



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States Parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Combined initial and second periodic reports of States Parties

Saudi Arabia*

* The present report is being issued without formal editing.



Part One: General Information

I. Information on the Kingdom of Saudi Arabia

The Kingdom of Saudi Arabia is located in south-west Asia. It is bordered by Jordan, Iraq and Kuwait to the north, the Arabian Gulf, Bahrain, Qatar and the United Arab Emirates to the east, the Sultanate of Oman and Republic of Yemen to the south and the Red Sea to the west.

Area

The country has a total area of approximately 2,250,000 square kilometres (868,730 square miles) and occupies some four-fifths of the Arabian Peninsula. Its particular location places it in a central position among the countries of the world and is one major feature which, together with certain fundamental ones, distinguishes it from other countries. These fundamental features are:

1. The Kingdom of Saudi Arabia is the cradle of the Islamic message and the direction to which all Muslims throughout the world turn in prayer, due to the fact that God created His Sacred House (the Kaaba) at Makkah al-Mukarrama and the Mosque of the Prophet at Madinah al-Munawwara;
2. The country has adopted the Holy Koran, revealed by the Lord of all creation, and the Sunna of His Messenger, Muhammad (may the peace and blessings of God be upon him), as its constitution;
3. The country is the destination of millions of Muslims from around the world for the performance of the annual pilgrimage, the minor pilgrimage and visitation to the holy sites, requiring the State to exert great efforts to serve them and to take a range of comprehensive health, security, social, consciousness raising, educational and economic measures to guarantee their safety.

Population

According to the primary data of the last population census, conducted in 2004, the total population of the country stood at 22,673,538 (16,529,302 Saudis and 6,144,236 non-Saudis), an increase of 33.78% from the census of 1992. Tables 1, 2, 3 and 4 show the growth of the Kingdom's population since the first census in 1974 to 2004, population estimates up to 2025, the most significant vital statistical indicators of population and infant health for 1960 and 2002, the marital status of the population (15 years and over) and manpower by occupation and nationality, respectively.

Table 1: Population growth in the Kingdom of Saudi Arabia on the basis of the results of general censuses of population

Year of census	Nationality	Sex		Total
		Male	Female	
1974	Saudi	3,048,082	2,887,279	5,935,361
	Non-Saudi	528,671	262,434	791,105
1992	Saudi	6,216,000	6,094,000	12,310,000
	Non-Saudi	3,264,000	1,374,000	4,638,000
2004	Saudi	8,285,662	8,242,640	16,529,302
	Non-Saudi	4,271,598	1,872,638	6,144,236

Table 2: Estimated mid-year Saudi population by sex

Year	Sex		Total
	Male	Female	
2005	9,073,172	8,998,435	18,071,607
2010	10,922,081	10,381,115	21,303,196
2015	12,264,553	11,976,254	24,240,807
2020	14,010,331	13,816,499	27,826,830
2025	15,947,092	15,939,511	31,886,603

Table 3: Vital statistics of the population of the Kingdom of Saudi Arabia (1974 and 2000)

Year	Crude birth rate	Crude death rate	Deaths per 1,000 births		Maternal death rate per 100,000 live births	Increase	Fertility rate	Life expectancy at birth	
			Male	Female				Male	Female
1974	50	20	160		-	30	5.8	45	46
2000	31	3	18.5	19.7	23	28	4.8	71	72.6

Table 4: Infant health (1960 and 2002)

Year	Death rate under age 5	Percentage of infants at age 1 inoculated against		
		Tuberculosis	Poliomyelitis	Measles
1960	139	-	-	-
2002	33	98	95	97

Climate

The climate of the country varies from one region to another due to differences in topography. The country falls under the influence of a tropical high pressure system and, in general, the climate is hot continental in summer and cool in winter, with winter rains. The climate in the western and south-western highlands is moderate. In central regions, summers are hot and dry and winters, cold and dry. Temperatures and humidity are high on the coasts.

Rain falls in winter and spring, sparsely across most regions of the country, except for the south-western highlands where the summer rains are more plentiful than other regions. Relative humidity is high on the coasts and western highlands on most days of the year, declining as one proceeds inland.

Social, economic and cultural indicators

1. Gross domestic product (GDP)

The Kingdom's GDP rose from 156.7 billion Saudi riyals (SR) in 1969 to SR 647.8 billion in 2002, an increase of 313.4%.

The private sector share of GDP increased from SR 54.26 billion in 1969 to SR 342.13 billion in 2002, while the public sector share increased from SR 25.87 billion to SR 124.9 billion and the oil and gas sector increased from SR 73.6 billion to SR 173.3 billion in the same period.

The statistical indicators show that GDP grew over the last 33 years at an average annual rate of 11.4%, at current prices.

It should be mentioned that GDP grew by 17.1 percent in 2000, a reflection of the positive performance of the national economy and its ability to reduce the negative effects of the global situation and indicators through the development and growth achieved in non-oil sectors, commodities and services to meet the sharp fluctuations in the global oil market.

2. Cost of living index

The rise in government spending since 1970 to meet the aspirations of social and economic growth and associated needs was accompanied by an increase in public and private investment and consumer expenditure. Average annual growth in government spending was 35.1%. This increase in government spending was accompanied by substantial growth in the money supply and monetary expansion, reflected in the inflation rate which peaked in 1975. The average annual rate of inflation was 6% in 1970-1975. Inflation continued to rise during the period 1975-1980, with an annual average of 15.7%. However, integrated anti-inflation policies succeeded in reducing the annual rate of growth of the cost of living in the period 1980-1985 to an annual average of 1.2%. It continued to fall, reaching 0.3% in the period 1995-2000, confirming economic stability and a stable riyal exchange rate based on strong indicators, leading eventually to the preservation of living standards and providing underpinning for their rise, increasing the purchasing power of money and translating the increase in monetary income into a rise in real income, thereby contributing to an increased standard of living and improved quality of life.

3. Culture

The Ministry of Culture and Information is the body responsible for information and culture, including all visual, aural and print media. The Ministry provides information and news to citizens by means of the radio and television broadcasting network and the printing, publishing and distribution of books and other materials. In cooperation with other governmental bodies, it prepares and conducts media campaigns in many fields, such as health awareness, literacy, fire

risks, the Highway Code, etc. Saudi radio began broadcasting in 1948 and television broadcasting commenced in 1965.

By 2002, there were 25 radio stations broadcasting programmes to all continents in 12 foreign languages and four television channels broadcasting to all continents.

There are eight domestic information centres and seven information centres serving the foreign media, of which three operate abroad.

The Saudi Press Agency has 21 bureaux inside and outside the country and programmes are broadcast in a total of 12 languages. Its transmissions cover events around the clock.

In the literary and cultural fields, the number of literary societies has reached 13, with more than 3,000 members. There are three branches of the philatelic society.

As for telecommunications, the number of fixed telephones per 1,000 population was approximately 151 in 2002, while the number of cell phone subscribers per 1,000 population in the same year was 228. The number of internet users per 1,000 population was 64.6 in 2002.

4. Development plans

Since the promulgation of the Royal Decree of 23 September 1932 unifying the Kingdom under the name of the Kingdom of Saudi Arabia, a series of social, economic, political, cultural and administrative reform measures have been taken, consistent with the teachings of the Islamic religion and responding to the requirements of advanced growth.

Adopting the development of human resources as their primary goal, the Saudi development plans have focused on education, training, the provision of leisure for all social groups and the promotion of economic stability in order to meet rapid social change. By means of the five-year development plans, the first of which was put into effect in 1970-1975, the Kingdom has devoted its fullest efforts to achieving sustainable growth, adopting all the criteria of development, modernization and continuous improvement. The five-year plans have followed one another in succession, achieving their goals through positive interaction with change. The Eighth Five-Year Plan (2005-2010) is currently being implemented and embraces the following general goals:

1. To preserve Islamic values and apply, strive to consolidate and propagate the Islamic Shariah;
2. To defend the faith and the nation, preserve the security and social stability of the country and strengthen the values of national belonging and allegiance;
3. To develop the services provided to pilgrims, ensuring the smooth and easy performance of the rites and contributing to the strengthening of economic activity;
4. To provide support for Saudi citizens to become productive workers, capable of making a positive contribution, and to expand the provision of basic

services to citizens in the education, health and services sectors, while diversifying methods of the financing and management thereof;

5. To develop and continually affirm the increasing participation of human resources, raise efficiency by means of training and upgrading to meet the demands of the national economy and enable a Saudi workforce to replace the non-Saudi workforce;

6. To promote cultural and media activity to a level commensurate with the development which the Kingdom is experiencing;

7. To endeavour to achieve balanced growth between all regions of the Kingdom and increase the contribution of each to national growth;

8. To increase the contribution of the private sector to economic and social growth;

9. To prepare the national economy to deal flexibly and efficiently with global economic changes and developments;

10. To reduce reliance on the production and export of crude oil as a primary source of national income and strive to increase the added value of crude oil products prior to export;

11. To diversify the sources of national income and expand the production base in services, industry and agriculture;

12. To develop and encourage the discovery and exploitation of mineral resources;

13. To finalize and maintain the basic systems necessary for achieving sustainable growth and to develop the performance and methods of financing of these systems;

14. To devote attention to science, technology and information technology, and encourage research and development and technology transfer;

15. To continue to protect the environment from pollution, develop environmental regulations and devote attention to the protection and preservation of natural resources and wildlife;

16. To consolidate and strengthen integration between the countries of the Cooperation Council for the Arab States of the Gulf and develop the Kingdom's relations with Arab and Islamic states and friendly states in achievement of the national interest.

The Kingdom has formulated a set of strategic principles and policies to implement the goals of these plans. The outcomes of the plans illustrate the extent of the concern with the human element and its achievement of prosperity and progress.

II. The General framework

1. The legislative framework

All laws and regulations in force in the Kingdom of Saudi Arabia, at the forefront of which is the Basic Law of Governance, considered to be the political and legal umbrella of the State, derive from the Holy Koran and the Sunna of His Messenger, Muhammad. The Holy Koran and Immaculate Sunna contain many stipulations prohibiting discrimination on the grounds of race, colour or gender, or other forms of discrimination. They contain unequivocal rulings in favour of non-discrimination between men and women, desiring that women enjoy the same rights and duties on a basis of equality.

The Basic Law of Governance addresses the protection of human rights in a general manner. Article 26 stipulates: "The State shall protect human rights in accordance with the Islamic Shariah". This includes the prohibition of discrimination against women. The Basic Law of Governance provides for the principle of equality before the law. Article 47 stipulates: "The right of litigation shall be guaranteed equally for both citizens and residents in the Kingdom. The law shall set forth the procedures required thereof." The Basic Law of Governance likewise guarantees that litigation before all courts and judicial bodies shall be free of charge.

The Basic Law of Governance includes a body of rights which it considers to be the fundamentals of Saudi society. It contains provisions pertaining to the fundamentals of Saudi society, the welfare of the family and all its members, and education. It deals with the freedom and sanctity of private ownership and prohibits public confiscation of money and the imposition of taxes and fees unless necessary and on a just basis. It provides security for all citizens and residents, freedom of domicile and freedom of telegraphic, postal, telephone and other communications. It provides the citizen and his family with full rights in the event of emergency, sickness, disability and old age. It underpins the social security system and encourages institutions and individuals to participate in charitable work.

