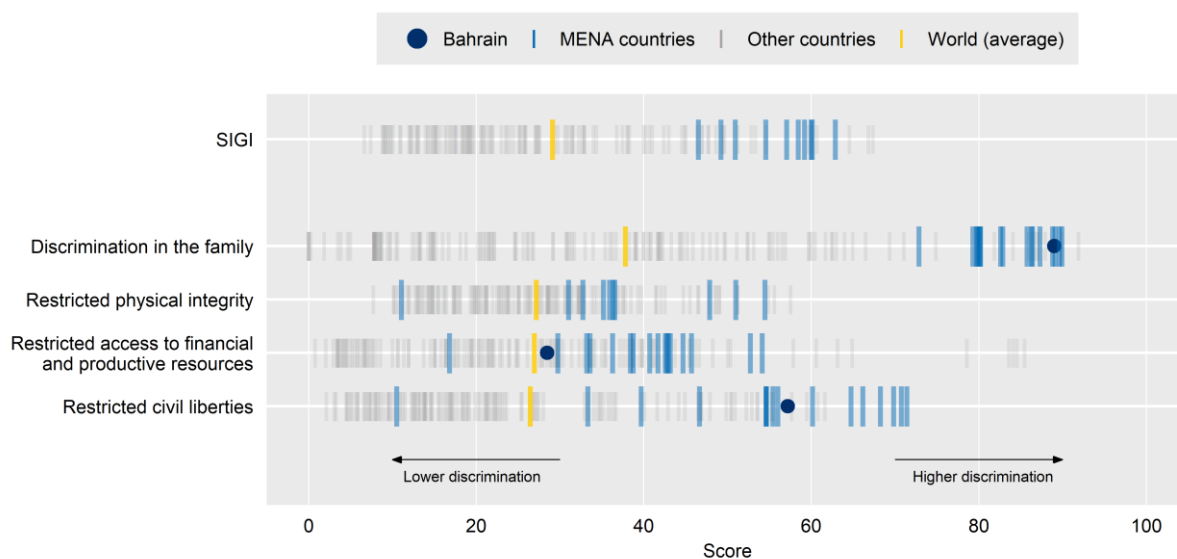
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Social institutions in Bahrain

The state of gender equality in Bahrain

The SIGI 2023 profile for Bahrain provides a comprehensive overview of the state of gender equality in the country, as measured by the OECD's Social Institutions and Gender Index (SIGI). The fifth edition of the SIGI, released in 2023, assesses 140 countries based on the level of gender-based discrimination in their social institutions. These discriminatory social institutions encompass both formal and informal laws, as well as social norms and practices that restrict women's and girls' access to rights, justice, empowerment opportunities and resources, thereby undermining their agency and authority.

Figure 1. SIGI and dimension scores for Bahrain, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), "Social Institutions and Gender Index (Edition 2023)", *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

In 2023, Bahrain did not obtain a SIGI score due to missing data in the "Restricted physical integrity" dimension (Figure 1). The country is missing data on attitudes and practices related to violence against women – more specifically, (1) the share of women aged 15-49 who think a husband is justified in hitting or beating his wife under certain circumstances and (2) the share of women and girls aged 15-49 who have experienced physical and/or sexual violence by a current or former intimate partner at least once during

their lifetime. The country obtained a score of 89 in the “Discrimination in the family” dimension, followed by “Restricted civil liberties” (57), and “Restricted access to productive and financial resources” (28).¹

Legislative framework in Bahrain

The legal system is based on Civil law and Islamic law. Article 2 of the Constitution of Bahrain states that the Islamic Sharia is the principal source of legislation. Distinct personal status laws (addressing marriage, divorce, child custody and inheritance) apply to different religious communities. The Family Law applies to all groups of Bahraini Muslims who have selected Islamic jurisprudence in the marriage contract. Marriage and family relations of non-Muslim minority communities, such as the Jews and Christians, are governed by their own laws.

Article 18 of the Constitution of Bahrain recognises and prohibits multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Moreover, Bahrain ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)² in 2002 but expresses reservations on Articles 2, 9(2), 15(4), 16 and 29(1).³ Regarding Article 2, which covers the incorporation of the principle of equality between men and women in the Constitution and other appropriate legislation, as well as the elimination of any existing legal discrimination, Bahrain expresses reservations to ensure its implementation does not breach any provisions of the Islamic Sharia. The country also expresses reservations on Article 9(2) on granting women the same rights as men regarding the nationality of their children, since, according to Article 4 of the Citizenship Law, the nationality of a child shall be determined by that of his or her father. Furthermore, the country holds reservations on Article 15(4) covering men’s and women’s equal rights to move freely and to choose their residence and domicile, as it conflicts with Article 54 of the Family Law, which does not give married women the same rights as married men to choose where to live. Finally, Bahrain states that Article 16 on equality in marriage and family life is incompatible with Islamic Sharia.

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Bahrain, there are no applicable legal provisions regulating the production and dissemination of gender statistics.

Positive highlights and significant challenges since the fourth edition of the SIGI

Positive highlights

Bahrain has taken important steps to promote women’s economic empowerment. The law grants women and men the same rights to own and use land and non-land assets, as well as financial services, but informal laws often undermine women’s access to land and non-land assets in practice. Amendments to the Labour Law in 2020 and 2021 mandated equal remuneration for work of equal value and allowed women to work the same night hours as men. However, the law still prohibits women from entering certain

¹ SIGI scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. Levels of discrimination in the SIGI and its dimensions are assessed based on scores as follow: very low [0-20]; low [20-30]; medium [30-40]; high [40-50]; and very high [50-100].

² United Nations (1979), *Convention on the Elimination of All Forms of Discrimination Against Women*, United Nations, New York, <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

³ United Nations (2023), “Status of Treaties: Chapter IV- 8. Convention on the Elimination of All Forms of Discrimination against Women”, *Treaty Collection*, United Nations, New York, https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-8&chapter=4.

professions. Women and men also enjoy equal rights in terms of applying for national identity cards and passports, and to travel outside the country.

! Significant challenges

Discriminatory social institutions undermine women's rights and opportunities at the household level and insufficiently protect women and girls from gender-based violence. The Family Law contains discriminatory provisions that restrict women's rights to be legal guardians of their children, to file for divorce, to inherit on equal grounds as men, and that require a married women to obey her spouse. The minimum legal age of marriage is 16 for girls, while no age is specified for boys. Moreover, the legal framework on violence against women does not comprehensively protect women and girls from all forms of violence. The absence of data on the prevalence of violence against women limits the ability to design effective policies to prevent and eradicate it. In general, the lack of data on the population's attitudes towards gender roles and responsibilities severely constrains the assessment of gender-based discrimination beyond legal frameworks and prevents policy makers from gaining a full understanding of the underlying barriers to gender equality. Finally, only 25% of women declare having confidence in the judicial system and a woman's testimony does not carry the same weight as a man's in Sharia courts.

