

Social Institutions and Gender Index

Saudi Arabia

SIGI Country Profile

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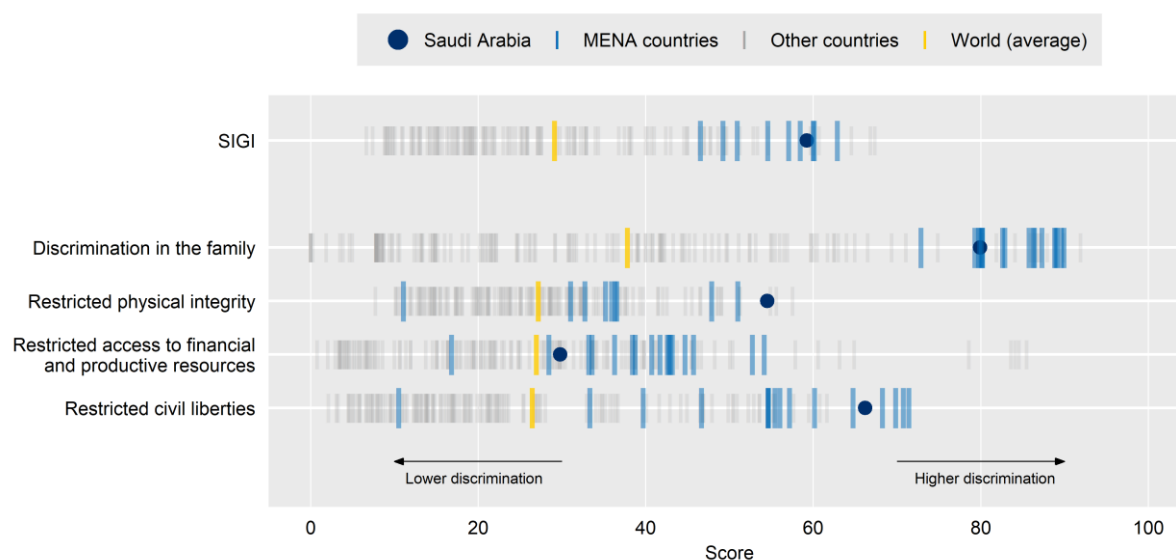
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Social institutions in Saudi Arabia

The state of gender equality in Saudi Arabia

The SIGI 2023 profile for Saudi Arabia 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 Saudi Arabia, 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, Saudi Arabia obtained a SIGI score of 59 denoting very high levels of discrimination, compared to an average score of 56 in the MENA region, denoting very high levels of discrimination, and a world

average score of 29 (Figure 1).¹ The country obtained a score of 80 in the “Discrimination in the family” dimension, followed by “Restricted civil liberties” (66), “Restricted physical integrity” (55) and “Restricted access to productive and financial resources” (30).

Legislative framework in Saudi Arabia

The legal system is based on Islamic law. Article 1 of the Basic Law of Governance states that the Kingdom of Saudi Arabia is a sovereign Arab Islamic State, its religion is Islam, and that the Qur’an and the Sunna of the Prophet represent the (uncodified) Constitution. While historically Islamic law was uncodified and judges could rely on scholarly text, there has been a move towards codifying laws and rulings into statutes and royal decrees in Saudi Arabia.

The Basic Law of Governance does not recognise or prohibit multiple and intersectional discrimination – an essential provision to enhance gender equality from a legal perspective. Nonetheless, Saudi Arabia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)² in 2000 but expresses reservations on Articles 9(2) and 29(1).³ Saudi Arabia declares not to be under obligation to observe the CEDAW when contradictory to the norms of Islamic law. For instance, Saudi Arabia does not consider itself bound by Article 9(2), on granting men and women equal rights with respect to the nationality of their children.