2. The social and economic framework

Since its foundation, the Kingdom of Saudi Arabia has devoted attention to the social and economic aspects of the family in general and of women in particular, in the belief that women have a special role to play in the destiny of peoples and that no nation can have a radiant future without the conscious involvement of mothers. On the social front, the State has established governmental organizations and encouraged and supported charitable and civil organizations committed to social development and implementation of State policy in the area of social solidarity. This attention has resulted in considerable efforts being made and continuing to be made in women's welfare.

On the economic front, the State has played an effective role in protecting women against poverty, affirming their key role in the welfare of the family, particularly in the event of the death, incapacity or imprisonment of the husband, or divorce. It has done so by promulgating laws in this regard.

As for the attention it devotes to the family and the effort to protect it from break-up, the State has created reconciliation sections in the country's courts, within

the framework of its desire to spread mutual support, tolerance and cooperation among people in furtherance of the common good.

3. Legal measures taken to give effect to the Convention

The Kingdom of Saudi Arabia ratified the Convention on the Elimination of all Forms of Discrimination against Women on the basis of Royal Decree no. 25 (28 August 2000) with the following wording:

“1. The Kingdom’s accession to the Convention on the Elimination of all Forms of Discrimination against Women adopted by United Nations General Assembly resolution 34/180 (18 December 1979), in the attached wording, is approved with the reservation that, in case of contradiction between any term of the Convention and the norms of Islamic Law, the Kingdom is not under the obligation to observe the contradictory terms of the Convention.

2. The Kingdom does not consider itself bound by article 9, paragraph 2 and article 29, paragraph 1 of this Convention.”

Generally, there is no discrimination against women in the laws of the Kingdom. However, the Convention has been taken into consideration when framing laws and regulations promulgated after the Kingdom’s accession to the Convention or amending existing laws and regulations, including the Labour and Workers Law, Social Insurance Law and regulations on employee leave.

The provisions of the Convention, ratified by royal decree, are considered to be a part of domestic law. Accordingly, the provisions of the Convention may be invoked before the courts or other judicial or administrative authorities in the Kingdom.

4. Means of redress available to women

The laws of the Kingdom, which derive from the Koran and Sunna, require redress for a woman if she is subject to discrimination or injustice. The appropriate agencies of state are obliged to apply the principle of equality in the exercise of their authorized competence and not to discriminate in respect of the rights stipulated under articles 26, 27, 28, 30, 31, 35, 36, 37 and 38 of the Basic Law of Governance. In the event of violation of the principles contained in these articles, a woman shall have the right to seek redress by a number of means, of which the most important are:

1. The court of the King and of the Crown Prince

Article 43 of the Basic Law of Governance states: “The court of the King and of the Crown Prince shall be accessible to every citizen and to every one who has a complaint or a grievance. Every individual shall have the right to address public authorities in matters of concern to him”.

2. Regional Governors

Article 7(c) of the regional administration law makes reference to the obligation upon regional governors to ensure the rights and freedoms of individuals and to refrain from any measure infringing these rights and freedoms except within the limits stipulated by law.

3. The Board of Grievances

Given the Islamic basis of the Kingdom of Saudi Arabia, the country has endeavoured to consolidate the foundations of justice for all citizens and residents, and in view of the fact that the Koran has not regulated in detail for the judicial authority but has left the Islamic nation to choose that which is appropriate to the circumstances and conditions of each age, the Kingdom developed, in 1373 AH, the Rules of Procedure of the Board of Grievances. These have been in force since the time of King Abdulaziz, with duties invested in a general department called, “the Board of Grievances” and responsible to the Cabinet Office. The Board was then developed into an independent system by Decree no. 2/13/8759 (17 Ramadan 1374 AH).

The Board of Grievances is an independent, administrative, judicial body reporting directly to the King. Under Royal Decree no. 95 (26 Jumada II 1402 AH), the Board has jurisdiction to hear disputes arising from the practice of executive authority, including those involving the principle of equality and non-discrimination. It is one of the principal agencies for a woman to obtain redress in the event of an injustice against her being proven.

4. Shariah courts

In accordance with article 5 of the Statutes of the Judiciary, the Shariah courts consist of:

- (a) The Supreme Judicial Board;
- (b) The Court of Cassation;
- (c) The general courts;
- (d) The courts of summary justice.

The specific jurisdiction of each of these courts is specified in detail in the Statutes of the Judiciary.

Royal Order no. A/14 (2 April 2005) approved the new regulatory arrangements for the judicial and dispute resolution system, and finalization of the statutory measures for amending the laws affected in the light thereof.

Accordingly, the designation of the Supreme Judicial Board was changed to the Supreme Council of the Judiciary, with jurisdiction to examine employment-related affairs of judges and matters relating to the determination of the local and specific jurisdiction of courts. Measures for the creation of a supreme court were included.

The new regulations likewise stipulate the abolition of the courts of cassation and the creation of courts of appeal in all regions of the Kingdom, as well as the creation of specialized courts (labour courts, to which the jurisdiction of the labour tribunals shall be transferred) and commercial courts, responsible for ruling in commercial disputes. The new regulations also confirm the change of designation of the courts of guarantee and marriage to “courts of personal status”, with responsibility for ruling on all matters related to personal status.

Although the designation of the general courts remains unchanged, their jurisdiction has been amended to include ruling on all disputes except those within

the jurisdiction of other courts, such as the commercial courts, labour courts and personal status courts.

The new regulations also involve the conversion of the courts of summary justice to penal courts, with jurisdiction limited to ruling on felony crimes.

5. Labour tribunals and the settlement of labour disputes

Labour tribunals are divided into tribunals of first instance and higher tribunals for the settlement of disputes, under section 11 of the Labour and Workers Law. These tribunals are competent to rule on disputes arising from employment contracts between employers and workers. As indicated above, the new regulatory arrangements for the judicial system also provide for the creation of specialized, higher courts in place of these tribunals.

6. The Public Investigation and Prosecution Department

The competence of the public prosecutor's office includes the investigation of crimes, supervision of the enforcement of penal verdicts and the control and inspection of prisons and detention centres.

Part Two: Information relating to the articles of the Convention (1-16)

The Kingdom's ratification of the Convention is based on the fact that its general content is consistent with the country's approach to safeguarding the rights of women. Ratification underlines the Kingdom's desire to be bound by the provisions of the Convention and indicates its determination to assume its responsibilities of care for the human rights of women in the country, while taking into account the reservations it has expressed thereto. These reservations are consistent with articles 19-23 of the Vienna Conventions on the Law of Treaties, concerning reservations, especially as they accord with the subject of the Convention and are not incompatible with its purpose. This will become clear in the course of this report.

To talk about the philosophy of domestic and international law and the application thereof in the Kingdom of Saudi Arabia in isolation from the Islamic Shariah is inconceivable. Lawmaking in an Islamic state proceeds from the Islamic Shariah and this is the case in the Kingdom, where the article 1 of the Basic Law of Governance stipulates: "The Kingdom of Saudi Arabia is a fully sovereign Arab Islamic State. Its religion shall be Islam and its constitution shall be the Book of God and the Sunna of His Messenger ...". As such, the country's laws cannot transgress the framework of the Islamic Shariah and, consequently, may not be changed or developed by the legislative authority in the Kingdom in a manner which would lead to the creation of new principles, inconsistent with the bases of the Islamic Shariah, in letter and spirit. What should be stressed here is that the distinction which exists in many countries between church and state has no existence in the theory of Islamic law, since there is no separation between the Islamic Shariah and the state with its various laws. Accordingly, the legislative authority in the Kingdom is obliged to adhere to the totality of the sources of the Islamic Shariah: "The regulatory authority shall have the jurisdiction of formulating

laws and rules conducive to the realization of the well-being or warding off harm to State affairs in accordance with the principles of the Islamic Shariah...” (article 67 of the Basic Law of Governance). This is what is made clear, albeit in condensed form, by the Kingdom’s explanatory reservation to the provisions of the Convention, being a reservation relating to the application of the Convention within a framework which does not conflict with the principles of the Islamic Shariah.

Article 1

“For the purposes of the present Convention, the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, regardless of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

Islam’s view of woman derives from her shared humanity with man: they are equal in respect of a basic humanity which is unaffected by division into sex. It views both woman and man in a social framework governed by relations of reciprocal rights, exemplified in practice by human morality, mutual understanding and love, not by confrontation and disruption. However, proceeding from a basis of realism, Islam holds that full likeness between men and women is contrary to the reality of their being, to which the facts attest (it is the woman who conceives, gives birth and nurses, not the man). Scientific studies attest to the physiological difference between them and the Convention acknowledges this in article 4, considering the protection of maternity to be a woman’s right and not discriminatory. The Islamic Shariah respects these natural differences and accords woman a privileged position in order to achieve justice for her. For example, it charges the man with earning a living to provide for himself and his wife as compensation for the woman’s role as conceiver, child bearer and mother. Other differences are consequent upon this, as in respect of inheritance where, in some cases (such as a son in relation to daughters and a brother in relation to sisters), the male receives double the share of the female. The reason for this is that a man will provide for his wife and children while his sister, by virtue of the fact that she is not burdened with outlay but will herself be provided for, will invest her share, thus making the outcome, after a short time, equal or even favourable to the woman. Islam views the relationship between man and woman as a complementary one, with each forming the complement of the other. Our Prophet Muhammad said: “Women are the sisters of men”. By this complementariness, the social structure is given a human face through a cooperative blending which proceeds from intimacy, amity and mutual respect, with each playing the part he / she can in the absence of the strife and self-containment which are incompatible with the nature of being. It is by means of the complementary relationship between man and woman that the family, which represents the basic building block of Muslim society and civilization as a whole, is built. Accordingly, Islam affirms many values which promote the family, which is not limited to husband and wife but extends to include children, siblings, parents and relatives. These values include filial piety, the bond of kinship and the raising of children. Women enjoy a more favourable share of these than men: the Islamic Shariah has more to say about the virtue of caring for daughters than for sons, a mother’s right over her children is three times that of a father’s and a

woman's right to custody of her infant child takes precedence over a man's, in principle.

There is an ancient view, traceable to the Hellenic age, which posits a distinction in society between the private and public domains. The private is the family and the public is society in its public structure – essentially, politics. With Locke, modern liberalism adopted this division, making a distinction between the two whereby the public (the political domain) has a contractual character based on the practice of individual freedom, while the private (the family) is based on natural relations whereby the strongest (here, the man) dominates and subjugates the weaker (the woman) who remains confined to the private sphere. This has had subsequent implications in the form of the antithetical attitudes of women's movements, calling for the dissolution of the family, protection of women from subjugation and the advancement of women toward the public domain to occupy the position previously monopolized by men.

In Islam, a woman is not, in principle, confined to the private domain. Like a man, she moves in both domains together, in accordance with the requirements of her own, her family's or society's interests. Furthermore, the values governing the public domain are those which govern the private. Thus justice, counsel and the reciprocal fulfilment of rights are ordained in both domains, and men and women together have responsibility in respect of both.