Summary of results for Bahrain

Discrimination in the family	Unit	Value
Laws on child marriage	Score	75
Girl child marriage rate ¹	%	5.5
Boy child marriage rate ¹	%	0.3
Laws on household responsibilities	Score	100
Share of the population that agrees or strongly agrees that “if a woman earns more than her husband, it is a problem”	%	-
Share of the population that agrees or strongly agrees that “when a mother works for pay, the children will suffer”	%	-
Female-to-male ratio of time spent on unpaid care and domestic work	Ratio	-
Number of hours spent by men on unpaid care and domestic work in a 24-hour period	Hours	-
Number of hours spent by women on unpaid care and domestic work in a 24-hour period	Hours	-
Laws on divorce	Score	100
Laws on inheritance	Score	100
Restricted physical integrity	Unit	Value
Laws on violence against women	Score	75
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	-
Lifetime intimate-partner violence rate ²	%	-
12-month intimate-partner violence rate ²	%	-
Laws on female genital mutilation	%	50
Share of the female population who has heard about female genital mutilation and think the practice should continue	%	-
Prevalence of female genital mutilation (% of women aged 15-49 years who have undergone FGM)	%	-
Boy-to-girl ratio at birth (natural = 105) ³	Ratio	103.9
Laws on reproductive autonomy	Score	75
Unmet needs for family planning ⁴	%	12
Restricted access to productive and financial resources	Unit	Value
Laws on land assets	Score	25
Share of women among landowners	%	-
Laws on non-land assets	Score	25
Share of women among house owners	%	-
Laws on financial assets	Score	0
Share of women among bank account owners	%	31.5
Laws on workplace rights	Score	25
Share of the population declaring that “when jobs are scarce, men should have more right to a job than women”	%	-
Share of the population declaring that “men make better business executives than women do”	%	-
Share of women among managers	%	21.6
Share of firms with a woman as top manager	%	-
Restricted civil liberties	Unit	Value
Laws on citizenship rights	Score	100
Laws on political voice	Score	50
Share of the population declaring that “men make better political leaders than women do”	%	-
Share of women in Parliament (lower chamber)	%	20
Laws on freedom of movement	Score	0
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	56.9
Laws on access to justice	Score	75
Share of women among those who declare not having confidence in the judicial system and courts of their country	%	44.2

Note: Scores of legal variables range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination.

¹ % of girls/boys aged 15-19 years who have been or are still married, divorced, widowed or in an informal union.

² % of ever-partnered women and girls who have experienced physical and/or sexual violence by a current or former intimate partner during their lifetime/over the previous 12 months. Population base for lifetime IPV: 15-49 years. Population base for 12-month IPV: 15 years and older.

³ A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

⁴ % of married or in-union women of reproductive age who want to either stop or delay childbearing but are not using any contraception method.

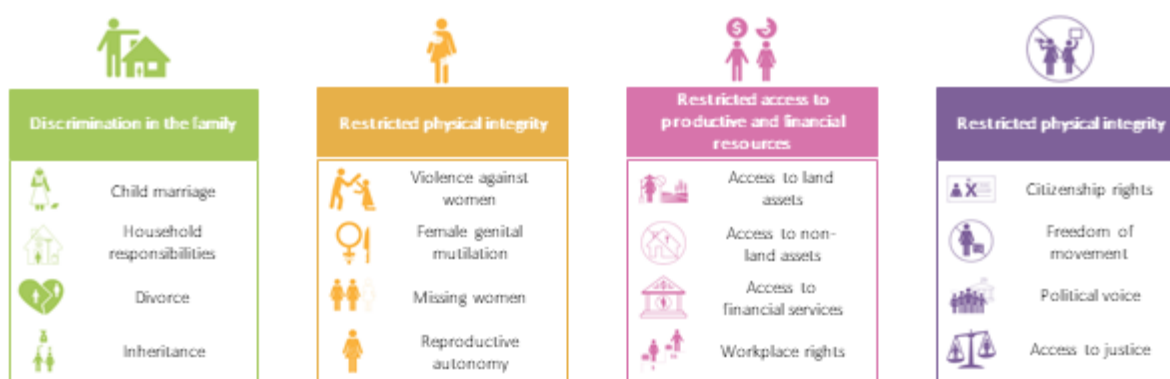
Source: OECD Development Centre/OECD (2023), “Gender, Institutions and Development Database”, <https://doi.org/10.1787/7b0af638-en>.

Results across the SIGI's four dimensions

The SIGI measures gender-based discrimination across four dimensions covering the major socio-economic areas that affect women and girls throughout their lifetime:



- The **“Discrimination in the family”** dimension captures social institutions that limit women’s decision-making power and weaken their status in the household and the family.
- The **“Restricted physical integrity”** dimension captures social institutions that increase women’s and girls’ vulnerability to multiple forms of violence and limit their control over their reproductive autonomy.
- The **“Restricted access to productive and financial resources”** dimension captures social institutions that limit women’s economic opportunities and rights.
- The **“Restricted civil liberties”** dimension captures social institutions restricting women’s access to, and participation and voice in, the public and political spheres.

Figure 2. Conceptual framework of the fifth edition of the SIGI



Each dimension builds on four indicators which, in turn, build on one to three variables depending on data availability (Figure 2). This section features the results by dimension, examining the pertinent social norms, practices and legal frameworks for each indicator.

The legal information collected through the *SIGI 2023 Legal Survey* covers both formal and codified laws, as well as informal laws. The information is assessed based on whether the law protects women’s rights or not, and is icon-coded as follows:

-  : The legal framework protects women’s rights.
-  : The legal framework does not fully protect women’s rights.

There is no universal agreement on what informal laws refer to, given contextual differences across time and place, as well as distinct disciplinary or theoretical approaches. In the context of the SIGI, informal laws (customary, traditional or religious laws/rules) describe mechanisms that operate outside the formal legal system of state-based laws. Informal laws vary from one community to another and are generally uncodified and unwritten. In some cases, informal laws may reflect unequal power dynamics within a given community and discriminatory social norms, with adverse consequences on women and girls and other vulnerable groups. Informal laws are unsteady and have been adapted over time in response to external factors.

