

NGO Oral Statement: Saudi Arabia
40th CEDAW session
January 2008

Dear Madam Chairperson,

This shadow report was prepared by a group of women called 'Saudi Women for Reform' SWR, a group working informally to promote women's rights. It has not been possible to work officially for this report, as the state does not allow the formation of any NGO's for this purpose. There were several attempts to establish NGO's concerned with women's rights but have failed. The Ministry of Social Affairs which is in charge of giving license has declined to give them the regalia permits.

We have decided to write this report to get out the voices of Saudi women on this subject, despite considerable risks, which may subject its authors to serious reprisals by the government. For these reasons, we would like to keep our identities and affiliations confidential. Because of these limitations it was difficult to write this report and serious gaps may remain. In addition, this type of report-writing is a new experience in Saudi Arabia. We hence tried our best within the constraints of resources.

The main issues facing women in SA could be divided into five main trends.

1. Denial of legal capacity
2. Women's participation in public affairs
3. Women's education policy
4. Women's limitations to work
5. Issues of family law

1. Saudi Women Have no Legal Capacity:

That is emphasized by many laws and regulations. No matter how old she is, a woman needs the consent of a male guardian in order to study, work, have medical operations, travel, marry, or open and run a business.

We recommend:

1. The immediate defining of the legal age for women where a woman can represent herself and actions before the law without a guardian.
2. Change and ban any act that treats adult women as minors.
3. The elimination of all discriminatory articles against women such as Articles 149, 150 and 160 of the Labor Law.
4. Put in place sanctions for gender discrimination.
5. Define violence against women that is independent from social concepts.
6. Enact laws that criminalize violence against women in all its forms.

2. No participation by women in public affairs:

- a. No women are or have been ministers.
- b. No women are or have been members of the Shura Council (appointed parliamentary body).
- c. No women were allowed to participate in the last municipal elections in spite of the preparations of seven women to run for that. Despite promises in 2004, the government has not presented any attempt to prepare for women's participation in the next elections.
- d. No NGO's are allowed forming in SA.
- e. Women have not been involved in making strategies for social development.
- f. Women and men are not allowed to contact international organizations except through the ministry of foreign affairs.

We recommend:

1. The state should make the arrangements for enabling the environment for women to participate in public affairs. We demand that in all levels, temporary quotas should be introduced for the participation of women.
2. Women should be allowed to enter the Ministerial Cabinet.
3. Women should be allowed to enter the Shura Council as full members.
4. Women should be allowed to participate in the municipal elections.
5. Women should be allowed to participate fully in the decision-making positions and public administration.
6. Women should be allowed to establish their own NGO's.

3. Women's education policy:

- a. Discrimination against women starts by stating the 'special nature' of women which is interpreted in practice as inferior.
- b. Accordingly, discrimination is found in all levels of education by the differentiation between girls and boys' curricula.
- c. Discrimination against women in higher education is institutionalized (e.g. Engineering, information and technical education disciplines are available only for men). There are two universities where women cannot enroll in.
- d. Women are prohibited to take any sports classes in the national education bodies.
- e. Illiteracy is 29% for women compared to 7.7% for men.
- f. Compulsory education was introduced in May 2004, yet it has not been enforced.
- g. A woman needs her "guardian" 's permission to enroll in any public education institution, no matter how old or young the woman is.

We recommend:

1. End of discrimination against women in schools.
2. End of discrimination against women in higher education.
3. Allow women to enter all universities.
4. Allow women to enroll in all educational fields.
5. Enable women to take sports in public schools and universities.
6. Enforce compulsory education for girls.
7. Eradicate women's illiteracy.
8. Eliminate the requirement to have a "guardian"'s permission for women to study.

4. Women are prevented from working in many sectors:

- a. Article 160 in 'Labor Law' prohibits women from working in mixed working environments. Hence women are denied to work in most places and professions, since separation of men and women is not always possible or economical.
- b. Saudi women's economic participation is only 5.5% which is one of the lowest rates of economic participation in the world.
- c. A woman needs her guardian's permission to work, no matter how old she is.

We recommend:

1. End of discriminations against women and repeal all laws and regulations that limit women's economic participation.
2. Stop the governmental elements that eliminate women's participation in the labor market.
3. Improve women working conditions.
4. Give women the right to drive their own cars and provide safe and reliable public transportation.

5. Family Law:

In the absence of codified laws and the vagueness of implementing the Sharia, taking into consideration the hostile environment in many courts towards women and its traditional bias to men, women suffer from many disadvantages regarding the different aspects of what is known as family law including marriage, divorce, custody, children guardianship, alimony, inheritance etc.

We recommend:

1. Immediate codification of laws and regulations related to women.
2. Set a timetable to establish family courts supported with specialized judges and female lawyers.

3. Set the marriage age for both men and women to not less than 18 years old.
4. Set into law a woman's right to choose her husband.
5. Women should be treated equally when marrying non-Saudi citizens with regard to the rights of children to acquire nationality.
6. Affirm the right of women to file for divorce, without long delays.
7. Take the interest of the child into consideration not gender of the parent, when assigning custody of children.
8. Right of a woman to guardianship over children when the husband dies.
9. The need to deduct children's alimony from the husband's salary.

We hope that the government of Saudi Arabia will take the advantage of its accession to the convention to improve women's conditions and meet its obligations towards its all citizens regardless of their gender.