The Basic Law of Governance in the Kingdom, derived from the Holy Koran and Sunna of the Messenger, holds the principle of equality and non-discrimination to be among the fundamental imperatives of Saudi society. It is stipulated in all the relevant articles of the Basic Law of Governance for the reason that no suspicion of discrimination has any existence in the Islamic religion. Examples are:

In the political sphere:

- In accordance with article 6 of the Basic Law of Governance, women join with men in pledging allegiance to whoever is chosen king;

In the economic sphere:

- Article 28 stipulates that the State shall facilitate the provision of job opportunities to every able person, and shall enact laws to protect the worker and the employer;
- Article 59 stipulates that the law shall set forth the provisions for civil service, including "salaries, stipends, compensation, fringe benefits, and pensions", pursuant to which the Civil Service Law does not discriminate between men and women;

In the social sphere:

- Article 10 stipulates that the State shall endeavour to strengthen family bonds, care for all its members and provide conditions conducive to the development of their talents and abilities;
- Article 27 stipulates that the State shall guarantee the right of the citizen and his family in emergencies, sickness, disability and old age, shall support the social security system and encourage institutions and individuals to participate in charitable work;

- Article 30 stipulates that the State shall provide public education and be committed to combating illiteracy;
- Article 31 stipulates that the State shall be responsible for public health and provide health care to every citizen.

The aforementioned articles of the Basic Law of Governance, as well as recently promulgated laws to be mentioned below, show the extent of the State's commitment to achieving gender equality in respect of public rights and duties, in a manner consistent with the Islamic Shariah which has provided women with full rights for more than 1,400 years.

Article 2

“States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

- To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;*
- To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*
- To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*
- To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*
- To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*
- To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*
- To repeal all national penal provisions which constitute discrimination against women.”*

This article affirms the need for states to take legislative and non-legislative measures to prohibit discrimination against women and to establish legal protection of the rights of women on an equal basis with men.

In the response to article 1 of the Convention, reference was made to the provisions contained in the Basic Law of Governance and laws guaranteeing non-discrimination between men and women in the Kingdom of Saudi Arabia.

It should be mentioned that the rights of citizens contained in the Basic Law of Governance apply to all, without discrimination between men and women. Accordingly, State authorities are committed, in the performance of their work and

exercise of their competence, to the principle of equality between men and women affirmed by the relevant articles of the Basic Law of Governance and other laws, such as the Civil Service Law and the Labour and Workers Law. The principle applies to both genders without discrimination. To ensure that women enjoy these rights in practice, the regulations guarantee women the right to resort to litigation in the event of any violation of the rights guaranteed to them by the Basic Law of Governance or other laws. Through their various bodies, the judicial authorities provide all means of redress to women.

The Saudi judiciary is a just and balanced judiciary and, according to article 46 of the Basic Law of Governance, there is no authority over judges in their judicial function other than that of the Islamic Shariah. Article 46 likewise makes clear that the judiciary is an independent authority and this principle has subsequently been affirmed by the Statutes of the Judiciary.

Furthermore, as well as the courts to which a woman may have recourse to raise a case of discrimination, there are other measures intended to provide legal protection to women and ensure their active participation. These take the form of the creation of departments for human rights, including, of course, the rights of women and non-discrimination against women, in a number of relevant government bodies, such as the Ministry of Interior, Ministry of Justice and Ministry of Islamic Affairs.

As for the role played by organizations in protecting the rights and freedoms guaranteed by article 26 of the Basic Law of Governance, the National Organization for Human Rights in the Kingdom was formed by Royal Decree no. 24/2 (9 March 2004). This is an independent organization concerned with human rights and has 41 members. Its main task is to ensure implementation of the Kingdom's commitments to human rights. It receives complaints and follows these up with the competent bodies, and investigates allegations of human rights violations.

The Governmental Commission on Human Rights

On the basis of its agreement to commit to the provisions of the Convention, the Kingdom shall prevent any action of a discriminatory nature against women, whether by an individual or organization. The measures it is taking to enshrine the principle of non-discrimination against women are not exclusively legislative measures taken by the legislative authorities. Indeed, there are other measures, including judicial measures involving the possibility of annulling verdicts which represent discrimination against women, under article 173 of the Law of Shariah Procedure which gives the right of appeal.

Article 3

“States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.”

God created mankind from Adam and Eve and between Adam and his wife, Eve, there was equality in respect of rights and duties, humanity and obligation but

not in respect of characteristics and functions, where equality would not be in a woman's interest.

Accordingly, the Kingdom has, since its creation, taken all measures to ensure equality of women with men in respect of rights, including the right to obtain education and work, and training to acquire the skills necessary to qualify women for access to the job market and equip them to raise their children and care for their health.

The regulatory provisions have incorporated equality of treatment without any discrimination on the basis of gender. In accordance with article 28 of the Basic Law of Governance, the State facilitates the provision of job opportunities to every able person and ensures the protection of worker and employer. The Civil Service Law, enacted by Resolution no. 4949 (26 June 1977) establishes equality between men and women in respect of rights and duties. The effect of these measures is reflected in the considerable progress achieved by women in various fields, as will be illustrated below.

Working married women benefit from the access they have to social security by virtue of being contributors to the system. Moreover, their right of access to social security is not in any way affected by their social status. There is no law in the Kingdom which prevents a married woman from working. In fact, she is afforded other facilities, such as the possibility of early retirement to raise her children or care for a handicapped child.

As for employment, statistics published by the Ministry of the Civil Service show that the number of females recruited in 2003/2004 was 22% of total recruitment. If compared with the previous year or years, the indicator shows an upward trend.

From the above, the laws affirm that women are able to:

- Occupy public positions in accordance with civil service regulations, rules and directives in the Kingdom of Saudi Arabia;
- Express their views freely;
- Bring lawsuits before the courts and judicial bodies;
- Reside and move freely inside and outside the country in accordance with the law;
- Obtain all social services stipulated in the Basic Law of Governance and laws in force;
- Receive education at all levels: kindergarten, primary, intermediate, secondary and higher, and scholarship grants for study abroad;
- Enrol in vocational training courses before and after entering employment;
- Obtain preventive and therapeutic health care;
- Conclude contracts of all types and enjoy all the aspects of property rights;
- Obtain loans in accordance with the laws in force, with no discrimination whatsoever between men and women in respect of the granting of loans;

- Have the opportunity to work and benefit from professional development and promotion;
- Receive a wage for their work similar to that of men and receive a pension on an equal basis with men.

Measures taken recently, since the coming into effect of the Convention and within the framework of a comprehensive policy on women

The laws and regulations promulgated by the Government of the Kingdom of Saudi Arabia both prior and subsequent to signing the Convention include provisions guaranteeing equal rights between men and women, non-discrimination on the basis of gender, the protection of maternity, family responsibilities, occupational health services, paid study leave, human resource development, etc. We review the most important of these below:

1. There has been a change in the traditional view of woman in society and obstacles preventing women's participation in social and economic activity have been removed by increasing awareness of women's role in productivity and development through the media, lectures, books and exhibitions;
2. Royal Decree no. 22646/R (22 June 2004) was promulgated, making primary education compulsory for all males and females equally between the ages of six and 15;
3. Pursuant to Royal Resolution no. 63 (11 Rajab 1424 AH):
 - (a) There has been an increase in employment opportunities for women and in services which specifically concern women, such as civil status matters, notary services, etc;
 - (b) A permanent higher national committee has been created, specialized in women's affairs, relying for its proposals on women qualified in different specializations and working on the drafting of regulations for the employment of women;
4. Pursuant to Royal Resolution no. 120 (12 Rabi II 1425 AH):
 - (a) Government bodies which issue licences to practice economic activities receive applications from women for such licences, which are granted and issued accordingly;
 - (b) All bodies which provide services relating to women have begun to set up women's sections and units;
 - (c) Bodies responsible for the allocation of land or areas inside city boundaries have set up industrial projects in which women are employed;
 - (d) The Council of Saudi Chambers of Commerce and Industry has formed a committee of experienced and capable women to coordinate with the relevant bodies in order to encourage private sector enterprises to create jobs and areas of employment for Saudi women, provide opportunities for equipping, qualifying and training Saudi women to take up these jobs and provide the necessary material and moral support; government bodies shall contribute within their spheres of competence to making this a reality;

(e) The Ministry of Labour, in coordination with the Ministry of the Civil Service and Ministry of Social Affairs, has been directed to take the measures necessary to give effect to telecommuting as one new area in which women might be employed and to implement and provide the necessary support for productive family programmes.

5. The Human Resources Development Fund, established pursuant to Cabinet Decree no. 107 (29 Rabi II 1421 AH) and Royal Decree no. M/18 (5 Jumada I 1421 AH), has been directed to assign particular importance to training Saudi women and employing them in its projects and programmes;

6. Royal Order no. 651/M (8 Jumada II 1422 AH) was promulgated, requiring that the scope of scholarship grants for overseas study be widened to include medical and health-related specializations and other fields in which women work and where the demands of work require qualification through overseas study, in response to a pressing need which cannot be fulfilled by the programmes of study available at Saudi universities;

7. Royal Order no. 9/B/36132 (11 Jumada I 1423 AH) was promulgated, on the participation of Saudi women in the Kingdom's delegations to international conferences;

8. The General Presidency of Youth Welfare conducted a study on the extent of women's participation in sport in accordance with Shariah guidelines (Royal Order no. 7/B/36132 (25 Rajab 1424 AH));

9. Enterprises employing a number of women have been required to set up crèche facilities for the children of female workers aged between one month and 6 years, equipped with full health, technical and educational facilities where children can be looked after while their mothers are at work;

10. Working mothers have been given a period of time off to nurse their infants during the working day;

11. Royal Decree no. M/54 (29 Shawwal 1425 AH) was promulgated, amending several articles of the Saudi Nationality Law to affirm the principle of equality between men and women in all matters relating to Saudi nationality (to be reviewed with the Ministry of Interior representative);

12. Thirteen social protection committees were created on 20 April 2004, under the Ministry of Social Affairs;

13. Royal Order no. A/14 (2 April 2005) was promulgated, approving the regulatory measures for the judicial and dispute resolution system;

14. Cabinet Decree no. 187 (17 Rajab 1426 AH) was promulgated, permitting private enterprises to open sections employing women without a licence being required;

15. Prime Ministerial Order no. 27344 (s. d.) was promulgated, on the importance of Saudi women taking part in international conferences and gatherings relating to women, and the setting up of an information centre and database on Saudi women qualified to participate in such conferences;

16. Deputy Prime Ministerial Order no. 8110 (11 Safar 1425 AH) was issued, concerning the creation of sports' and cultural centres and clubs to develop the sporting and cultural talents of Saudi women;

17. Cabinet Decree no. 63 (11 Rabi I 1424 AH) was promulgated, approving the creation of a permanent higher national committee, specialized in women's affairs, with wide powers relating to the areas of women's employment, the means of qualification and training available to women, and the formulation of solutions to obstacles working women may face;

18. Prime Ministerial Order no. 58383 (3 Dhu'l Hijjah 1424 AH) was promulgated, approving the establishment of voluntary women's committees to undertake field visits to women's sections in hospitals and educational establishments and social welfare sections in women's prisons and girls' welfare institutions to ascertain their fitness, discover any possible inadequacies, determine what assistance might be provided and submit a report to regional governors.

Benefits granted to women as stipulated in the labour laws in force in the Kingdom

The labour laws and regulations in force in the Kingdom grant many benefits to women, in addition to equality with men in respect of all rights. We discuss below some of the benefits granted to women in the relevant laws and regulations.