For example, customary laws are laws that are embodied in customs, rules or traditions and accepted by members of the community as binding but remain adaptable, dynamic and flexible.⁴ The CEDAW General Recommendation No. 33 also recognises indigenous laws.⁵ These are similar to customary laws but are often given a distinct identity in recognition of the specific international standards related to the rights and protections of indigenous peoples and their justice systems. Informal religious laws may refer to norms that are derived from interpretations of codified religious texts and/or longstanding traditions.

⁴ United Nations (2018), "Module 1: The Theory and Practice of Women's Access to Justice Programming", *A Practitioner's Toolkit on Women's Access to Justice Programming*, UN Women, UNDP, UNDOC and OHCHR, New York, Vienna and Geneva, https://www.ohchr.org/sites/default/files/Documents/Publications/PractitionerToolkit/WA2J_Module1.pdf.

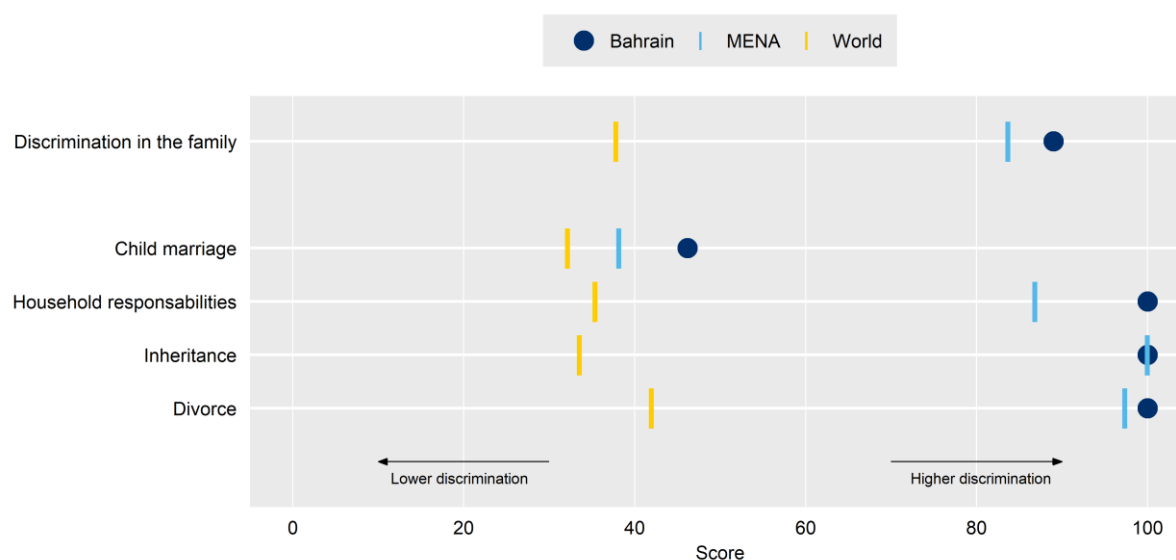
⁵ UN Committee on the Elimination of Discrimination against Women (2015), "General recommendation No. 33 on women's access to justice", *CEDAW/C/GC/33*, United Nations, New York, <https://digitallibrary.un.org/record/807253>.

Discrimination in the family

Bahrain exhibits very high levels of discrimination within the family with a score of 89, compared to a world average of 38 and an average score of 84 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Bahrain experience the highest levels of discrimination in the “Household responsibilities”, “Inheritance” and “Divorce” indicators with scores of 100. The lowest levels of discrimination are found in the “Child marriage” indicator with a score of 46, still denoting high levels of discrimination.

Figure 3. Discrimination in the family scores for Bahrain, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Child marriage

Practices related to child marriage

Child marriage remains a concern in Bahrain, primarily affecting girls. In 2023, 6% of girls aged 15-19 were or are still married, divorced, widowed or in an informal union, compared to 0.3% of boys.

Legal frameworks concerning child marriage

Article 20 of the Family Law⁶ establishes that a girl below the age of 16 years cannot be married except by permission of the Sharia court, upon verifying the suitability of her marriage. The law is silent on the

⁶ Kingdom of Bahrain (2017), “Law No. 19 of 2017 promulgating the Family Law”.

minimum legal age of marriage of men. Pursuant to Articles 15, 16 and 17 of the Family Law, a woman also needs to obtain her guardian's permission to get married.

Question	Answer	Assessment
What is the legal age of marriage for men?	0	!
What is the legal age of marriage for women?	16	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of parent and/or legal guardian?	No	✓
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of judge or court?	Yes	!
Are there legal exceptions to the legal age of marriage that allow women and men under the legal age of marriage to marry with the consent of another person or institution?	No	✓
Does the legal age of marriage apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that allow or encourage the early marriage of girls?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Household responsibilities

Practices and social norms related to household responsibilities

There are no available data in Bahrain that are comparable to other countries on practices and social norms related to the division of household responsibilities. In 2023, across countries with available data, women dedicate 2.6 times more time on unpaid care and domestic work than men⁷ worldwide, while in the MENA region this ratio is 5.9. Moreover, 56% of the world's population believes that when women work, the children will suffer. In the MENA region, this percentage reaches 70% – based on countries for which data are available.

Legal frameworks concerning household responsibilities

Article 5(b) of the Constitution of Bahrain⁸ guarantees equality between men and women, stipulating that “the State guarantees reconciling between the duties of women towards the family and their work in society, and their equality with men in political, social, cultural, and economic fields without violating the provisions of the Islamic Sharia.” However, Article 40 of the Family Law⁹ stipulates that a married woman must, among other things, care for her spouse, obey him, care for his children, preserve his honour and his home, and not leave the matrimonial home without a legitimate reason. In contrast, Article 39 establishes that a married man must care for his spouse and maintain her financially. Pursuant to Articles 133 and 134 of the Family Law, fathers also have priority rights over the legal guardianship of their children, which differ from custody. Chapter 6, Sub-chapter 2 governs the complex rules of custody which establish different rights and obligations for fathers and mothers depending on the situation, age and sex of children. Finally, the Family Law generally applies to all groups of Bahraini Muslims who have selected a particular jurisprudence in the marriage contract (see Article 5 of the Family Law). Marriage and family relations of Bahrain's non-Muslim minority communities such as the Jews and Christians are governed by their own laws.¹⁰

⁷ This indicator corresponds to SDG indicator 5.4.1

⁸ Kingdom of Bahrain (2002), “Constitution of the Kingdom of Bahrain”.

⁹ Kingdom of Bahrain (2017), “Law No. 19 of 2017 promulgating the Family Law”.

