The colour-coded representation below provides a comparison of the laws identified in the country profile with international human rights standards, the recommendations of the UN Committee on the Elimination of Violence against Women and country recommendations under the country’s respective Universal Periodic Reviews.

**Gender Justice & The Law**

**DOES THE LAW ENSURE GENDER EQUALITY AND PROTECTION FROM VIOLENCE?**

**YES**
The law provides for gender equality and/or protection from gender-based violence and is substantially compliant with international standards. A green category does not indicate that the law is perfect or that gender justice in the relevant topic area has been fully achieved.

**NO**
The law does not provide for gender equality and/or there is no or minimal protection from gender-based violence.

**Partly**
Some gender justice aspects of the law have been addressed, but important gender inequalities remain.

**Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

Saudi Arabia ratified CEDAW in 2000, with reservations relating to the norms of Islamic law and that the Kingdom does not consider itself bound by Article 9(2) (nationality) and Article 29(1) (dispute resolution).

**Constitution**

The Basic Law does not include a provision on gender equality or prohibition of discrimination based on sex or gender.

**NATIONALITY LAW**

**NATIONALITY**
Women do not have the same rights as men to pass nationality to their children or to a foreign spouse.
**Gender Justice**

The Law

The Kingdom of Saudi Arabia

The colour-coded representation below provides a comparison of the laws identified in the country with international human rights standards, the recommendations of the UN Committee on the Elimination of Discrimination against Women (CEDAW) and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

**Domestic violence**
- Women and girls are protected by the Law on Protection from Abuse 2013. It creates criminal penalties for acts of domestic violence and establishes a process for people to lodge complaints and receive protection. It could be improved by clarifying if the law criminalizes marital rape as a form of abuse.

**Marital rape**
- Marital rape is not criminalized. Rape of a wife by a husband was not traditionally subject to punishment in Sharia courts, but a husband is under a general obligation not to harm his wife.

**Rape (other than of a spouse)**
- Rape is a criminal offence under Sharia law with a wide range of penalties, including flogging and execution.

**Exoneration by marriage**
- Sharia law principles apply. Data was not available to confirm whether courts exonerate rapists who marry their victims.

**Abortion for rape survivors**
- Abortion is generally prohibited under Sharia law, including in the case of rape. Abortion is legal to save the woman’s life or if the pregnancy is less than four months old and continued pregnancy gravely endangers the mother's health.

**Sexual harassment**
- Sexual harassment was criminalized in 2018. The law defines “harassment” as any word, act, or sign with a sexual connotation by a person to another person that harms their body or modesty by any means, including through modern technology.

**Honour crimes: Mitigation of penalty**
- Leniency for perpetrators of ‘honour’ crimes against women is not codified in Saudi law. Sentencing of men who commit such crimes is at the discretion of the court.

**Abdultery**
- Abdultery is criminalized by Sharia law (zina offence).

**Female Genital Mutilation / Cutting (FGM/C)**
- There is no legal prohibition. It is not practiced.

**Human trafficking**
- The Anti-Trafficking in Persons Law of 2009 prohibits human trafficking, but it does not address prevention and protection measures.

**Sex work and anti-prostitution laws**
- Prostitution is prohibited by Sharia law.

**Sexual orientation**
- Homosexual conduct between consenting adults is criminalized by Sharia law.

**Domestic workers**
- Domestic workers are not covered by the full protections of the Labour Law. Council of Ministers Decision No. 310 of 1434 (2013) regulates the employment of domestic workers and sets out minimum entitlements. Employers are required to treat domestic workers with dignity and ensure their safety.

**Minimum age of marriage**
- Sharia does not specify a minimum age for marriage. Girls may marry after reaching puberty with the consent of their guardian.

**Male guardianship over women**
- Women require the consent of a wali (male guardian) to marry. There is a lack of codified legislative protections to prevent forced or early marriage for women and girls subject to guardianship.

**Custody of children**
- After divorce the mother has custody of children up to the age of seven, but she loses custody if she remarries.

**Inheritance**
- Sharia rules of inheritance apply. Women have a right to inheritance, but in many cases receive less than men. Daughters receive half the share that sons receive.

**Labour laws**

**Right to equal pay for the same work as men**
- The Labour Law does not include a right to equal pay for the same work as men.

**Dismissal for pregnancy**
- Under Article 155 of the Labour Law employers are prohibited from dismissing a woman because she takes maternity leave.

**Paid maternity leave**
- Women are entitled to 10 weeks of maternity leave, which is fully paid by the employer. This is less than the ILO standard of 14 weeks.

**Legal restrictions on women’s work**
- The Labour Law prohibits employment of women in hazardous operations or harmful industries. The Minister prescribes occupations and jobs that are deemed harmful to women. The law also prohibits women from working at night, except in situations determined by the Minister.