Gender-disaggregated, gender-relevant and intersectional data and indicators are essential to better identify policy areas that have strong linkages with gender. In Saudi Arabia, 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

The law in Saudi Arabia protects women’s rights in the economic and political/public spheres. The law grants women and men the same rights to own and use land and non-land assets as well as financial services. Gender quotas promote women’s political participation at the national level and there are no restrictions regarding women’s freedom of movement. Nonetheless, informal laws often undermine women’s rights in practice. In 2022, Saudi Arabia passed a new Personal Status Law which sets the legal age of marriage both for girls and boys at 18 years and introduces legal provisions which prohibit forced marriage. However, girls and boys are still allowed to get married before the age of 18 years with the consent of a judge or court.

Significant challenges

Discriminatory social institutions undermine women’s and girls’ rights and opportunities in many areas of their lives, particularly in the family sphere. The 2022 Personal Status Law contains discriminatory provisions that restrict women’s rights to be legal guardians of their children, to file for divorce, to inherit

¹ 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.

on equal grounds as men, and that require a married women to obey her spouse. Moreover, legal loopholes put women's physical integrity and reproductive rights at risk. While 43% of women aged 15-49 years report having experienced intimate-partner violence during their lifetime, the law does not criminalise marital rape. Discriminatory legal provisions further restrain women's economic empowerment, citizenship rights, and access to justice. For instance, the law does not prohibit discrimination in employment and women are not allowed to enter certain professions. Under the application of Sharia Law, a woman's testimony may not carry the same evidentiary weight as a man's, and a woman does not have the same rights as a man to confer her nationality to her spouse and children.

Summary of results for Saudi Arabia

Discrimination in the family	Unit	Value
Laws on child marriage	Score	50
Girl child marriage rate ¹	%	3.1
Boy child marriage rate ¹	%	0.2
Laws on household responsibilities	Score	75
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	50
Share of women who consider a husband to be justified in hitting or beating his wife under certain circumstances	%	20.5
Lifetime intimate-partner violence rate ²	%	43
12-month intimate-partner violence rate ²	%	40.2
Laws on female genital mutilation	%	100
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	105.2
Laws on reproductive autonomy	Score	75
Unmet needs for family planning ⁴	%	24.7
Restricted access to productive and financial resources	Unit	Value
Laws on land assets	Score	0
Share of women among landowners	%	-
Laws on non-land assets	Score	0
Share of women among house owners	%	-
Laws on financial assets	Score	25
Share of women among bank account owners	%	34.1
Laws on workplace rights	Score	75
Share of the population declaring that “when jobs are scarce, men should have more right to a job than women”	%	69.7
Share of the population declaring that “men make better business executives than women do”	%	-
Share of women among managers	%	15.4
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	25
Share of the population declaring that “men make better political leaders than women do”	%	74.6
Share of women in Parliament (lower chamber)	%	19.9
Laws on freedom of movement	Score	75
Share of women among those who declare not feeling safe walking alone at night in the city or area where they live	%	77.3
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	%	45.4

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.

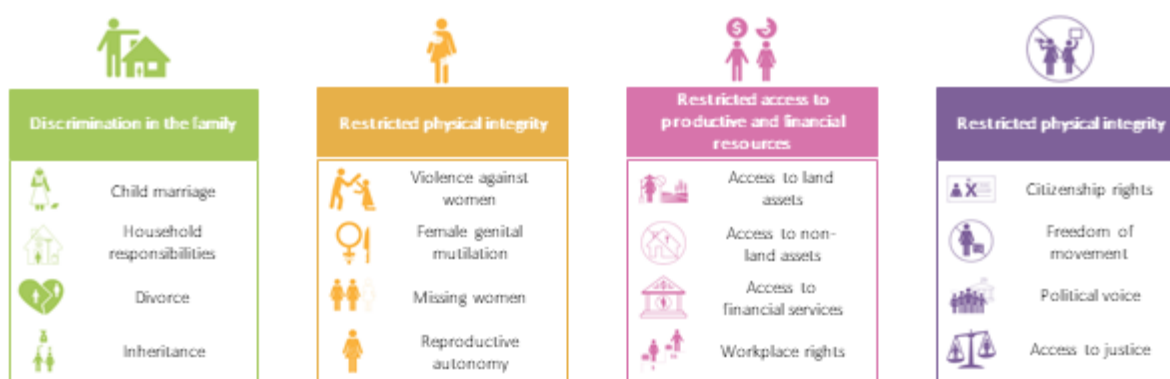
Source: OECD Development Centre/OECD (2023), “Gender, Institutions and Development Database”, <https://doi.org/10.1787/7b0af638-en>.