¹⁰ Musawah (2017), *Bahrain: Overview of Muslim Family Laws & Practice*, Musawah: For Equality in the Family, Kuala Lumpur, Malaysia, <https://www.musawah.org/wp-content/uploads/2019/03/Bahrain-Overview-Table.pdf>.

Question	Answer	Assessment
Does the law provide women with the same rights as men to be “head of household” or “head of family”?	No	!
Does the law provide women with the same rights as men to be the legal guardians of their children during marriage?	No	!
Does the law provide women with the same rights as men to be legal guardians of their children in informal unions?	No	!
Regarding women’s legal rights to be recognised as head of household or head of family, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being recognised as the head of household?	Yes	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children?	Yes	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to the choice of where to live?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Divorce

Legal frameworks concerning divorce

Bahrain’s Family Code introduces many restrictions regarding women’s rights to initiate a divorce and finalise it. Article 81 of the Family Law¹¹ establishes different procedures through which separation of spouse can be conducted – dissolution, divorce, rescission or separation. Pursuant to Article 83 of the Family Law, which governs the different forms of divorce, a man can divorce his spouse at will, without any restrictions (*talaq*), whereas a woman may only request a divorce if there is a provision in the marriage contract giving her this right (under Sunni jurisprudence), or if her spouse gave a power of attorney to divorce herself (under Shia jurisprudence). Article 18 of Decision No. 1/2016¹² also indicates that a Sunni man may divorce his spouse unilaterally either in writing or verbally, even if she is not present (*talaq*). In the circumstances where a woman requests a divorce and her spouse refuses, two options are available: she can get a judicial divorce, or she can resort to *khul’* – the process whereby the woman obtains divorce in exchange of paying her spouse an agreed financial compensation. Moreover, the Family Law introduces different child custody rights following a divorce depending on the age and sex of the child. Notably, Articles 124, 125 and 126 stipulate that the child custody of a Sunni mother custody ends when her son reaches the age of 15 and when her daughter gets married. For a Shia woman, child custody ends when children reach the age of 7; after that age, custody is passed onto the father. Marriage and family relations of Bahrain’s non-Muslim minority communities such as the Jews and Christians are governed by their own laws.¹³

Question	Answer	Assessment
Do women and men have the same rights to initiate/file for a divorce?	No	!
Can women and men finalise a divorce or annulment with the same requirements?	No	!
Do women and men have the same rights to child custody following a divorce?	No	!
Regarding divorce, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to initiating divorce?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between men and women when it comes to being the legal guardians of their children after divorce?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

¹¹ Kingdom of Bahrain (2017), “Law No. 19 of 2017 promulgating the Family Law”.

¹² Kingdom of Bahrain (2016), “Minister of Justice Decision No. 1/2016 with respect to *Ma’dhuns*”, *Ministry of Justice*.

¹³ Musawah (2017), *Bahrain: Overview of Muslim Family Laws & Practice*, Musawah: For Equality in the Family, Kuala Lumpur, Malaysia, <https://www.musawah.org/wp-content/uploads/2019/03/Bahrain-Overview-Table.pdf>.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Inheritance

Legal frameworks concerning inheritance rights

Article 5(d) of the Constitution of Bahrain,¹⁴ establishes that inheritance is governed by Islamic Sharia. Article 909 of the Civil Code¹⁵ also establishes that provisions of the Sharia are applied in all matters of inheritance. Under Sharia principles, women and men have unequal inheritance rights, whereby female heirs are entitled to half of the inheritance share of male heirs.¹⁶

Question	Answer	Assessment
Do daughters and sons have the same rights to inherit?	No	!
Do female and male surviving spouses have the same rights to inherit?	No	!
Regarding inheritance rights of daughters, does the law apply to all groups of women?	No	!
Regarding inheritance rights of female surviving spouses, does the law apply to all groups of women?	No	!
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between sons and daughters when it comes to inheritance?	No	✓
Are there informal laws (customary, traditional or religious laws/rules) that create different rights or abilities between male and female surviving spouses when it comes to inheritance?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

¹⁴ Kingdom of Bahrain (2002), "Constitution of the Kingdom of Bahrain".

¹⁵ Kingdom of Bahrain (2001), "Law No. 19 of 2001 promulgating the Civil Code".

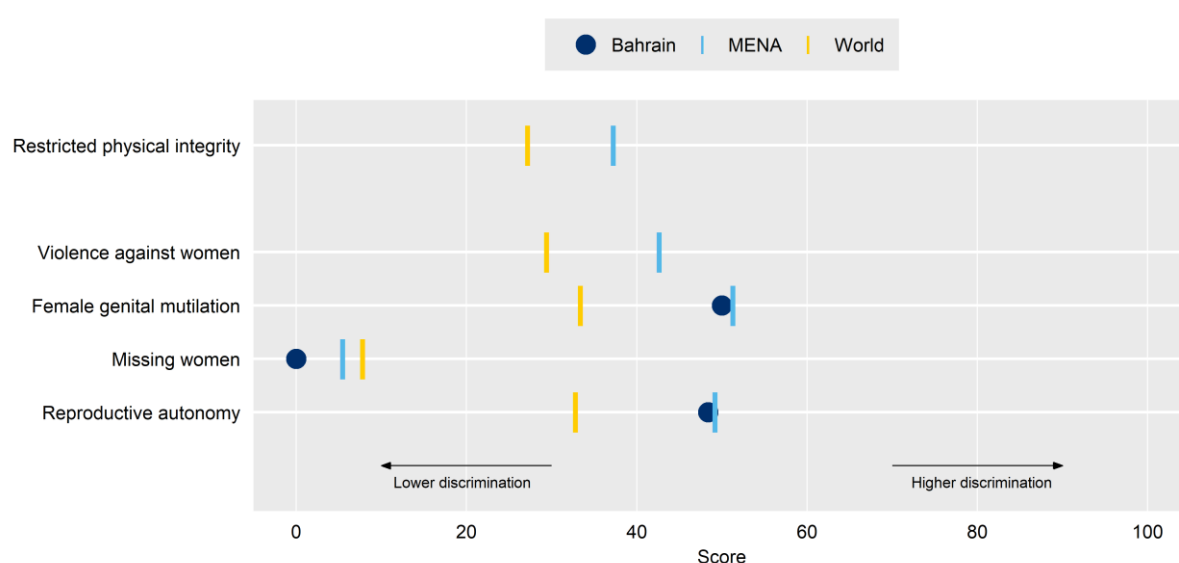
¹⁶ Musawah (2017), *Bahrain: Overview of Muslim Family Laws & Practice*, Musawah: For Equality in the Family, Kuala Lumpur, Malaysia, <https://www.musawah.org/wp-content/uploads/2019/03/Bahrain-Overview-Table.pdf>.