1. The Civil Service Regulations promulgated by Decree no. 1/1037 of the Civil Service Council (16 Safar 1426 AH)

The 29 articles of the regulations stipulate leave for male and female employees, of which we might mention ordinary leave of 35 days per year of service with full pay for male and female employees, pilgrimage leave of 11 days per year with full pay, leave for the Feast of Breaking the Ramadan Fast of 11 days per year with full pay and National Day leave with pay, in addition to the two-day weekend with full pay. Article 11 stipulates sick leave of six months with full pay for male and female employees. Article 9 stipulates that male and employees shall have the right to be absent from work with full pay for the period necessary to sit examinations. Article 11 grants sick leave of 18 months, extendable, to male and female employees injured at work and, if a sick male or female employee needs to be accompanied for treatment abroad, the companion's travelling and accommodation expenses shall be paid. Male and female employees may obtain exceptional leave without pay for a period of not more than five years, which may be extended by the Minister of the Civil Service for a further year (article 20).

Other benefits granted specifically to women under the regulations include:

- Delivery leave with full pay for a minimum of 40 days and maximum of 90 days, not to be deducted from other leaves (article 22); if a female employee wishes to care full-time for her children, she may take one or more periods of maternity leave, at the end of her delivery leave, up to a maximum of three years throughout her term of service in the country, with quarter-pay;

- Leave without pay to accompany overseas her husband or whoever lawfully provides for her, for the duration of the period of accompaniment but not more than 10 years, consecutively or separately, during her working life (article 20);
- Leave with full pay for a female employee whose husband dies, for a period of four months and ten days from the date of death (article 21).

2. The Social Insurance Law

The Social Insurance Law was promulgated by Royal Decree no. M/22 (6 Ramadan 1389 AH) and amended by Royal Decree no. M/33 (3 Ramadan 1421 AH). This law applies to all men and women who are subject to social insurance. Article 4 provides for the application of the occupational hazards branch and annuities branch as follows:

1. The occupational hazards branch shall be applied compulsorily to all workers without discrimination in respect of gender, nationality or age;
2. The annuities branch shall be applied compulsorily to all Saudi workers without discrimination in respect of sex, provided that the worker is under 60 years of age upon initial coverage under the law;
3. Article 28 of the law clarifies the compensation which a contributor who has sustained a work-related injury or his family members shall be entitled to claim; articles 35 and 35 specify the rights of the members of the family of a deceased contributor;
4. Article 38 stipulates that a female contributor who is no longer subject to the provisions of this law shall have the right to receive her due pension as long as, on the date she left the said activity, she was at least 55 years of age and had contributed for a period of at least 120 months; the law specifies a full 60 years of age for a male contributor who has contributed for a period of at least 120 months;
5. Article 39 of the law grants the contributor afflicted by a non-occupational disability the right to a pension, as long as he has completed a period of contribution of 12 consecutive months or 18 non-consecutive months; the law entitles the contributor to an increase in disability pension of 50% as a subvention, if the disabled woman needs assistance;
6. Article 41 of the law permits a female contributor to receive a lump sum compensation without having to wait until the age of 60 or becoming disabled;
7. A widow, daughter, sister or granddaughter eligible for a benefit or pension under the provisions of the law shall receive a one-time marriage grant the equivalent of 18 times the monthly income or pension she was receiving; payment of the benefit or pension shall accordingly discontinue at the end of the month in which the marriage takes place; if the said females subsequently divorce or become widowed, the pension shall be reinstated;
8. A grant shall be paid equivalent to three months of the deceased contributor's pension, up to a maximum of SR 10,000;

9. The General Organization for Social Insurance (GOSI) shall pay the pension entitlement of a contributor sentenced to a term of imprisonment to the members of his family for the term of imprisonment.

3. Officers' Service Law

The Officers' Service Law was promulgated by Royal Decree no. M/43 (28 Shaaban 1393 AH) and includes, pursuant to Deputy Prime Ministerial Resolution no. 264 (24 Dhu'l Qaadah 1423 AH) the provision that female employees with military rank shall receive the same treatment as female employees subject to the civilian regulations in matters relating to delivery leave and the waiting period after the death of a husband (iddat).

4. Private sector

Pursuant to clause 9 of Cabinet Resolution no.120 (12 Rabi II 1425 AH), the Ministry of Labour, the Ministry of Commerce and Industry and the Council of Saudi Chambers of Commerce and Industry have been charged with studying maternity leave for working women in order to give an incentive and additional benefit to women, in a way that will not prejudice the desire to employ them.

Article 4

"1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory."

The Kingdom of Saudi Arabia applies the provisions of the Islamic Shariah, ensuring fairness between men and women in all circumstances and situations. The discrimination in favour of women affirmed by this article is, given God's bestowal upon women of the attribute of motherhood, the strongest indication that the distinction made between men and women in certain provisions in the sources of the Islamic Shariah is not based upon discrimination against one or other but is consistent with the physiological and biological nature of each.

Likewise, the stipulations in certain relevant laws which grant women maternity leave are not to be considered discriminatory.

As for the paragraph 1 of this article, all citizens are equal before the law, without discrimination, as previously stated.

As for measures adopted by the Government to protect maternity, the Kingdom's laws include many measures designed to protect women and maternity. At the forefront of these is article 9 of the Basic Law of Governance which considers the nucleus of Saudi society to be the family and its foundation, the Islamic creed and love of the homeland. Article 10 upholds the entity of the family,

the welfare of all its members and the provision of conditions conducive to the development of their talents and abilities. Likewise, article 28/23 of the Civil Service Law stipulates that female employees shall be entitled to 60 days delivery leave with full pay, and article 167 of the Labour and Workers Law stipulates that working women shall have the right to delivery leave for the four-week period prior to the expected date of birth and the six weeks following; no employer may put a woman to work during the six weeks immediately following her delivery. In addition, regulations have been issued recently to protect maternity and childhood (several of these were discussed in the comments on article 3 in this report).

These regulations accord special attention to women, containing provisions which provide protection to women and help her to balance the duties of motherhood with the responsibilities of work (this shall be mentioned elsewhere in this report).

In the Kingdom of Saudi Arabia, the State provides health care free of charge to women through the Ministry of Health hospitals, primary health care centres and the hospitals of other government bodies, which cover all regions and governorates of the country (this subject will be treated in detail in the discussion of article 12 of the Convention).

Article 5

“States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.”*

The State has exerted and continues to exert considerable efforts to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of discrimination and practices based on the idea of the superiority of one sex over the other and to ensure that family education includes a proper understanding of maternity as a social function by having educational programmes and curricula include family education based on an understanding of the complementary role of both men and women with regard to the family, with shared responsibility for the upbringing of children. In addition, the media have a role to play in providing awareness-raising programmes for the family in general to reduce the influence of customs which have an effect upon how women are viewed and providing programmes to raise the awareness of men and women of their joint responsibilities toward the upbringing of children.

There is no doubt that the considerable progress the Kingdom has made in male and female education has resulted in a measure of improvement in social conduct, leading to the advancement of women in all areas.

State policy for achieving broad social consensus in respect of the protection and development of the family is based on the following goals:

- Development and reform of the links between social institutions, the most important of which are the family and the school;
- Affirmation of the role of women in the process of economic and social development, focusing on their role in the upbringing of children and care for the family.

In addition to the Islamic Shariah's rejection and prohibition of violence against women within the family, since the relationship between family members is one based on mutual affection and compassion, the laws of the Kingdom give special care to women inasmuch as they include a number of stipulations outlawing the use of violence and upholding the dignity of women, whether within the framework of the family or of work.

1. Violence in the family

In view of the fact that the Kingdom's personal status laws are derived from the Holy Koran, which characterises the relationship between spouses as one of love and affection, 13 social protection committees, attached to the Ministry of Social Affairs, were created on 20 April 2004 in 13 regions of the country. These committees dispatch executive work teams, consisting of a male and female social worker and a male and female psychologist, to undertake field research, investigate complaints and submit reports to the committee.

The committees' task is to receive complaints of mental or physical abuse of women or child victims, ascertain their health and formulate appropriate treatment solutions. The committees focus on solving problems in an amicable manner between the two parties. They also focus on social rehabilitation through therapy and counselling sessions, and psychological rehabilitation.

The Ministry of Social Affairs is currently engaged in implementing a social awareness campaign on the dangers of violence and the harm it does to the individual, the family and society. It is doing so with a team of male and female social workers, psychological counsellors, student guidance counsellors, doctors, judges and police officers to be trained in how to uncover and deal with cases of domestic violence.

It should be noted here that Royal Order no. A/14 (2 April 2005) included the establishment of advice sections, specialized in family counselling, to provide legal, psychological and social counselling services and advice on how to improve domestic life in order to preserve the substance and stability of the family.

2. Women's prisons

In cases where a female prisoner has custody of her children or is pregnant, the Prisons Law grants special medical care in terms of nutrition and sleep and transfer to hospital when delivery approaches. The child remains with her until the nursing period is complete. If she does not wish the child to remain with her, either before or after the end of the nursing period, the child is turned over to the father or legal guardian. If there is no father or relative to act as legal guardian, the child will be

placed in a children's home, where the mother may see him in accordance with the regulations.

Article 6

“States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”

In view of the fact that the Kingdom applies the Islamic Shariah, which exhorts to virtue and forbids vice, fornication and immorality, as well as the fact that these conflict with tradition and custom, traffic in women and exploitation of prostitution of women are practices unknown to Saudi society. Whoever commits this type of activity is punished in accordance with the Islamic Shariah, which seeks to root out such inhuman practices.

The Kingdom has been able to take practical measures to close all the loopholes through which unlawful sexual practices might establish a presence in the country by organizing campaigns to apprehend those who engage in immoral practices and taking the necessary measures against them. Such measures are designed to combat these dangerous social diseases and preserve morality and behavioural values in society. These efforts have achieved notable success, reflecting the State's sincere desire to combat such unlawful practices.

It should be stated that these practices are limited and almost negligible, and are contained by the authorities, as explained above and clearly shown in the statistics issued by the security authorities.

Article 7

“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.”

The Kingdom has made no reservations to any paragraph of article 7 of the Convention, showing categorically that the political participation of women is imminent and merely a matter of organization, since there is no discrimination in the Kingdom of Saudi Arabia in respect of political participation. Article 6 of the Basic Law of Governance states: “Citizens shall pledge allegiance to the King on the basis of the Book of God and the Sunna of his Messenger, and on the basis of submission and obedience in times of hardship and ease, fortune and adversity”. Likewise, the Municipal Elections Law contains the word “citizen”, a word which covers men and women equally (women did not participate in the first municipal elections but officials have made statements regarding their participation in the forthcoming elections). Women have the right to participate by expressing opinions. Examples

include requesting the counsel of women during proceedings of the Consultative Council and the presence of women at committee meetings. Women have recently taken part as members of Consultative Council delegations to regional and international parliamentary meetings. Similarly, there is no discrimination in the Kingdom's laws in relation to the holding of public office. The Civil Service Law states that aptitude is the basis for occupying a position and this has been given concrete form with the appointment of women to posts in a number of Ministries, such as Health, Education and Higher Education. Women have a presence in non-governmental organizations concerned with the public and political life of the country. Ten women constituted 25% of the founder members of the National Organization for Human Rights, a woman has been elected as a member of the board of the Saudi Journalists' Association, while another has been elected to the board of one of the banks. Women have participated actively in elections for the Council of Saudi Chambers of Commerce and Industry.