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.

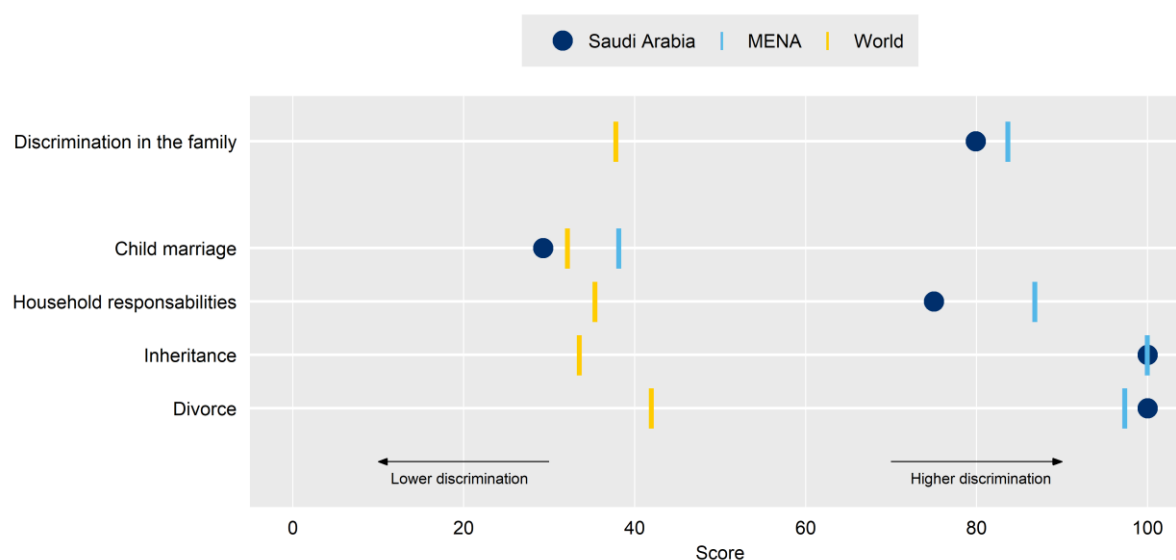
⁵ UN Committee on the Elimination of Discrimination against Women (2015), "General recommendation No. 33 on women's access to justice", *CEDAW/C/GC/33*, United Nations, New York, <https://digitallibrary.un.org/record/807253>.

Discrimination in the family

Saudi Arabia exhibits very high levels of discrimination within the family with a score of 80, 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 Saudi Arabia experience the highest levels of discrimination in the “Inheritance” and “Divorce” indicators with scores of 100 for both, followed by “Household responsibilities” with a score of 75. The lowest levels of discrimination are found in the “Child marriage” indicator with a score of 29.

Figure 3. Discrimination in the family scores for Saudi Arabia, 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 limited but present in Saudi Arabia. In 2023, 3% of girls aged 15-19 were or are still married, divorced, widowed or in an informal union, compared to 0.2% of boys.

Legal frameworks concerning child marriage

Article 9 of the Personal Status Law⁶ sets the minimum legal age for marriage at 18 years. However, the law establishes that minors below the age of 18 years can get married if authorised by a court, provided that they have reached puberty and that the marriage is beneficial to the minor.

⁶ Kingdom of Saudi Arabia (2022), “Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022”.