Restricted physical integrity

Bahrain did not obtain a score in the “Restricted physical integrity” dimension because of missing data points in certain underlying variables – namely (1) the share of women who have experienced intimate-partner violence at least once over the last 12 months or during their lifetime, and (2) the share of women who consider a husband is justified in hitting or beating his wife under certain circumstances.

Nevertheless, scores could be calculated in the remaining indicators of the dimension. In this dimension, women and girls in Bahrain experience the highest levels of discrimination in the “Female genital mutilation” indicator with a score of 50, followed by “Reproductive autonomy” with a score of 48. No discrimination is found in the “Missing women” indicator with a score of 0.

Figure 4. Restricted physical integrity scores for Bahrain, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Violence against women

Practices and social norms related to violence against women

There are no available data in Bahrain that are comparable to other countries on the prevalence of intimate-partner violence against women nor on the social acceptance of it – whether it is calculated over their lifetime or during the last 12 months. In 2023, across countries with available data, 30% of women aged 15-49 think that it is justified for a husband to hit or beat his wife under certain circumstances, such as burning the food, arguing with the spouse, going out without telling him, neglecting the children, or refusing to have sex. In the MENA region this percentage reaches 30%.

Legal frameworks concerning violence against women

Bahrain does not have a dedicated law addressing all forms of violence against women. Different forms of violence against women (such as domestic violence or sexual violence) are covered in separate or general pieces of legislation. The Penal Code includes reduced penalties in cases of so-called “honour crimes.” Article 334 of the Penal Code,¹⁷ as amended, establishes that murder – or assault resulting in death – of a spouse caught in the act of adultery shall be punished with a prison sentence instead of the death sentence as stipulated by Article 333. Moreover, although Article 344 of the Penal Code criminalises rape and grounds its definition on the notion of consent, it does not specifically cover marital rape. Finally, Article 350 of the Penal Code criminalises acts assimilated to sexual harassment but does not specifically mention in which places or contexts.

Question	Answer	Assessment
Is there a law specifically addressing violence against women?	No	!
If there is a specific law addressing violence against women, are there specific provisions for investigation, prosecution and punishment of the perpetrator?	n.a.	n.a.
If there is a specific law addressing violence against women, are there specific provisions for protection and support services for victims/survivors?	n.a.	n.a.
Does the law include reduced penalties in case of so-called “honour crimes”?	Yes	!
Domestic violence		
Is domestic violence a criminal offence?	Yes	✓
Does domestic violence legislation cover physical abuse?	Yes	✓
Does domestic violence legislation cover sexual abuse?	Yes	✓
Does domestic violence legislation cover psychological abuse?	Yes	✓
Does domestic violence legislation cover economic abuse?	Yes	✓
Are there any exceptions included in informal laws (traditional, religious, and/or customary rules/laws) that reduce penalties for domestic violence?	Yes	!
Rape		
Is rape a criminal offence?	Yes	✓
Is the legal definition of rape based on lack of consent?	Yes	✓
If the legal definition of rape is based on lack of consent, does this require proof of physical force?	No	✓
If the legal definition of rape is based on lack of consent, does this require proof of penetration?	No	✓
Does the legal definition of rape include marital rape?	No	!
Does the law permit the reduction or removal of legal punishment if the perpetrator marries the victim?	Yes	!
Sexual harassment		
Does the law prohibit sexual harassment?	Yes	✓
Does the law on sexual harassment include criminal penalties?	Yes	✓
Do legal protections from sexual harassment apply in the workplace?	No	!
Do legal protections from sexual harassment apply in educational establishments?	No	!
Do legal protections from sexual harassment apply in public spaces?	No	!
Do legal protections from sexual harassment apply online / on the internet?	No	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Female genital mutilation

Practices and social norms related to female genital mutilation and cutting (FGM/C)

Female genital mutilation and cutting (FGM/C) is traditionally concentrated in a limited number of countries that have been well-identified and documented by international organisations at the forefront of the fight against this harmful practice. Yet, evidence highlights that FGM/C takes place across all regions, among indigenous and/or diaspora communities originating from countries where FGM/C is known to be common.




¹⁷ Kingdom of Bahrain (1976), “Decree-Law No. 15 of 1976 issuing the Penal Code”.

In some contexts, girls are taken across national borders to undergo FGM/C in a country where the legislation against the practice is either non-existent or less strict.¹⁸

There are no available data in Bahrain that are comparable to other countries on practices and social norms related to female genital mutilation and cutting.

Legal frameworks concerning female genital mutilation and cutting (FGM/C)

Articles 337 of the Penal Code,¹⁹ as amended, allows for the prosecution of FGM/C acts on broad grounds, namely under acts of bodily injury and amputation, including when it leads to the cessation of the total or partial functions of one of the senses on a permanent basis. However, the law does not criminalise FGM/C on narrow grounds.

Question	Answer	Assessment
Does the law criminalise FGM/C on broad or narrow grounds?	Yes	
Does the law criminalise FGM/C on narrow grounds only?	No	
Are there informal laws (customary, traditional or religious laws) that allow or encourage FGM/C?	Yes	
Does the law take precedence over informal laws (customary, traditional or religious laws) that allow, condone or prescribe FGM?	n.a.	n.a.

Note: The SIGI methodology assesses laws on FGM/C according to two scenarios: (1) criminalisation on narrow grounds includes laws that contain criminal penalties for acts of “female genital mutilation”, “permanent altering/removal of external genitalia”, “female circumcision”, “excision”, “infibulation” and “genital mutilation”; (2) criminalisation on broad grounds includes “mutilation”, “harming of a person’s organs”, “serious bodily injury” and “bodily injury/hurt/assault.” The presence of informal laws that allow or encourage FGM/C is proxied by the existence of nationally representative data on FGM/C or the existence of indirect estimates (usually used in countries where FGM/C is mainly practiced by diaspora communities), small-scale studies, or anecdotal evidence and media reports as reported by Equality Now, the End FGM European Network and the US End FGM/C Network in 2020.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>, and Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

Missing women

Practices related to missing women

The “Missing women” indicator captures whether there are any existing imbalances in the natural sex ratio between girls and boys aged 0-4 due to pre- and postnatal gender-biased sex selection. These imbalances can result from sex-selective abortions, female infanticide, and/or inadequate healthcare and nutrition for girls. A natural boy-to-girl sex ratio at birth is generally estimated to be below 105. A ratio exceeding 105 implies the existence of more boys aged 0-4 than one would expect, indicating a potential phenomenon of son preference resulting in the systemic elimination of new-born girls.