Through the King Abdulaziz Centre for National Dialogue, established in 2002, the State endeavours to provide opportunities to both women and men to debate and examine certain important issues before these are put before the Consultative Council and Council of Ministers. One national dialogue session was allocated to the subject of women.

The King Abdulaziz Centre for National Dialogue has held four meetings, with women representing 36.75% of the membership. Table 1 shows the percentage of women and men taking part in each meeting and makes clear the Kingdom's wish that, from 2004, the percentage of women and men be equal.

Table 1

Numbers of women and men taking part in national meetings held by the King Abdulaziz Centre for National Dialogue from 2002 to 2005 (the uninterrupted increase in the level of participation of women in these meetings will be noted)

<i>Meeting</i>	<i>Date</i>	<i>Number of participants</i>			<i>Percentage</i>	
		<i>Female</i>	<i>Male</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
1 st	2002	-	30	30	0	100
2 nd	2003	10	48	58	17.2	82.8
3 rd	2004	33	34	67	49.3	50.7
4 th	2005	51	50	101	50.5	49.5
Total		94	162	256	36.7	63.3

As for the rights mentioned in paragraph (b), women in the Kingdom of Saudi Arabia enjoy equality with men in respect of functional rights and duties under the provisions of the Basic Law of Governance and labour laws in force in the country. In fact, these laws include several privileges for women, given the State's belief in the role of woman as mother, teacher and creator of future generations, without affecting their functional rights.

Since the beginning of 2000, the Kingdom has been concerned to create employment opportunities in different sectors. Cabinet Decree no. 120 (12 Rabi II 1425 AH) was promulgated in the conviction that women have an active role to play in society, given that they form 49.5% of the country's population. The State has

also provided opportunities for women to rise to positions of leadership in its institutions, resulting in women achieving success and distinction in the governmental and private sectors.

Despite this, however, there are several factors which intervene to limit the level of female participation in the job market. The most significant of these are:

1. Educational status

The educational status of women affects their access to the job market. In 2001, 47.4% of women in the workforce held bachelor's degrees

2. Marriage

The results of the 1992 general census of population show that approximately 30% of women devote themselves full-time to domestic duties and the responsibilities of marriage and children. There is no doubt that this has an impact on the participation of females in the workforce outside the home.

3. Customs and traditions

There is no doubt that the increased levels of education of both sexes generally and of women in particular, economic progress and the cultural and media revival have enabled many social customs and traditions, prevalent since the earliest times until the middle of the last century and presenting an obstacle to the education of women and, consequently, their access to the labour market, to be overcome.

4. Early retirement

Data on the patterns of early retirement confirm that women tend to retire earlier than men in the private sector. The phenomenon is beginning to increase in the public sector, with female early retirement rising from 23.2% of total early retirees in 1999/2000 to 42.5% in 2003/2004 (table 2).

As for women's participation in authority and decision-making positions, the implementation of the regulations and measures adopted recently and detailed above has contributed to the increased participation of women in development fields and other employment sectors and to the assumption by women of a number of responsible and decision-making positions. As for appointment and promotion to leadership positions, women are treated in the light of the organizational rules and formulae stipulated in the employment regulations and applied to males and females without discrimination.

On this basis, Saudi women have been incorporated gradually into leadership positions, commensurate with the nature and development of Saudi society and the developing role of women in economic and social growth. Saudi women now occupy a number of senior positions, including that of deputy minister. The number of females occupying senior administrative positions in 2003/2004 was 12,508.

In the oil sector, a total of 831 women were employed in 2004, representing 1.5% of total employees in the sector.

Furthermore, a woman has assumed membership of the board of the Council of Saudi Chambers of Commerce and Industry, the first time a Saudi woman has held this position. A woman holds the position of deputy editor-in-chief of a daily newspaper and there are a number of women heads of private companies and commercial and professional enterprises.

As for participation by Saudi women in non-governmental organizations concerned with public life, the reality is that the role of women in the Kingdom is not limited to areas of paid employment but extends to include active involvement in social service and development centres. These are social institutions whose administration is overseen by the Ministry of Social Affairs and which seek to develop the social, health, professional and economic aspects of local societies, endeavour to bring about social change and raise the level of family income by encouraging people to be productive and rationalize family expenditure. They provide women with opportunities for positive participation, help in the eradication of illiteracy and conduct social research studies required by the centres' activities and services.

The first social service and development centre was established in 1380 AH in Riyadh and included a sports' club, cooperative society, literacy classes, a primary school and a health clinic; it also offered awareness and guidance programmes. In view of its success, the experiment was extended to all regions of the country, making a total of 24 social service and development centres, of which 17 are social development centres and seven are social service centres implementing programmes to protect maternity and childhood, programmes to care for the handicapped, social guidance and counselling, environmental crafts programmes and youth welfare programmes, in addition to health, cultural and social programmes and agricultural programmes, in cooperation with the Ministry of Agriculture.

Women and men work on an equal basis in administering these centres and implementing their programmes. Some 35% of those who administer and implement the programmes of these centres are women.

Additionally, there are 24 women's charitable societies, with 4,747 female staff and 2,710 voluntary women members. These societies seek to serve Saudi society by developing the capacities of women, offering guidance and organizing charitable social work on a voluntary basis.

Article 8

"States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations."

The participation of Saudi women is not limited to representing their country in the work of international organizations in an official and unofficial capacity. On the contrary, the State encourages women, without discrimination, to represent the Government internationally in international organizations. Perhaps the accession, with the State's blessing, of Dr. Thoraya Obaid to the position of Executive Director of the United Nations Population Fund and Under-Secretary-General of the United Nations provides confirmation that there is a trend within the Government which is keen to ensure that women, like men, are granted the opportunity to represent the

country internationally and participate in the work of international organizations. Dr. Obaid is not alone in this regard; several other women we might note include:

- Ms. Sulafa al-Bassam, Chief, United Nations Regional Economic Commissions (level D1);
- Ms. Mona Khalil, counsellor, Office of Legal Affairs, United Nations, New York (level P5);
- Ms. Affaf Abbas, Office of the United Nations High Commissioner for Human Rights, Geneva (level P4);
- Ms. Fatima al-Mani, Economic and Social Commission for Western Asia (ESCWA), Beirut (level P4);
- Ms. Mona al-Majid, Economic and Social Commission for Western Asia (ESCWA), Beirut (level P4);
- Ms. Amal Abu Rafi, Economic and Social Commission for Western Asia (ESCWA), Beirut (level P2).

Article 9

“1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.”

It should be remembered that nationality is considered to be a matter falling within the internal authority of each state, taking into consideration the limitations thereon, including international treaties and conventions to which the state is committed. Many articles of the Saudi Arabian Nationality Law, promulgated by Royal Order no. 8/20/5604 (22 Safar 1374 AH), are consistent with the Convention in this regard. Thus, article 7, as amended by Royal Decree no. 20 (12 Dhu’l Qadah 1379 AH) stipulates that a Saudi national is a person born inside or outside the Kingdom of Saudi Arabia to a Saudi father or to a Saudi mother and stateless father or father of unknown nationality, or born inside the Kingdom to two unknown parents; the foundling in the Kingdom is considered as born therein, unless established otherwise. Articles amended by Royal Decree no. M/54 (29 Shawwal 1425 AH) stipulate that the acquisition by a Saudi man of a foreign nationality, if so allowed, shall not result in the loss by his wife of Saudi nationality, if she takes the nationality of her husband under the law pertaining to that nationality and approval thereof has been issued by the Minister of Interior (article 12); that the acquisition by a male foreigner of Saudi Arabian nationality shall result in his wife acquiring Saudi Arabian nationality when she arrives in the Kingdom, declares that to be her wish and renounces her nationality (article 13); and that a Saudi Arabian women shall not lose her nationality if she marries a foreigner, unless she affirms and declares her allegiance to the nationality of her husband and takes that nationality in accordance with the law pertaining thereto.

Although there is no discrimination against women in the provisions of the Nationality Law, it will perhaps be noticed here that these provisions always seek to avoid dual nationality, with its positive and negative aspects.

Article 10

“States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.”

The Kingdom of Saudi Arabia guarantees all male and female citizens the right to education, which it has made free of charge, without any discrimination whatsoever. This right is enshrined in the fundamental provisions of the Basic Law of Governance and in all education and training laws, which make education compulsory for children between the ages of six and 15, with equality of the conditions for access to education, and free education. Prime Ministerial Order no. 22646 (21 June 2004) likewise stipulates this.

The Kingdom ensures equal rights for both men and women in matters relating to this article and the country’s laws do not distinguish between men and women in these areas. Thus, article 29 of the Basic Law of Governance stipulates: “The State

shall foster the sciences, arts and culture, and shall encourage scientific research, protect Islamic and Arabic heritage, and contribute to Arab, Islamic, and human civilization". Article 30 stipulates: "The State shall provide public education and shall be committed to combating illiteracy". A single ministry (the Ministry of Education) supervises girls' and boys' public education and a single ministry (the Ministry of Higher Education) supervises higher education, thus ensuring that the equality provided for in this article is achieved at the level of curricula and examinations, standard of teaching staff, method of teacher assessment and the quality of facilities and teaching materials.

If we consider the Saudi Universities Law, the Civil Service Law and the Labour and Workers Law, we find that women are treated exactly the same as men with regard to such considerations as grade, salary, etc. Curricula are the same and provide the same opportunities to women and men for education, employment, training, etc., consistent with the Islamic Shariah.

According to the most recent statistics from the Ministry of Education, published in 2004, the number of females has exceeded the number of males, as shown by the following table:

Table 1

<i>Type</i>	<i>Schools</i>	<i>Classes</i>	<i>Students</i>	<i>Teachers</i>	<i>Administrators</i>
Male	14,612	112,527	2,539,188	196,019	8,227
Female	15,802	107,104	2,311,467	219,472	14,511
Total	30,414	219,631	4,850,656	415,491	22,738

Last year, the number of female Saudi graduates of local universities was 57.6% of total graduates, with some 42,900 female graduates compared with 31,500 male. The number of new entrants to institutions of higher education at all levels in the current academic year was 136,700, of whom 71,200 were female (52.1%). The number of male students at primary, secondary and university levels in academic year 1999/2000 was 1,979,423, while the number of female students at these levels was 2,276,220. There were 181,000 females in higher education during the said academic year, compared with 162,000 males.

The Ministry of Education, the Ministry of Defence and Aviation, the Presidency of the National Guard and the private sector are involved in preparing programmes to combat illiteracy. The overall illiteracy rate in the Kingdom is 18%, with male illiteracy standing at 11.7% and female illiteracy at 25.18%.

The Kingdom's Adult Education and Literacy Law, promulgated by Royal Decree no. M/22 (9 Jumada II 1392 AH), obliges the State to eradicate illiteracy among male and female citizens under the age of 45 without charge. It also obliges all government and private organizations to eradicate illiteracy among employees.

It is worth pointing out that literacy and adult education programmes are available to both men and women who have been sentenced to prison. These programmes are designed to eradicate literacy and rehabilitate male and female prisoners, for integration into society after completion of their sentence.