Question	Answer	Assessment
What is the legal age of marriage for men?	18	✓
What is the legal age of marriage for women?	18	✓
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?	Yes	✓
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 Saudi Arabia that are comparable to other countries on practices related to the division of household responsibilities. In 2023, worldwide, women dedicate 2.6 times more time on unpaid care and domestic work than men,⁷ while in the MENA region this ratio is 5.9 – based on countries for which data are available.

However, data on attitudes suggest the presence of prevailing discriminatory social norms that confine women to the household. In Saudi Arabia, 69% of the population thinks that being a housewife is just as fulfilling as working for pay.

Legal frameworks concerning household responsibilities

Article 42 of the Personal Status Law⁸ provides mutual rights between spouses but stipulates that a married woman must obey her spouse in exchange for spousal maintenance (*nafaqa*). Under the Personal Status Law, only men can be legal guardians, and Article 137 designates a father as the priority guardian of a child. In contrast, Article 127 grants mothers the right to child custody.

Question	Answer	Assessment
Does the law provide women with the same rights as men to be “head of household” or “head of family”?	n.a.	n.a.
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?	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 recognised as the head of household?	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?	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. The law in Saudi Arabia does not refer to the “head of household” or “head of family”.

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

⁷ This indicator corresponds to SDG indicator 5.4.1

⁸ Kingdom of Saudi Arabia (2022), “Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022”.

Divorce

Legal frameworks concerning divorce

Articles 77 and following of the Personal Status Law⁹ regulate the legal dissolution of marriage, introducing several restrictions regarding women's rights to initiate and finalise a divorce. While a married man can unilaterally divorce his spouse (*talaq*), the law stipulates the circumstances upon which a woman can ask for divorce. The law also grants married woman the right to seek divorce by *khul'* – the process whereby the woman obtains divorce in exchange of paying her spouse an agreed financial compensation. Finally, Article 127 of the Personal Status Law establishes that child custody belongs in priority to the mother following a divorce.

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?	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 initiating divorce?	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 after divorce?	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>.

Inheritance

Legal frameworks concerning inheritance rights

Provisions of the Personal Status Law governing inheritance matters follow the principles of Islamic Sharia, whereby female heirs are entitled to half of the inheritance share of male heirs. Article 225 of the Personal Status Law¹⁰ establishes that sons are entitled to twice the share received by daughters. Articles 209 and 210 state that a surviving widower receives one half of the estate (or one quarter if there are surviving children), whereas a surviving widow receives one quarter of the estate (or one eighth if there are surviving children).

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?	Yes	✓
Regarding inheritance rights of female surviving spouses, does the law apply to all groups of women?	Yes	✓
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?	Yes	!
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?	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>.

⁹ Kingdom of Saudi Arabia (2022), "Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022".

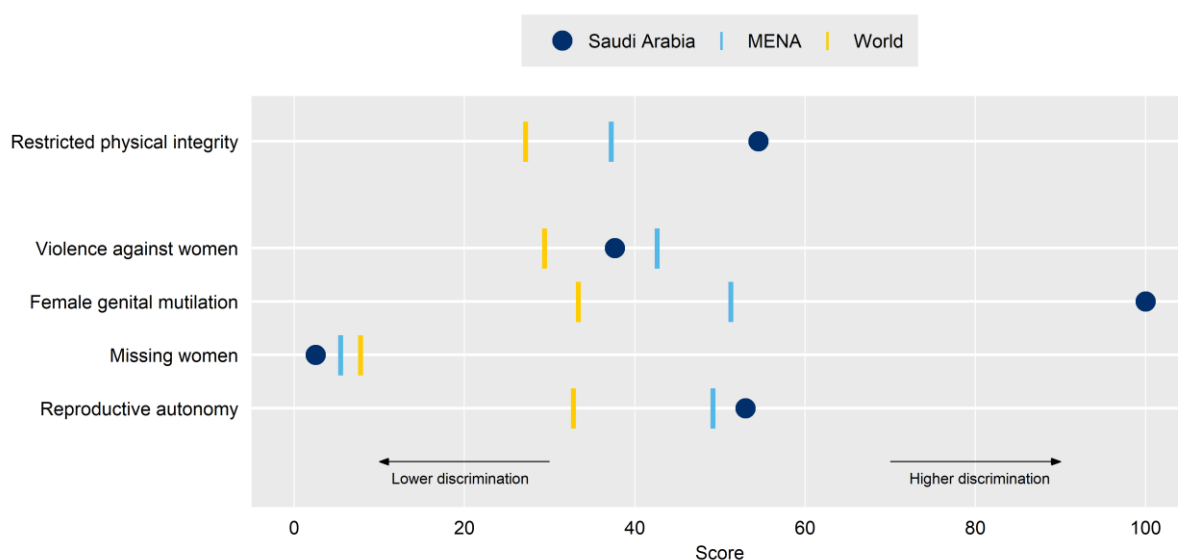
¹⁰ Kingdom of Saudi Arabia (2022), "Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022".