In Bahrain, the “missing women” phenomenon is not an issue. The boy-to-girl sex ratio for children aged 0-4 is estimated at 103.9, which means that there are approximately 103.9 boys aged 0-4 for 100 girls of the same age, which is in line with a natural sex ratio at birth.

Reproductive autonomy

Practices related to women’s reproductive autonomy

¹⁸ Equality Now, End FGM European Network and US End FGM/C Network (2020), *Female Genital Mutilation/Cutting: A Call For A Global Response*, <https://www.equalitynow.org/resource/female-genital-mutilation-cutting-a-call-for-a-global-response/>.

¹⁹ Kingdom of Bahrain (1976), “Decree-Law No. 15 of 1976 issuing the Penal Code”.

Unmet needs for family planning are calculated as the proportion of women of reproductive age (15-49 years), married or in union, who wish to interrupt or delay childbearing but do not use any method of contraception.

In Bahrain, the gap between women's reproductive intentions and their contraceptive behaviour exists, with 12% of women aged 15-49 who declare having an unmet need for family planning, compared to a world average of 12% and an average of 13% in the MENA region – based on countries for which data are available.

Legal frameworks concerning women's reproductive autonomy

Women's reproductive autonomy can be restricted by laws that prohibit the access to safe and legal abortion under essential circumstances (in cases of rape, incest, threats to the life or health of the pregnant woman and severe foetal impairment).²⁰ Evidence shows that the share of unsafe abortions is higher in countries with restrictive abortion laws. Unsafe abortions are a leading but preventable cause of maternal mortality and millions of girls and women are hospitalised every year following complications of unsafe abortion procedures.²¹

Article 321 and 322 of the Penal Code,²² as amended, criminalise abortion under any circumstances. However, Article 18 of the law on the practice of medical and dental professions²³ stipulates that a doctor may have the right to perform or induce an abortion if the continuation of the pregnancy poses a danger to the life of the pregnant woman. The act of abortion is conditional to a decision of three doctors recognised by the Department of Health. Abortion must take place in a government hospital, or any private hospital authorised to do so, and must be performed by a physician specialised in obstetrics and gynaecology, after having obtained the consent of the pregnant woman's guardian.

Question	Answer	Assessment
Is abortion illegal under any circumstances?	No	✓
Is abortion legally permitted in cases where: it is essential to save the woman's life?	Yes	✓
Is abortion legally permitted in cases where: it is essential to preserve the physical health of the woman?	No	!
Is abortion legally permitted in cases where: it is essential to preserve the mental health of the woman?	No	!
Is abortion legally permitted in cases where: pregnancy is the result of rape or statutory rape?	No	!
Is abortion legally permitted in cases where: pregnancy is the result of incest?	No	!
Is abortion legally permitted in cases where: social and economic reasons do not allow the mother to sustain a pregnancy?	No	!
Is abortion legally permitted in cases where: foetal impairment?	No	!
Does a woman require the approval of a medical practitioner to seek a legal abortion?	Yes	!
Does the law require the approval of the father of the foetus to seek a legal abortion?	No	✓
Is there any national plan or policy that provide universal access to family planning services?	No	!
Is there any law or national policy that provide free or subsidised access to contraception?	No	!
Does the national school curricula include mandatory and comprehensive sexuality education?	No	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

²⁰ CEDAW (2022), *Access to safe and legal abortion: Urgent call for United States to adhere to women's rights convention*, <https://www.ohchr.org/en/statements/2022/07/access-safe-and-legal-abortion-urgent-call-united-states-adhere-womens-rights>.

²¹ UNFPA (2022), *State of World Population 2022: Seeing the Unseen - The Case for Action in the Neglected Crisis of Unintended Pregnancy*, UNFPA, Geneva, <https://doi.org/10.18356/9789210015004>.

²² Kingdom of Bahrain (1976), "Decree-Law No. 15 of 1976 issuing the Penal Code".

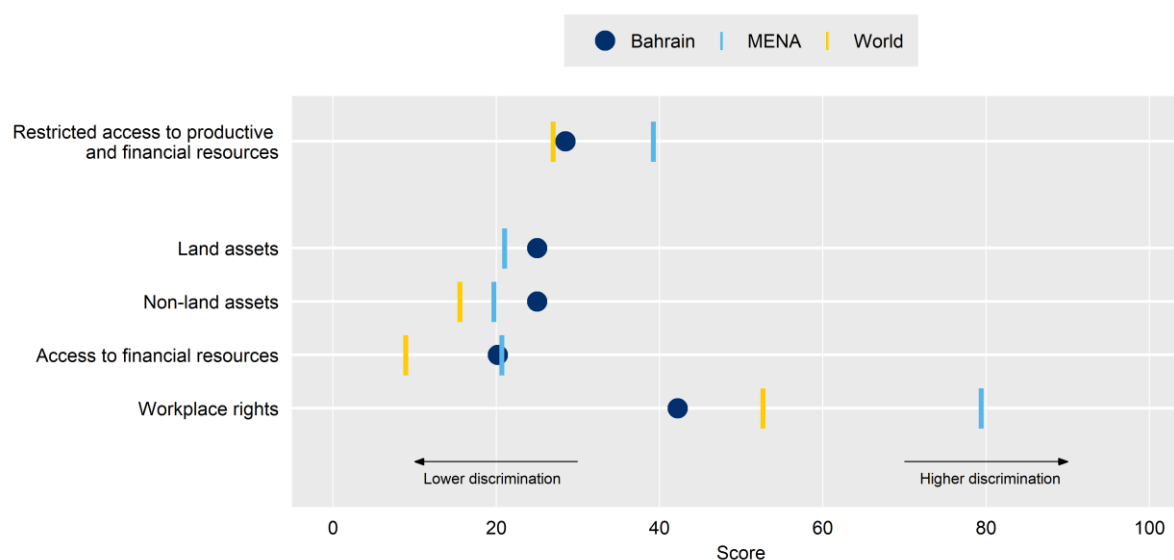
²³ Kingdom of Bahrain (1971), "Decree-Law No. 6 of 1971 on the Practice of Medical and Dental Professions".

Restricted access to productive and financial resources

Bahrain exhibits low levels of discrimination within the family with a score of 28, compared to a world average of 27 and an average score of 39 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Bahrain experience the highest level of discrimination in the “Workplace rights” indicator with a score of 42, followed by the “Access to land assets” and “Access to non-land assets” indicators, with a score of 25 for both. The lowest level of discrimination in this dimension is found in “Access to financial services” indicator with a score of 20.