The basic pillars of education

The basic pillars of education in the Kingdom, in accordance with the laws on education and the goals of the development plans, may be summarized as follows:

1. Education is the right of all, male and female, and the State is committed by law to providing it. The Ministry of Education and Ministry of Higher Education make available all means to achieve this.
2. Education is the principal source for supplying the requirements for the development plans with the necessary, specialized human resources.
3. In view of the fact that education can be channelled to the entire population of all ages, in accordance with their abilities, the State, in addition to public education for males and females, provides education for special needs groups. These may be outlined as follows:
 - (a) Children with special needs;
 - (b) Gifted males and females and those whose talents the State endeavours to discover and develop at an early age;
 - (c) Adult illiterates below the age of 45 who have not been registered at primary level; the Ministry of Education and governmental and non-governmental organizations provide special centres and courses to enable them to overcome illiteracy and qualify them to continue in education.

Gender equality in education

Although the Ministry of Education and Ministry of Higher Education are responsible for all stages of male and female education, girls' education is independent from boys' education, in accordance with the teachings of the Islamic religion. Table 2 shows that the data confirm the absence of discrimination between males and females in enrolment in all types and at all levels of education. Female enrolment in all types of education in academic year 2003/2004 was 48.55% of the total of all those in education, at all levels. Reference may be made to the data in the same table for an understanding of the development witnessed by the Kingdom at all levels of education in general and for women in particular in the period from 1999/2000 to 2003/2004.

Gender equality in the contribution to education

Women in the Kingdom of Saudi Arabia play an active and leading role in all educational sectors in the State, from kindergarten to university. Kingdom-wide, 51.9% of all those involved in education in academic year 2003/2004 were women (table 3).

Gender equality in the education budget

The enormous attention given by the State to education has led to a rise in the allocation for education from 22% of the 1999/2000 budget to almost 35% of the 2003/2004 budget (see table 4, showing the allocations for education in the State's general budget from 1999/2000 to 2003/2004).

Table 4: Allocations for education in the State budget (1999/2000 to 2003/2004)

<i>Year</i>	<i>Million SR</i>	<i>Million USD</i>
1999/2000	41,274.8	11,006.60
2000/2001	47,601.9	12,693.84
2001/2002	51,170.8	13,645.55
2002/2003	52,001.5	13,867.07
2003/2004	55,242.0	14,731.20

Table 5 shows State budget allocations to the Ministry of Education, the ministry responsible for girls' and boys' education at pre-university levels, from 1999/2000 to 2003/2004. The data in the table show that budget allocations for girls' and boys' education were almost equal, with the exception of 2003/2004 when the percentage allocation for girls' education rose above its boys' counterpart.

Table 5: Ministry of Education allocations in the State budget (1999/2000 to 2003/2004)

<i>Year</i>	<i>Million SR</i>			<i>Million USD</i>			<i>Percentage</i>	
	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	<i>Boys</i>	<i>Girls</i>
1999/2000	16,767.00	16,413.90	33,180.90	4,471.20	4,377.00	8,848.24	50.53	49.47
2000/2001	19,634.80	19,280.10	38,914.90	5,235.95	5,141.36	10,377.31	50.46	49.54
2001/2002	20,077.70	20,355.00	40,432.70	5,354.05	5,428.00	10,782.10	49.66	50.34
2002/2003	20,531.60	20,456.00	40,987.60	5,475.09	5,454.93	10,930.00	50.09	49.91
2003/2004	21,213.40	22,450.00	43,663.40	5,656.91	5,986.67	11,643.57	48.58	51.42

The budget allocation for higher education covers the higher education of both sexes equally.

Gender equality in the financial assistance granted to male and female students in all areas and stages of education

Table 6 shows the amounts of financial assistance granted monthly to all male and female students in all areas and stages of education, from which it is clear that the State does not discriminate between the sexes in this regard.

It should be noted that considerable efforts have been made to expand the scope of the school network, particularly in rural areas, with the aim of locating schools as close as possible to areas of family concentration.

Although the Ministry of Education and Ministry of Higher education are responsible for all stages of male and female education, girls' education is independent from boys' education, in accordance with the teachings of the Islamic religion.

Curricula from kindergarten to secondary school levels are on the point of being standardized between the sexes and are fully harmonized at university level and beyond, where examinations are also uniform.

Given that responsibility for implementing educational policy rests with a single ministry, no discrimination exists in respect of the facilities and equipment provided to both sexes.

Gender equality in higher studies

The Kingdom affords opportunities to all men and women who so wish, without discrimination, to enrol in all levels of higher study. In fact, women are encouraged to enrol in higher studies by granting them allowances throughout their years of study until graduation. Table 7 shows the growth in the numbers of men and women enrolled in higher studies from 1999/2000 to 2003/2004.

Male and female graduates from educational institutions

Because of the equality of opportunity among men and women for continuing to higher education, whether inside the country or abroad, and the population's increased awareness of the need to give women access to higher education, women represented 55.6% and men 44.4% of a total graduate figure of 73,607 in 2002/2003 (the data in tables 8 and 9 may be consulted to understand the extent of the growth, the areas of specialization of male and female graduates and the percentage of female graduates from the total for each specialization).

Vocational training for women

Vocational training for women has recently been accorded greater importance by those responsible for vocational training. The State began placing emphasis upon it in the Seventh Five-Year Plan (2000-2005) and the current Eighth Five-Year Plan, in operation since the beginning of 2005, affirms the importance of vocational training for women as essential for preparing a workforce to pursue professions, whether by means of pre- or in-service training or ongoing training. Several governmental and non-governmental organizations conduct vocational training for women.

Governmental organizations which conduct ongoing, in-service training for women

1. The Institute of Public Administration

The Institute of Public Administration (IPA) is a major governmental organization responsible for staff training. Table 10 shows the numbers of male and female trainees in in-service training programmes from 1994/1995 to 2003/2004. Although, by way of example, women represented 8.5% of total trainees in 2003/2004, the opportunity is available to all men and women who wish training. Table 11 shows the numbers of male and female graduates of IPA general and special preparatory programmes from 1994/1995 to 2003/2004.

2. The Human Resources Development Fund

Pursuant to the directives of Cabinet Decree no. 107 (29 Rabi II 1421 AH) and Royal Decree no. M/18 (5 Jumada I 1421 AH), instructing the Human Resources Development Fund (HRDF) to accord special importance to the training of Saudi

women and employ them in its projects and programmes, the HRDF has been able to train and employ 3,795 women since commencing implementation of the employment-related training support programmes and direct employment programmes in the light of private sector training and recruitment needs.

3. Community service and continuing education centres

Kingdom-wide community service and continuing education centres conduct training and upgrading courses for both holders of the general secondary education certificate and university graduates to retrain and qualify them in line with the demands of the job market. Table 12 shows the numbers of men and women trained and qualified from 2000 to 2004.

Table 12: Growth in the numbers trained and qualified in community service centres by sex from 2000 to 2004

Year	Number			Percentage		
	Male	Female	Total	Male	Female	Total
2000/2001	435	482	917	47.44	52.60	100
2001/2002	1,935	366	2,301	84.10	15.90	100
2002/2003	3,253	2,378	5,631	57.80	42.20	100
2003/2004	7,461	3,773	11,234	66.40	33.60	100

It should be mentioned that a resolution was issued in 2005 setting up 15 girls' technical colleges across the Kingdom, to commence operation at the beginning of academic year 2005/2006.

Private sector organizations engaged in training

There are 197 private sector centres throughout the Kingdom providing technical education and training. The period of training varies from a single class to two years, whereupon the trainee is awarded a diploma, either in a computer specialization (programming, networks, technical support or maintenance) or English, French, Italian or German language.

As regards paragraph (g) of the said article, concerning equal opportunities for both sexes to participate actively in sports and physical education, the statutory measures to give effect to this have begun to be adopted on the basis of Prime Ministerial Decree no. 7/B/36132 (25 Rajab 1424 AH).

It should be pointed out that there are women's clubs attached to several governmental bodies in Riyadh, Ta'if, Dammam and Jeddah, as well as private sector cultural and sports' clubs, in which women engage in various sports, such as basketball, volleyball, lawn tennis, table tennis, billiards and running, swimming, and horse riding competitions, in addition to cultural and social activities offered by the clubs and in which women take an active part. The number of women and girl members taking part in sports in 2004 was approximately 17,000 i.e., 45% of the total membership, male and female, of these clubs.

Article 11

“1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;*
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*

2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*

3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.”

Article 28 of the Basic Law of Governance stipulates: “The State shall facilitate the provision of job opportunities to every able person, and shall enact laws that protect the workman and the employer.”

In respect of the right to work, article 48 of the Labour and Workers Law, promulgated by Royal Decree no. 21 (6 Ramadan 1389 AH) stipulates that work is the right of the Saudi citizen. The reference here is to both sexes, without

discrimination, although certain provisions of the law apply specifically to women, as required by their special nature. Article 1 of the Civil Service Law, promulgated by Royal Decree no. 49 (10 Rajab 1397 AH) stipulates that aptitude is the basis for selecting staff to occupy public positions. In respect of the right to enjoy the same employment opportunities, the right to choice of profession and employment and the right to training, article 4, paragraph (a) of the Civil Service Law stipulates that Saudi nationality shall be a condition for appointment. Article 34 of the Civil Service Law stipulates that the training of employees shall be part of the statutory duties of employment, either during or outside official working hours, and all ministries and government agencies must give their employees the opportunity to receive training in their areas of competence.

As for equality in respect of benefits, civil service benefits are a function of position, not of the sex of the person occupying that position. Article 80 of the Labour and Workers Law obliges the employer to treat equally in respect of wages and allowances those workers whose technical skills and abilities are the same.

Levels of women's participation in the workforce

The data show that the extent of women's participation in the workforce was 11.2% of the total in 1992, rising to 14.1% in 2002. The greater proportion of the female workforce is concentrated among the 20-39 age group, which constituted 76.9% of the total female workforce in 2001. Table 1 shows the female workforce aged 15 and over by employment category for 1992 and 2001.

Levels of women's participation in the private sector workforce

The levels of participation in economic activity by gender, shown in table 2, provide qualitative indicators of the pattern of female participation in the private sector workforce in the five years from 2000 to 2004, showing the extent of the Kingdom's pursuit of freedom of choice of profession and employment for men and women without discrimination.

As for the right stated in paragraph (e) of this article, concerning a woman's right to social security, particularly in cases of retirement, sickness, invalidity, old age and other incapacity to work, the Kingdom applies the Social Security Law, of which article 1, paragraph (c) stipulates that a woman with no male provider shall be entitled to a pension.

Similarly, article 5 of the same law stipulates that a woman over the age of 18 with no male provider shall be entitled to a pension, regardless of whether she is single, divorced or widowed.

Likewise, the Social Insurance Law, promulgated by Royal Decree no. M/33 (3 Ramadan 1421 AH) and covering all workers in all employment sectors in the Kingdom, is characterized by comprehensiveness of application and by coverage of all hazards, as it is not limited only to death, old age and work-related injuries but extends coverage to non-occupational sickness and disability.

One of the fundamental principles of the Social Insurance Law is that of gender equality, with due regard to situations requiring special care.

Under this law, the State established the General Organization for Social Insurance which has responsibility for implementing the law.