Restricted physical integrity

Saudi Arabia exhibits very high levels of discrimination within the family with a score of 55, compared to a world average of 27 and an average score of 37 in the MENA region – based on countries for which scores could be calculated.

In this dimension, women and girls in Saudi Arabia experience the highest levels of discrimination in “Female genital mutilation” indicator with a score of 100, followed by “Reproductive autonomy” and “Violence against women” with scores of 53 and 38, respectively. The lowest levels of discrimination are found in the “Missing women” indicator with a score of 3.

Figure 4. Restricted physical integrity scores for Saudi Arabia, 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

Violence against women remains a major concern in Saudi Arabia. In 2023, 43% of women aged 15-49 have experienced physical and/or sexual violence by a current or former partner at least once during their lifetime, and 40% of women aged more than 15 have experienced such violence at least once over the last 12 months.¹¹

These levels of intimate-partner violence are rooted in its widespread social acceptance. In 2023, 21% 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,

¹¹ This indicator corresponds to SDG indicator 5.2.1

or refusing to have sex. In comparison, 30% of women holds these discriminatory attitudes worldwide, as well as across the MENA region – based on countries for which data are available.

Legal frameworks concerning violence against women

Article 13 of the Law of Protection from Abuse¹² criminalises domestic violence. Article 1 defines abuse as “any form of exploitation or physical, psychological, or sexual ill-treatment, or threat thereof, perpetrated by one person against another that exceeds the bounds of the guardianship.”¹³ This definition does not extend to economic abuse. In Saudi Arabia, there is no codified Penal Code and (uncodified) Islamic Sharia law applies. Under the principles of Islamic Sharia, although rape is criminalised, it does not ground its definition in the notion of consent and does not specifically cover marital rape. Moreover, the Personal Status Law implies a marital right to sexual intercourse. Under Articles 45 and 55 of the Personal Status Law,¹⁴ a married woman can be deemed disobedient when she refuses to have sexual relations with her spouse without providing a legitimate reason.¹⁵

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

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

¹² Kingdom of Saudi Arabia (2013), “Law of Protection from Abuse as issued by Royal Decree No. M/52 dated 21/09/2013”.

¹³ Human Rights Watch (2023), *Saudi Arabia: Law Enshrines Male Guardianship*, <https://www.hrw.org/news/2023/03/08/saudi-arabia-law-enshrines-male-guardianship>.

¹⁴ Kingdom of Saudi Arabia (2022), “Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022”.

¹⁵ Human Rights Watch (2023), *Saudi Arabia: Law Enshrines Male Guardianship*, <https://www.hrw.org/news/2023/03/08/saudi-arabia-law-enshrines-male-guardianship>.

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. 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.¹⁶

There are no available data in Saudi Arabia 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)

Saudi Arabia's legal framework fails to protect women and girls from FGM, whether on broad or narrow grounds. There is no codified Penal Code and (uncodified) Islamic Sharia law applies.

Question	Answer	Assessment
Does the law criminalise FGM/C on broad or narrow grounds?	No	!
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.

¹⁶ 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/>.