Figure 5. Restricted access to productive and financial resources scores for Bahrain, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Access to land assets

Practices related to women’s access to secure land assets

In Bahrain, there are no available data that are comparable to other countries on practices related to access to land assets.

Legal frameworks concerning women’s access to land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own land?	Yes	✓
Does the law provide married women with the same rights as married men to use land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own land?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use land?	Yes	✓
Regarding land, does the law apply to all groups of women?	Yes	✓

Question	Answer	Assessment
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to non-land assets

Practices related to women's secure access to non-land assets

In Bahrain, there are no available data that are comparable to other countries on practices related to access to non-land assets.

Legal frameworks concerning women's access to non-land assets

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to own property and other non-land assets?	Yes	✓
Does the law provide married women with the same rights as married men to use property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to own property and other non-land assets?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to use property and other non-land assets?	Yes	✓
Regarding property and other non-land assets, does the law apply to all groups of women?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to the ownership or use of non-land assets?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to financial services

Practices related to women's access to formal financial services

Gender imbalances in terms of access to financial services remain an issue in Bahrain, but the overall access of the population is high. In 2023, 75% of women have a bank account at a financial institution, compared to 86% of men. This translates into women accounting for only 32% of bank account holders. By comparison, at the global level, 67% of women have a bank account, compared to 72% of men. Across the MENA region, on average, 40% of women have a bank account, compared to 54% of men, translating into women accounting for only 39% of bank account holders.

Legal frameworks concerning women's access to financial services

Question	Answer	Assessment
Does the law provide women with the same rights as men to open a bank account at a formal financial institution?	Yes	✓
Does the law require married women to obtain the signature and authority of their husband to open a bank account at a formal financial institution?	No	✓
Does the law provide women with the same rights as men to obtain credit?	Yes	✓
Regarding access to formal financial services, does the law apply to all groups of women (regardless of race, ethnicity, caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to opening a bank account?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to obtaining credit?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Workplace rights

Practices and social norms related to women's workplace rights

Women remain largely excluded from positions with decision-making power in the economic sphere. Women only account for 22% of employees in a managerial position,²⁴ compared to a world average of 25% and an average of 14% in the MENA region – based on countries for which data are available.

There are no available data in Bahrain that are comparable to other countries on attitudes related to women's ability to be business executives or to men's priority to have a job compared to women. In 2023, 45% of the world's population agrees that when jobs are scarce, men should have more right to a job than women. In the MENA region this percentage reaches 73% – based on countries for which data are available.

Legal frameworks concerning women's workplace rights

In 2021, Article 2 of the Decree-Law No. 16/2021²⁵ mandated equal pay for work of equal value and abrogated Articles 30 and 31 of the Labour Law,²⁶ which restricted the employment of women in certain occupations and at night.

Question	Answer	Assessment
Does the law prohibit discrimination in employment on the basis of sex?	Yes	✓
Does the law mandate equal remuneration for work of equal value?	Yes	✓
Does the law prohibit women from entering certain professions?	No	✓
Does the law allow women to work the same night hours as men?	Yes	✓
Does the law mandate paid maternity leave?	Yes	✓
Does the law mandate paid paternity leave?	Yes	✓
Does the law mandate paid parental leave?	No	!
Does the law require women to have permission from their husband or legal guardian to take a paid job?	No	✓
Does the law require women to have permission from their husband or legal guardian to register a business?	No	✓
Regarding women's legal right to take a paid job or work and/or register a business, does the law apply to all groups of women (regardless of race, ethnicity caste, etc.)?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to entering certain professions?	Yes	!
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to take a paid job?	No	✓
Are there informal laws (customary, religious, or traditional laws/rules) that require women to have the permission from their husband or legal guardian to register a business?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

²⁴ This indicator corresponds to SDG indicator 5.2.2

²⁵ Kingdom of Bahrain (2021), "Decree-Law No. 16 of 2021, amending some provisions of Law No. 36 of 2012 promulgating the labour law in the private sector".

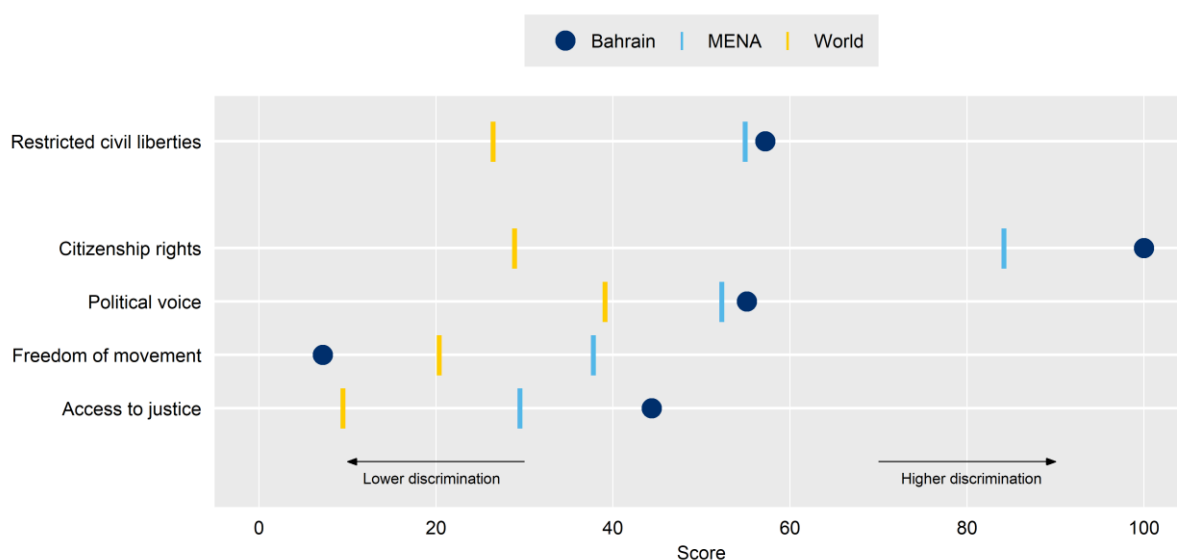
²⁶ Kingdom of Bahrain (2012), "Law No. 36 of 2012 promulgating the labour law in the private sector", *Official Gazette No. 3063*.

