

# SAUDI ARABIA'S REFORMS AND PROGRAMS TO EMPOWER WOMEN

August 2019

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## Legal Progress for Women

Under the guidance of His Majesty King Salman bin Abdulaziz Al Saud, Custodian of the Two Holy Mosques, and His Royal Highness Crown Prince Mohammed bin Salman, the government of the Kingdom of Saudi Arabia has reviewed civil and labor laws and regulations that affect the ability of women to travel, work and participate in Saudi society.

Vision 2030 recognizes that a successful, modern nation must encourage and empower all members of society, including women. To that end, women's rights have grown and expanded under the current leadership, and Saudi women are more engaged than ever in society, government and business.

## New Legal Amendments

The most recent developments for women under Saudi law came in August 2019 when the Council of Ministers introduced several amendments to civil and labor laws that expand women's rights and address issues of travel, employment and finance.

Below are the legal advancements for women as of August 2019:

- On equal footing with men, women over the age of 21 may obtain a passport and travel abroad without the permission of a male relative.
- Women can now travel outside of the country without a male guardian.
- Women may register as a "head of household," and identified as such on family ID Cards and papers, which gives them the right to legally act on their children's behalf.
- Women may register the births of their children.
- Women received increased protection from employment discrimination.
- Women's retirement age is the same as men's retirement age (60 years of age).
- The closest female relatives, who are at least 18 years of age, can report cases of death.
  - Previously, the responsibility lied on the closest male relative, among others.

- Women may claim their own place of residency.
  - Previously, the place of residency for a woman is where her husband/legal guardian resides.
- Women may not be fired for pregnancy.
  - Previously, women could be fired for exceptions to the law. Those exceptions have been removed.
- Women have equal authority to register cases of marriage and divorce.
  - Previously, the responsibility lied primarily on men.

**LEGAL PROGRESS: BEFORE AND AFTER**  
**Amendments to travel documents rules**

Article Number	Article before amendment	Article after amendment
<b>Article 2</b>	1- Saudis are entitled to obtain passports. 2- The Minister of Interior has the authority to issue, on temporary basis when needed, a passport or travel document to any non-Saudi for the purpose of travelling abroad and returning to the Kingdom. The executive regulations determine when to issue and withdraw such documents, <i>and to add the wife and children to any of them.</i>	1- A passport shall be issued to <i>any</i> Saudi citizen who applies for it, as determined by the executive regulations. 2- The Minister of Interior has the authority to issue, when needed, a temporary passport or travel document to any non-Saudi for the purpose of travelling abroad and returning to the Kingdom. The executive regulations determines when to issue and withdraw such documents.
<b>Article 3</b>	Passports may include the Saudi wife, non-married daughters, and the minors of its carrier, as determined by the executive regulations.	Cancelled. [ <i>Women may now apply for and receive passports independently.</i> ]
<b>Article 4</b>	A separate passport shall be issued to those who are under guardianship, as determined by the executive regulations.	Passports and travel documents shall be issued for those who are under custody, and minors whose guardians have deceased, as determined by the executive regulations.



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<b>Article 30</b>	The place of residency of a married woman is where her husband resides, if they are still married, and the place of residency of a minor is where its father or guardian resides.	The place of residency for a minor is where its father or guardian resides.  [The place of residency of a woman is where <i>she</i> resides.]
<b>Article 33</b>	<p>Persons who are entrusted to report new births are:</p> <ol style="list-style-type: none"> <li>The father of the newly born, if he is present at the time of birth, or if he is present during the period of reporting.</li> <li>The closest male relatives of the newly born, who are 17 years or older, and living in the same residence with the mother.</li> <li>The closest male relatives of the newly born, who are 17 years or older, and not living in the same residence with the mother.</li> <li>The mayor of the locality or the tribe leader.</li> <li>The administrative ruler in the village or district.</li> <li>Any person or persons whose authority is determined by the executive regulations.</li> </ol> <p>The responsibility of reporting is according to the above sequence, and relieves each group from responsibility when a group preceding it is present.</p>	<p>Those responsible to report about new births are:</p> <ol style="list-style-type: none"> <li>The medical facilities that are electronically linked to the Directorate of Civil Affairs, as determined by the executive regulations.</li> <li><i>The mother or father of the newly born.</i></li> <li>The closest relatives of the newly born who are 18 years or older.</li> <li>The administrative ruler in the village or district.</li> <li>The mayor of the neighborhood, the tribe leader or the certified identifier.</li> <li>Any person or persons whose authority is determined by the executive regulations.</li> </ol> <p>The responsibility of reporting is according to the above sequence, and relieves each group from responsibility when a group preceding it is present.</p>
<b>Article 47</b>	The responsibility of reporting about cases of marriage, divorce, remarriage falls upon the husband. Nonetheless, the wife, or parent, or a relative of either the husband or wife take on the responsibility of reporting.	<ol style="list-style-type: none"> <li><i>The husband or wife</i> may report cases of marriage, divorce or remarriage, and either parent or relative may take on the responsibility of reporting.</li> <li>The responsibility of reporting stated in the above paragraph is nullified when the Civil Affairs Directorate is electronically linked to the court in charge.</li> </ol>
<b>Article 50</b>	The husband must report to the Directorate of Civil Affairs within 60 days after the marriage to obtain a family ID card.	<i>The husband or wife</i> may request obtaining family records from the Civil Affairs Directorate, and the responsibility falls upon the husband if he did not request issuance within 60 days after the date of marriage.