In Saudi Arabia, the “missing women” phenomenon is present. The boy-to-girl sex ratio for children aged 0-4 is estimated at 105.2, which means that there are approximately 105.2 boys aged 0-4 for 100 girls of the same age. This ratio is slightly higher than the natural sex ratio at birth.

Reproductive autonomy

Practices related to women’s reproductive autonomy

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 Saudi Arabia, the gap between women’s reproductive intentions and their contraceptive behaviour is substantial, with 25% 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).¹⁷ 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.¹⁸

Article 22 of the Law of Practicing Healthcare Professions¹⁹ permits doctors to carry out an abortion only in the case that it is necessary to save the pregnant women’s life or preserve her health.

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?	Yes	✓
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.

¹⁷ 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>.

¹⁸ 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>.

¹⁹ Kingdom of Saudi Arabia (2005), “Law of Practicing Healthcare Professions”.

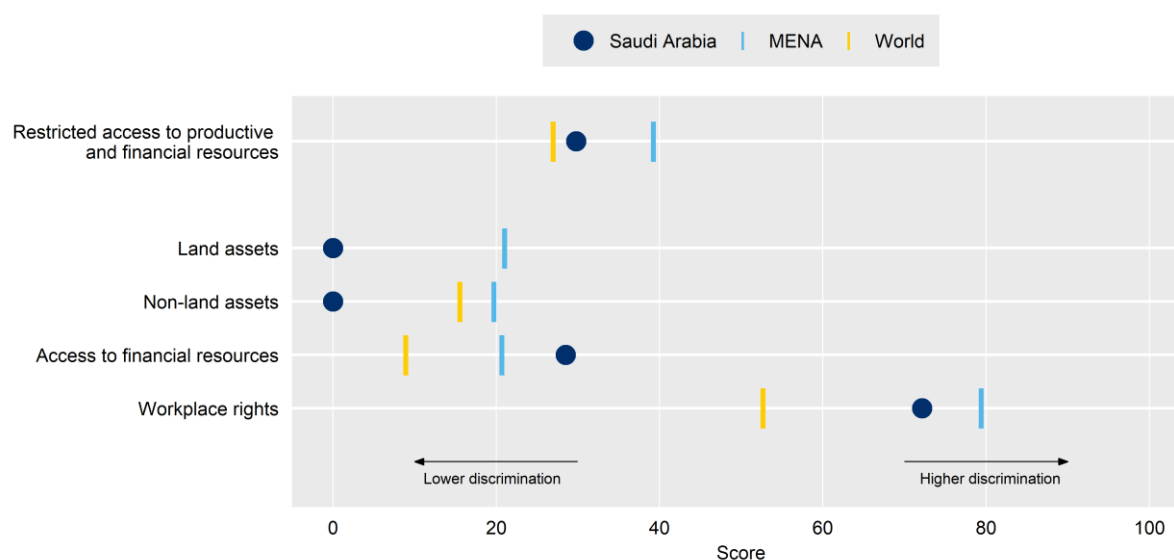
Source: OECD Development Centre/OECD (2023), *SIGI 2023 Legal Survey*, <https://oe.cd/sigi-dashboard>.

Restricted access to productive and financial resources

Saudi Arabia exhibits low levels of discrimination within the family with a score of 30, 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 Saudi Arabia experience the highest levels of discrimination in the “Workplace rights” indicator with a score of 72, followed by the “Access to financial services” indicator with a score of 29. No discrimination is found in the “Access to land assets” and “Access to non-land assets” indicators, with a score of 0 for both.

Figure 5. Restricted access to productive and financial resources scores for Saudi Arabia, 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 Saudi Arabia, 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?	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 non-land assets

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

In Saudi Arabia, 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?	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 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 Saudi Arabia, but the overall access of the population is high. In 2023, 63% of women have a bank account at a financial institution, compared to 82% of men. This translates into women accounting for 34% of bank account holders. In 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?	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 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 15% of employees in a managerial position,²⁰ compared to a world average of 25% and an average of 14% in the MENA region – based on countries for which data are available.