Restricted civil liberties

Bahrain exhibits very high levels of discrimination within the family with a score of 57, compared to a world average of 26 and an average score of 55 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Bahrain experience the highest levels of discrimination in the “Citizenship rights” indicator with a score of 100, followed by the “Political voice” and “Access to justice” indicators with scores of 55 and 44, respectively. The lowest levels of discrimination are found in the “Freedom of movement” indicator with a score of 7.

Figure 6. Restricted civil liberties scores for Bahrain, 2023



Note: Scores range from 0 to 100, with 0 indicating no discrimination and 100 indicating absolute discrimination. The MENA region covers Algeria, Bahrain, Djibouti, Egypt, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Syria, Tunisia, the United Arab Emirates, the West Bank and Gaza Strip and Yemen.

Source: OECD (2023), “Social Institutions and Gender Index (Edition 2023)”, *OECD International Development Statistics* (database), <https://doi.org/10.1787/33beb96e-en>.

Citizenship rights

Legal frameworks concerning women’s citizenship rights

The Citizenship Act of 1963²⁷ and its amendments from 1981²⁸ and 1989²⁹ introduce different conditions and requirements for men and women to acquire or retain the Bahraini nationality, or to confer it to their children and spouse. For instance, Article 7 of the Citizenship Act (as amended in 1981) establishes that a foreign woman can acquire Bahraini citizenship by marrying a Bahraini national, which is not the case for foreign men. A Bahraini woman who marries a foreigner also loses her Bahraini citizenship if she acquires the citizenship of her spouse. Moreover, Article 4 of the Citizenship Act (as amended in 1989) stipulates that a child acquires Bahraini citizenship if the father is Bahraini at the time of birth. Conversely,

²⁷ Kingdom of Bahrain (1963), “Bahraini Citizenship Act”.

²⁸ Kingdom of Bahrain (1981), “Decree-Law No. 10 of 1981 amending the Bahraini Citizenship Act for 1963”.

²⁹ Kingdom of Bahrain (1989), “Decree Law No. 12. of 1989 amending the Bahraini Citizenship Act of 1963”.

a child only acquires Bahraini citizenship from the mother if she is Bahraini at the time of birth and if the father is unknown or not legally related to the child.

Question	Answer	Assessment
Does the law provide married women with the same rights as married men to acquire nationality?	No	!
Does the law provide unmarried women with the same rights as unmarried men to acquire nationality?	Yes	✓
Does the law provide married women with the same rights as married men to change their nationality?	Yes	✓
Does the law provide unmarried women with the same rights as unmarried men to change their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to retain their nationality?	No	!
Does the law provide unmarried women with the same rights as unmarried men to retain their nationality?	Yes	✓
Does the law provide married women with the same rights as married men to confer nationality to their spouse?	No	!
Does the law provide married women with the same rights as married men to confer nationality to their children?	No	!
Does the law provide unmarried women with the same rights as unmarried men to confer nationality to their children?	No	!
Regarding women's nationality rights, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to acquiring, changing, or retaining their nationality?	No	✓
Are there informal laws (customary, traditional, or religious laws) that create different rights or abilities between men and women when it comes to conferring nationality to their spouse and/or children?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Freedom of movement

Practices related to women's freedom of movement

Freedom of movement is recognised as a human right and mobility is essential in everyday life, for instance to reach the workplace or healthcare facilities. In Bahrain, women feel more unsafe than men, and a large part of the overall population feels that way. Across the country, 42% of women declare not feeling safe walking alone at night in the city or in the area where they live, compared to 30% of men. This translates into women accounting for 57% of those who do not feel safe walking alone at night.

Legal frameworks concerning women's freedom of movement

Beyond the challenge of ensuring that everyone feels safe enough to move around in public spaces, laws must guarantee women and men the same rights to obtain identification documents and to travel by themselves within and outside of their country.

Question	Answer	Assessment
Does the government provide national identity cards?	Yes	✓
Can a married woman apply for a national identity card in the same way as a married man? (in terms of rights and procedures)	Yes	✓
Can an unmarried woman apply for a national identity card in the same way as an unmarried man? (in terms of rights and procedures)	Yes	✓
Can a married woman apply for a passport in the same way as a married man (in terms of rights and procedures)?	Yes	✓
Can an unmarried woman apply for a passport in the same way as an unmarried man (in terms of rights and procedures)?	Yes	✓
Regarding identity cards and/or passports, does the law apply to all groups of women (regardless of race, caste, ethnicity, etc.)?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside the country?	Yes	✓
Does the law provide married women with the same rights as married men to travel outside their homes?	Yes	✓
Are there informal laws (customary, religious, or traditional laws/rules) that create different rights or abilities between men and women when it comes to applying for identity cards or passports?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Political voice

Practices and social norms related to women's political voice

Women's political representation in the country is low, with women accounting for 20% of members of parliament in 2023, compared to a world average of 27% and an average of 17% in the MENA region.

Regarding attitudes on women's ability to be political leaders, there are no available data in Bahrain that are comparable to other countries. In 2023, 48% of the world's population thinks that men make better political leaders than women. In the MENA region, this percentage reaches 69% – based on countries for which data are available.

Legal frameworks concerning women's political voice

Question	Answer	Assessment
Does the law provide women with the same rights as men to vote?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the legislative branch?	Yes	✓
Does the law provide women with the same rights as men to hold public and political office in the executive branch?	Yes	✓
Does the law provide women with the same rights as men to hold public office in the judiciary branch?	Yes	✓
Do constitutional/legislated gender quotas exist to promote women's political representation at the national level?	No	!
Do constitutional/legislated gender quotas exist to promote women's political representation at the local level?	No	!
Does the law provide for special measures other than quotas to promote women's political representation at the national level?	No	!
Does the law provide for special measures other than quotas to promote women's political representation at the local level?	No	!
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to voting?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to holding public office?	No	✓

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Access to justice

Practices related to women's access to justice

In Bahrain, 25% of women do not trust the judicial system and courts, compared to 29% of men. This translates into women accounting for 44% of those who do not trust the country's judicial system.

Legal frameworks concerning women's access to justice

Question	Answer	Assessment
Does the law provide women with the same rights as men to sue?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the civil courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the criminal courts?	Yes	✓
Does a woman's testimony carry the same evidentiary weight as a man's in the family courts?	No	!
Does a woman's testimony carry the same evidentiary weight as a man's in the tribunals?	Yes	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes suing someone?	No	✓
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to providing testimony in court?	Yes	!

Question	Answer	Assessment
Are there informal laws (customary, religious or traditional laws/rules) that create different rights or abilities between men and women when it comes to being judges, advocates or other court officers?	Yes	!

Note: Cut-off date for the legal data is 31 August 2022.

Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.