As for entitlement to a retirement pension and disability, sickness and death benefits, male and female workers are entitled to a retirement pension in the following cases:

- When the insured reaches the age of 60, in the case of a man, and at least 55 in the case of a woman whose period of insurance contributions is not less than 10 years;
- Upon termination of service of the insured when continuation of work would cause life-threatening risk to health;
- Upon the death or total disability of the insured;
- Upon termination of service of the insured person working in a harmful, arduous or dangerous job whose period of insurance contributions is not less than 10 years;
- Other aspects covered by the law and from which women benefit are their entitlements as beneficiaries of the insured or pensioner, as specified in article 2, paragraph 8 of the law. Beneficiaries are:
 - (a) The widow or widower of a deceased contributor, where the widower is a man whose contributing wife has died and he has a disability preventing him from earning a living, until he is no longer incapacitated;
 - (b) Sons under 21 years of age until they reach that age, and daughters until they marry;
 - (c) Grandsons and granddaughters whose father dies during the contributor's lifetime and who were supported by him up to the time of his death, under the same conditions as those relating to sons and daughters;
 - (d) The father and mother of a deceased contributor who were supported by him up to the time of his death, provided that the father is unable to work or is over 60 years of age and not working;
 - (e) Grandfather and grandmother, under the same conditions as those relating to father and mother;
 - (f) Siblings of a deceased contributor, under the said conditions and provided they were supported by him.

Table 3 shows the growth in the number of social insurance contributors in work by principal occupational groups, from 1995 to 2004.

One of the humanitarian aspects of the Social Insurance Law is the stipulation that, if the worker's period of service ends without his entitlement to a retirement pension, he shall receive a retirement allowance in accordance with the terms and conditions specified by the law.

Levels of women's participation in the public sector

In 2003/2004, the level of women's participation in the public sector stood at approximately 36.5% of the total workforce. Reference may be made to the data in table 5 for an understanding of the level of women's participation in all public sector areas.

Social services

As for social services, the State, keen to provide conditions conducive to the employment of women and wishing to encourage women to combine family commitments with work responsibilities, has provided exemplary crèche facilities throughout the Kingdom. It has also encouraged the private sector to help working mothers by setting up crèches to provide security and protection for infants by qualified female supervisors able to develop the children's abilities and prepare them mentally and socially for the subsequent stage, namely, kindergarten. All crèches are subject to the supervision of the Ministry of Education to ensure adherence to the rules and regulations. Table 4 shows the growth in the number of crèches and children enrolled in both government and private sector crèches during the period 2000/2001 to 2002/2003.

The right to protection of health and to safety in working conditions

As for the right to protection of health, article 31 of the Basic Law of Governance stipulates: "The State shall be responsible for the care of public health, and shall provide health care to every citizen." Article 134 of the Labour and Workers Law specifies the employer's obligations regarding the health and protection of workers, without discrimination between men and women, and even grants women certain special rights in this respect.

Prohibition of dismissal

As for prohibition of dismissal, article 167 of the Labour and Workers Law prohibits the dismissal of a woman because of pregnancy and maternity leave, stating that the employer may not dismiss a female worker on pregnancy and maternity leave. Article 168 prohibits an employer from dismissing a female worker during sickness resulting from pregnancy or delivery. In respect of the inclusion of paid maternity leave, article 28/23 of the Implementing Regulation of the Civil Service Law stipulates that a female employee shall be entitled to delivery leave of 60 days with full pay. In the same context, article 164 of the Labour and Workers Law specifies a period of four weeks' maternity leave prior to birth and six weeks thereafter, with half pay if the female employee has spent more than one year but less than three years in the employer's service, and with full pay if she has spent three years or more.

As for encouraging the provision of social support services, section 7 of the Labour and Workers Law contains details of the social services provided by the employer to workers, including child care during working hours for working women with children under the age of six.

As for the provision of special protection for women during pregnancy, article 160 of the Labour and Workers Law prohibits the employment of women in hazardous and harmful occupations.

Article 12

“1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.”

Women in the Kingdom of Saudi Arabia enjoy special health care and protection, being provided with advanced health services, whether in government hospitals or in the health centres across the country. The private sector is encouraged to establish advanced hospitals and procure doctors and auxiliary medical staff from overseas to ensure health services with a high standard of competence and of appropriate quality.

Health care is among the services guaranteed by the Basic Law of Governance, of which article 31 stipulates that the State shall be responsible for public health and shall provide health care to every citizen.

It should be mentioned that the laws relating to health apply to citizens and others and guarantee the right of access to these services to all, regardless of gender, in addition to the health services women enjoy relating to pregnancy, childbirth and child care.

As a result of the State’s concern to provide health services to all citizens, substantial achievements have been made over the 35 years of the development plans in all regions of the Kingdom. A number of governmental bodies are the principal providers of these services. At the forefront of these is the Ministry of Health, the main body responsible for the provision of preventive, therapeutic and rehabilitative health care services to all citizens, without any discrimination between men and women. The Ministry does so by implementing primary health care, preventive health care and therapeutic programmes in 1,792 (in 2002) health centres across the Kingdom. Specialist treatment is provided by general and specialist hospitals, of which there are 331 with 47,242 beds.

The military and security services provide medical services to all members and their families, both men and women equally. They also provide medical services to citizens and residents when needed.

School health care units attached to the Ministry of Education are responsible for providing primary health care services for male and female students at all school levels.

The health facilities of the General Organization for Social Insurance and General Presidency of Youth Welfare provide medical services to certain categories

of the population, while those of the Royal Commission for Jubail and Yanbu provide health services to its employees and all members of their families.

Through the colleges of specialized medicine in four hospitals, containing 1,678 beds, the universities contribute to the provision of specialist treatment. In addition, they run teaching and training programmes in all medical specializations and conduct research in cooperation with other research centres.

It is worth mentioning that the King Faisal Specialist Hospital and Research Centre makes available its high-level medical technologies and unparalleled international experience in providing critical, specialist treatment services to male and female citizens equally, without discrimination, when their condition so requires.

The Saudi Red Crescent Society undertakes important work in providing emergency medical services throughout the Kingdom, around the clock, in addition to the outstanding services it provides pilgrims performing the sacred rituals of the hajj, and those making the minor pilgrimage throughout the year.

The private sector assists the public sector by providing health services at a number of facilities. The quality of these services is overseen by the Ministry of Health, resulting in an outstanding level of technological and performance capability being achieved. In 2002, private sector health facilities included 99 hospitals, containing 9,337 beds, in addition to 795 medical dispensaries and 798 clinics. Some 9,929 doctors, 13,848 male and female nurses and 7,059 technicians were working in these facilities. Additionally, the private sector contributes to the manufacture of medicines and medical requirements, as well as importing medical systems and equipment and operating a number of government health facilities.

All these achievements have contributed to a rise in the level of health of the population, both male and female, and to a qualitative improvement and development in treatment, reflected in a reduction of the overall death rate of the Saudi population aged under 60 in 2001 to 1.7 per 1,000, representing a male death rate of 2.2 per 1,000 and a female death rate of 1.3 per 1,000. The overall death rate of the population aged 60 and above in the same year was 22.6 per 1,000 (a male death rate of 23 per 1,000 and female death rate of 30.9 per 1,000).

Male infant deaths in 2001 were 19.7 per 1,000, while female infant deaths in the same year were 18.5 per 1,000 (having been 118 per 1,000 in 1970). Maternal deaths in 2001 as a result of pregnancy and delivery were 1.4 per 10,000 live births. It should be mentioned that motherhood care services are provided by 1,792 health centres throughout the Kingdom, equipped with clinics specializing in gynaecology and obstetrics and employing more than 4,592 male and female doctors. There is cooperation and coordination between these clinics and hospital gynaecology and obstetrics departments. The data show that 95% of deliveries in the Kingdom take place under medical supervision, with 54% of deliveries, Kingdom-wide, taking place in government hospitals. Some home deliveries also take place under medical supervision.

Women's health care

The State devotes special attention to women's health in general and to the health of pregnant women in particular by means of mother and child welfare centres. The services provided free of charge to women include:

1. Comprehensive preventive health care and health education;
2. Antenatal care through joint programmes between health centres and hospital obstetrics departments in all regions and monitoring throughout pregnancy, with all necessary tests;
3. The transfer, when required, of pregnant women to gynaecology and obstetrics wards in specialist hospitals;
4. Compulsory inoculations for children, such as those against poliomyelitis, tuberculosis, measles and other contagious diseases;
5. Making women aware of the side effects of therapeutic medicines prescribed by the doctor treating them and making them aware of and providing postnatal preventive, therapeutic and advisory services for children.

In 2002, the antenatal clinics received 1.6 million visits from women (table 1). In the same year, child welfare clinics providing children's health services received a total of 3.97 million visits from child patients.

The growth in the number of basic health structures in the Kingdom is as shown in table 2.

Table 2

Growth of the network of basic health structures in the Kingdom

	1970	1980	1990	2002
Number of health centres	591	1,185	3,053	3,627
Number of hospitals	74	109	257	331
Number of beds	9,039	17,547	39,451	47,242
Number of doctors	1,172	6,536	23,850	32,683
Nursing staff	3,261	12,004	48,026	68,097
Auxiliary medical categories	1,741	6,791	25,716	40,475

The density of the basic health network in the Kingdom is represented by the development of levels of coverage shown in table 3.

Table 3

The development of levels of health coverage (1992, 2002)

<i>Proportion / level</i>	1992	2002
Number of beds per 1,000 persons	2.5	2.0
Number of doctors per 1,000 persons	1.6	1.4
Number of beds in gynaecology and obstetrics wards per 1,000 women of childbearing age (15-50 years)	1.5	1.8
Number of inhabitants per hospital	60,313	52,399
Number of inhabitants per health centre	5,296	4,782

Reproductive health

Family planning

All health facilities in the Kingdom offer reproductive health services on demand to the whole population, male and female. Most women giving birth in hospital receive advice on methods of family planning during postnatal visits to hospital.

In the period 1991-2002, contraceptives were used by an average of 32% of married women.

A 1996 study conducted on a stratified random sample of 10,510 Saudi families by a team of researchers from the Ministry of Health, the College of Medicine at King Saud University and the Central Department of Statistics showed that 81% of married women had knowledge of methods of contraception and that 43.2% had used one of these methods.

All methods of contraception are available at both public and private sector pharmacies.

The Sexually Transmitted Disease Programme and acquired immune deficiency syndrome (AIDS)

Within the framework of the preventive work at all its facilities, the Ministry of Health in the Kingdom of Saudi Arabia devotes constant attention to sexually transmitted diseases, such as AIDS.

The total cumulative number of cases of AIDS discovered in the Kingdom since the appearance of the first case of infection in 1983 to the end of 2003 is 7,808. Of these, 1,743 are Saudis, of whom 414 (23.8%) are women. The number of non-Saudis infected by the disease is 6,065. Statistics show that 95% of cases were the result of sexual contact.

As for the causes of transmission of the infection to women, 31.4% of all women with the disease were infected by blood transfusion, 30.6% by sexual contact, 25.9% by cause unknown, 10.4% by transmission from mother to child, 1.5% by organ transplant and 0.2% as a result of drug addiction.

In 2004, the Kingdom had three specialist centres for the care of persons infected with the AIDS virus.

Infertility treatment

The Ministry of Health has established a framework to regulate the fertility treatment provided by the public and private sectors and has drawn up rules for the quality of services offered in this field, as well as methods of evaluation and supervision.