These gender gaps are upheld by discriminatory social norms that establish men as the main breadwinners and more fit to hold leadership positions. In Saudi Arabia, 70% of the population agrees that when jobs are scarce, men should have more right to a job than women. In comparison, 45% of the population holds these discriminatory attitudes worldwide, and 73% of the people across the MENA region – based on countries for which data are available.

Legal frameworks concerning women's workplace rights

Article 34 of Annex 1 on the Implementing Regulations of the Labour Law,²¹ prohibits wage discrimination of women who perform similar work as men. Yet, the law does not explicitly mandate equal remuneration for work of equal value.

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?	No	!
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?	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 register a business?	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>.

²⁰ This indicator corresponds to SDG indicator 5.2.2

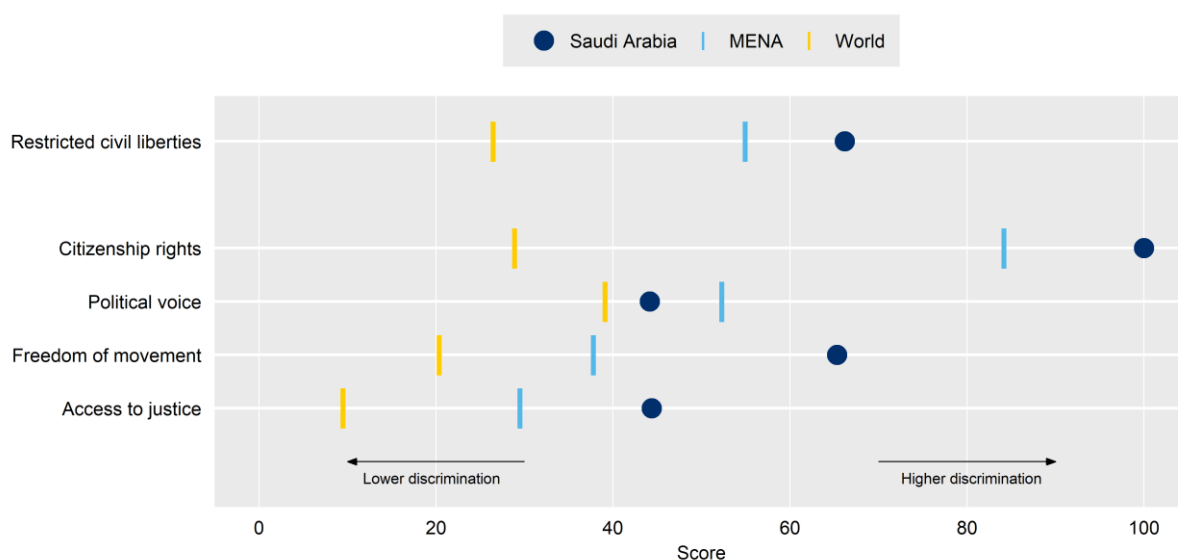
²¹ Kingdom of Saudi Arabia (2018), "Ministerial Decision No. 70273 dated 11/04/1440H (corresponding to 18 December 2018) – Annex 1: The Implementing Regulations of Labour Law and its Annexes", *Ministry of Human Resource and Social Development*.

Restricted civil liberties

Saudi Arabia exhibits very high levels of discrimination within the family with a score of 66, 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 Saudi Arabia experience the highest levels of discrimination in the “Citizenship rights” indicator with a score of 100, followed by the “Freedom of movement” indicators with a score of 65. The lowest levels of discrimination are found in the “Political voice” and “Access to justice” indicators with a score of 44 for both, still denoting high levels of discrimination.

Figure 6. Restricted civil liberties scores for Saudi Arabia, 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

Articles 7 of the Citizenship Law²² provides that a child born to a Saudi father, or to a Saudi mother while the father is unknown or stateless, is Saudi. However, Article 8 stipulates that a child born to a non-Saudi father and a Saudi mother is not considered a Saudi citizen. Women, thus, do not have the same rights as men to confer their nationality to their children. Moreover, Articles 14, 15 and 16 of the Citizenship Law introduce different mechanisms for foreign men and women to acquire the Saudi nationality. Article 14 establishes that the spouse of a foreign man who obtains the Saudi nationality will also obtain the nationality unless she decides differently. No such provision exists for the spouse of a foreign woman who

²² Kingdom of Saudi Arabia (1954), “Citizenship Regulation promulgated by Ministerial Resolution No. 4 dated 25/01/1374H (corresponding to 23 September 1954)”.

acquires the Saudi nationality. Article 16 states that the spouse of a Saudi man is entitled to the Saudi nationality. Likewise, no such provision exists for the spouse of a Saudi woman.

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?	No	!
Does the law provide married women with the same rights as married men to change their nationality?	No	!
Does the law provide unmarried women with the same rights as unmarried men to change their nationality?	No	!
Does the law provide married women with the same rights as married men to retain their nationality?	Yes	✓
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?	Yes	!
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?	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>.

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 Saudi Arabia, women feel more unsafe than men, but only a small part of the overall population feels that way. Across the country, 17% of women declare not feeling safe walking alone at night in the city or in the area where they live, compared to 4% of men. This translates into women accounting for 77% 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.

Article 45 of the Personal Status Law²³ stipulates that a married woman loses her right to spousal maintenance if she refuses to travel with her spouse without any legitimate reason or if she refuses to move into or stay in the marital home.²⁴

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	✓

²³ Kingdom of Saudi Arabia (2022), "Personal Status Law as issued by Royal Decree No. M/37 dated 09/03/2022".

²⁴ Human Rights Watch (2023), *Trapped: How Male Guardianship Policies Restrict Women's Travel and Mobility in the Middle East and North Africa*, Human Rights Watch, <https://www.hrw.org/report/2023/07/18/trapped/how-male-guardianship-policies-restrict-womens-travel-and-mobility-middle>.

Question	Answer	Assessment
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?	No	!
Does the law provide married women with the same rights as married men to travel outside their homes?	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 applying for identity cards or passports?	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>.

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 the members of parliament in 2023, compared to a world average of 27% and an average of 17% in the MENA region.

Discriminatory attitudes that exclude women from positions of power in the political sphere are widespread, with 75% of the country's population declaring that men make better political leaders than women.

Legal frameworks concerning women's political voice

Women are entitled to be members of the Shura Council, but their ability to hold public office in the judiciary branch depends on the interpretation of the Islamic law. As of 2023, women in Saudi Arabia have never been appointed as judges.²⁵

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?	No	!
Do constitutional/legislated gender quotas exist to promote women's political representation at the national level?	Yes	✓
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?	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 holding public office?	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 justice

Practices related to women's access to justice

²⁵ al-Agha, S. (2021), "Female Judges in Saudi Arabia, Hope Versus Reality", *Arab Law Quarterly*, Vol. 37/3, pp. 288-310, <https://doi.org/10.1163/15730255-BJA10084>.

In Saudi Arabia, 23% of women do not trust the judicial system and courts, compared to 24% of men. This translates into women accounting for 45% of those who do not trust the country's judicial system.

Legal frameworks concerning women's access to justice

The 2021 Evidence Law²⁶ outlaws discounting testimonies because of gender or religion. However, Article 125 of the Evidence Law states that Sharia law shall apply in the event any evidence issues are not addressed by a special provision in the Evidence Law. Interpretations of the Islamic Sharia can lead to women's testimonies not carrying the same evidentiary weight as men's testimonies, notably in family and criminal courts.

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?	No	!
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?	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 providing testimony in court?	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 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>.

²⁶ Kingdom of Saudi Arabia (2021), "Royal Decree No. M/43 dated 5/26/1443H (corresponding to 30 December 2021) approving the Evidence System and amending the Criminal Procedures System".