Article 13

“States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) *The right to family benefits;*
- (b) *The right to bank loans, mortgages and other forms of financial credit;*
- (c) *The right to participate in recreational activities, sports and all aspects of cultural life.”*

Article 8 of the Basic Law of Governance guarantees justice and equality among all citizens, male and female. As such, none of the Kingdom's laws discriminate between men and women in respect of rights, whether economic or social.

It should be stated that a Saudi woman enjoys full legal competence upon reaching the age of majority. She has separate and independent financial status from her husband and enjoys legal personality in respect of the practice of all rights, such as the right to own and dispose of property, engage in civil and commercial transactions, conclude contracts and loans and other commercial and financial transactions.

As for the right to family benefits, women in the Kingdom enjoy the protection and care of the State, both in respect of health and socially. This report has previously made mention of the social security which women are guaranteed by the Social Insurance Law and the aspects of health care which women in the Kingdom enjoy.

Social services in the Kingdom are provided through a network of facilities which, in 2002, consisted of 189 homes and institutions for the care of male and female orphans, 21 homes and institutions for the care of male and female juvenile delinquents, two institutions for the care of crippled children, 27 rehabilitation centres for the disabled, 10 homes for the care of the aged and 12 offices to combat begging. There are, in addition, 249 charitable societies, several of which are exclusively for women. These societies offer a range of services, providing care for male and female disabled children, dispensing assistance to needy families and raising the level of women by providing training in handicrafts and organizing educational talks and discussions.

The Ministry of Social Affairs dispenses financial assistance to families caring for orphans, crippled children and disabled persons. In 2002, financial assistance amounted to SR 51 million, from which 4,110 male and female orphans benefited. In the same year, welfare services were extended to 664 old people, both male and female, and 1,666 male and female disabled persons were rehabilitated, enabling them all to become productive citizens.

The Ministry of Social Affairs likewise assists citizens unable to work, widows, women without a male provider and the families of prisoners. Payments for temporary relief assistance increased from SR 2.3 million in 1969 to SR 489.7 million in 2002, an average annual growth rate of 13.6% during the said period.

Total annual amounts paid to beneficiaries in the form of regular social security payments rose from SR 39.4 million in 1969 to more than SR 2.5 billion in 2002, an average annual growth rate of 17.6%. The social security system protects working and non-working women, as explained elsewhere in this report. Non-working women whose husbands are contributors to social insurance enjoy material services relating to childbirth.

Likewise, the social security system gives contributing women the same right as men to obtain disability insurance, if forced to stop work due to disability, and death insurance.

Notwithstanding the help and assistance the State provides to certain groups, there exist other social groups with economic difficulties which affect the stability of the family, particularly in cases where the woman is the family breadwinner. Accordingly, a fund – the Charitable Fund to Combat Poverty – was set up by Prime Ministerial Decree no. C/41362 (2002) to provide services to the poor inside the Kingdom. The Fund's services are used essentially to develop the capabilities of this group and build self-reliance and awareness so that they might participate actively in the development of society. To affirm the value of work in the life of the individual and remove this group from the sphere of social assistance and bring them into productive activity, the Fund grants them interest-free loans for micro-investment projects to improve living conditions. The role of the Fund complements that of other governmental and non-governmental bodies and charitable societies and organizations.

In addition to the State's activity in this regard, women's charitable societies play an active part in protecting women and providing them with a decent social life by dispensing monthly, annual or occasional financial assistance to certain needy families, as well as providing the material assistance needed by some poor families.

As for granting women the right to obtain bank loans, mortgages and other forms of financial credit, the laws governing banks, mortgages and the various forms of credit give women the same rights as men in this respect (see tables 1 and 2).

In the same context, the State, when formulating its comprehensive strategy for growth, was concerned to provide easy credit to encourage private investment among men and women, without discrimination, enabling them to invest in all sectors, areas and activities. This has given a considerable boost to public corporations and the private sector in the area of industrial and agricultural development and the service sector, and has contributed to increased private sector activity in vital areas, such as private hospitals, clinics, hotels, bakeries, newspapers, domestic and foreign trade, the transport and communications sector, etc. In addition, these loans play an important role in the real estate development sector by making suitable housing available for people, accelerating the building, renovation and development rates of established residential areas and adding new housing blocs to absorb the population increase, thereby contributing to the geographic expansion of existing cities and establishment of new housing concentrations.

Total loans extended by the specialized lending institutions in the Kingdom since their establishment up to the end of 2001 stood at approximately SR 296 billion, while total lending in 2002 reached 306.8 billion, an increase of SR 10.7 billion. Total loans extended to women in 2002 amounted to SR 30.68 billion.

As regards the right to participate in recreational activities and sports, the organizations responsible in the State have begun to take the statutory measures to give women the opportunity to participate actively in sports. As for women's participation in recreational activities and all aspects of cultural life, the facts confirm that women in the Kingdom of Saudi Arabia are, like men, permitted to take

part in recreational activities of various kinds at all stages of school and university education. Art education is an academic subject at all stages of public education and exhibitions are held in which the drawings and artistic work of female students are displayed. At university level, there are colleges and institutes specifically devoted to this aspect of education. Some 16 colleges of home economics, with areas of specialization including art education, seek to prepare a body of specialized staff to teach art at the various stages of education.

Furthermore, the State has established clubs in Riyadh, Jeddah and Dammam, attached to the Ministry of Defence and the National Guard, which allow women of different ages to join and where women and girls can pursue all types of sporting activities and horse riding under the supervision of female specialists. There are also clubs attached to the private sector.

Women's associations are very active in this area, supporting various recreational and cultural activities for women as the hub of their activity.

As for the aspects of cultural life in which women in the Kingdom are involved, these are:

1. Local newspapers, working as editors, reporters, news editors, technical supervisors, section managers and managing editors; women are permitted to become members of the Saudi Journalists Association;
2. Television, involved in dramas and working as programme producers, directors and presenters; women are permitted to become members of the Saudi Association for Media and Communication;
3. Radio, working as programme managers, presenters, directors and actresses.

Article 14

“1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;*
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;*
- (c) To benefit directly from social security programmes;*
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*

- (e) *To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;*
- (f) *To participate in all community activities;*
- (g) *To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*
- (h) *To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.”*

The laws of the Kingdom do not differentiate between rural and non-rural women. Article 8 of the Basic Law of Governance affirms this, stipulating: “Governance in the Kingdom of Saudi Arabia shall be based on justice, consultation and equality in accordance with the Islamic Shariah.” Accordingly, rural women enjoy the same provision as urban women, including health care, schools, literacy, etc., in a manner that does not discriminate between urban women and rural women.

According to the general census of 1992, the rural population stood at 255,397, representing 1.5% of the total population of the country. In the same year, rural women constituted 48% of rural dwellers (see table 1 for the distribution of rural women across the regions of the Kingdom).

In 2001, the number of village dwellers aged 15 and above working in agriculture, animal husbandry, poultry farming and fishing was 154,212, of whom women represented 3.6%.

As regards the extent to which these sections of the population are provided with services, all the concerned State agencies provide education, health and transport and communication services to the rural population. The general censuses of population and housing conducted in the Kingdom show no discrepancy between rural and urban regions in respect of access to services.

Through women’s charitable societies, the State has endeavoured to establish the Rural Woman Pioneer project. Set in motion in 2000, this project was designed to raise the health and social level of rural women and prepare a group of rural female pioneers to implement consciousness-raising and educational programmes to spread awareness among rural women and girls, inform them of government and civil society services and how to benefit from these, advise them of bad health and social customs and ways of eradicating these, encourage rural women to exploit the resources of the environment in which they live and use their leisure time to become involved in crafts, develop hobbies and acquire certain skills.

The State also encourages and supports women involved in the Rural Woman Pioneer project to conduct studies and research as a contribution to the formulation of rural development plans.

Since the project was first implemented in 2000, it has been put into practice in 10 villages and 296 female pioneers from these villages have been trained. These women have become the link between the women’s charitable societies and female residents of the villages, advising the former of cases needing urgent assistance.

Since its establishment in 1965, the Saudi Arabian Agricultural Bank has provided agricultural subsidies to male and female agricultural workers, without

discrimination. Total agricultural subsidies from the Bank in the period 1973-2001 were SR 12.65 billion, of which women obtained 7%.

Article 15

- “1. States Parties shall accord to women equality with men before the law.*
- 2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*
- 3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*
- 4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.”*

Equality of men and women before the law is a right established in the laws of the Kingdom and stipulated in article 47 of the Basic Law of Government: “The right of litigation shall be guaranteed equally for both citizens and residents in the Kingdom. The law shall set forth the procedures required thereof.”

If we examine the Law of Shariah Procedure, which contains 266 articles and the Law of Criminal Procedure, containing 225 articles, it is impossible to find therein any discrimination between men and women. On the contrary, we find articles which protect a woman’s dignity in certain situations. For example, article 42 of the Law of Criminal Procedure stipulates that a criminal investigation officer may, in cases where the law permits arrest, search a suspect and the search may include his body, clothes, and belongings; if the suspect is a female, the search shall be conducted by a female assigned by the criminal investigation officer.

The principle of equality is likewise applied in the Kingdom in respect of freedom of choice of employment, the right to education and health care and other rights stipulated in the Basic Law of Governance. The regulation of these rights has been explained elsewhere in this report.

In the Islamic Shariah, a woman has the same legal capacity as a man in relation to the conclusion of contracts, ownership and management of property. Likewise, she has freedom of personal movement and freedom to choose her place of abode and residence.

As for the treatment of a woman on a basis of equality with men in all stages of judicial procedure, her right to bring litigation before the courts and follow-up judicial procedures, and the manner of addressing issues of personal status between spouses, the judicial regulations give women full rights, whether as plaintiff, defendant or witness. The rights stipulated in law apply to all litigants, without discrimination between men and women.

Article 16

“1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;*
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*
- (c) The same rights and responsibilities during marriage and at its dissolution;*
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.”

The Kingdom of Saudi Arabia accords special importance to the family, being concerned for its security and stability. The Islamic Shariah is the legal framework for the social laws and, accordingly, a woman has the right to choose a husband and to enter into marriage only with her consent. The laws in force in the Kingdom stipulate that the woman’s consent must be ascertained by whoever concludes a contract of marriage. By Decree no. 109 (5 Jumada I 1391 AH), the Supreme Judicial Council (the Supreme Council of the Judiciary) issued a circular to the courts and registrars of marriage on the need to ascertain a woman’s consent to her marriage.

In 2002, the average age of marriage for women was 21.6 years and for men, 24.8 years.

It should be noted that, after concluding the marriage contract, a woman has the right to a dowry and a home. Her husband is obliged to support her adequately and, by law, she has the right to demand payment in the event that her husband refuses to support her adequately.

Marriage does not affect a woman's legal capacity or her financial status, which remains independent from that of her husband. A woman has complete freedom to administer her property and assets. She retains her own family name, profession and occupation.

As for a woman's right to divorce or to dissolution of the marriage contract, the law gives her the right to apply for separation on grounds of hurt. If the husband is absent without good cause, the wife may apply for divorce, if she suffers hurt because of his absence. The same applies if the husband is sentenced to imprisonment or refuses to support her adequately. The wife also has the right to divorce at her instance by resort to law.