<p><b>Article 53</b></p>	<p>Persons entrusted to report cases of death are:</p> <ol style="list-style-type: none"><li>a. Ancestors, descendants, spouse of the deceased, or any of their male relatives 17 years or older who live with them in the same residence.</li><li>b. The closest male relatives to the deceased, who is 17 years or older who do not live with them if they witnessed the death or knew about it.</li><li>c. Directors of hospitals, nursing facilities, shelters, hotels, schools, prisons, barracks, health quarantines or any other place, including Hajj pilgrims, or those in similar positions in regards to Hajj and visitors who are registered with them.</li><li>d. The doctor or medical officer who is required to confirm the death.</li><li>e. The mayor of the locality or the tribe leader.</li><li>f. The administrative ruler in the village or district.</li></ol> <p>The responsibility of reporting is according to the above sequence, and relieves each group from responsibility when a group preceding it is present.</p>	<p>Those entrusted to report cases of death are:</p> <ol style="list-style-type: none"><li>a. The medical facilities that are electronically linked to the Directorate of Civil Affairs, according to executive regulations.</li><li>b. <i>The closest male or female relative</i> of the deceased spouse or any of his/her relatives, who are 18 years or older.</li><li>g. Directors of shelters, tourist facilities, schools, prisons, health centers or any other facility, including Hajj pilgrims, or those in similar positions in regards to Hajj and visitors who are registered with them.</li><li>h. The health practitioner responsible for confirming the death.</li><li>i. The administrative ruler in the province or district.</li><li>j. The mayor of the locality, the tribe leader or the certified identifier.</li><li>k. Any person or persons whose authority to report is determined by the executive regulations.</li></ol> <p>The responsibility of reporting is according to the above sequence, and relieves each group from responsibility when a group preceding it is present.</p>
<p><b>Article 91</b></p>	<p>The head of the household in regards to enforcing these rules is considered:</p> <ol style="list-style-type: none"><li>a. <i>The husband in regards to the wife.</i></li><li>b. The father in regards to his minor sons, and his unmarried daughters.</li><li>c. The mother in regards to her minor children, and her unmarried daughters <i>after the death of their father.</i></li><li>d. The relative in regards to his relatives who live with him, whom he provides for or nurtures, even if not legally required to provide for them after the loss of the head of their household, if they were not registered in the Central Civil Registry.</li></ol>	<p>The head of the household in regards to enforcing these rules is the father or mother of minor children.</p>



### Amendments to Labor Law

<b>Article Number</b>	<b>Article before amendment</b>	<b>Article after amendment</b>
<b>Definitions</b>	A laborer: any person who works for an employer and under his management and supervision for a wage.	A laborer: <i>any person, male or female</i> , who works for an employer and under their management and supervision for a wage.
<b>Article 3</b>	Work is a citizen's right, and others are not entitled to it, unless conditions specified in this law are met. All citizens have equal rights to work.	Work is a citizen's right, and others are not entitled to it, unless conditions specified in this law are met. All citizens have equal rights to work without discrimination based on gender, disability, age or any other form of discrimination, whether during work or hiring process, or when the position is advertised.
<b>Article 74</b>	The employee reaches the retirement age, which is 60 years for males and 55 years for female, unless the two parties agree on continuation of employment beyond this age. Retirement age may be reduced in cases of early retirement, as stipulated by work regulations. If the work contract is limited by a specific period, and it extends beyond the retirement age, the contract shall end by its expiration date.	The employee reaches the retirement age, <i>which is 60 years for males and females</i> , as stipulated by the rules and regulations of the social insurance law, unless the two parties agree on continuation of employment beyond this age.
<b>Article 155</b>	The employer may not terminate, or issue a notice of termination, for a female worker while on maternity leave.	The employer may not terminate, or issue a notice of termination, for a female worker <i>during pregnancy or maternity leave</i> . This includes any period of medical complications associated with either. The illness should be verified by an authentic medical report, provided that her absence does not exceed 180 days a year, whether it's consecutive or separate for a period of time.



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## **Older Legal Developments**

In the past several years, women have experienced incredible progress, and witnessed a dramatic expansion of their legal rights under the leadership of His Majesty King Salman bin Abdulaziz Al Saud, Custodian of the Two Holy Mosques, and HRH Crown Prince Mohammed bin Salman. Below are the changes to Saudi law that have been enacted in recent years:

## **Culture and Family**

- In June 2018, Saudi women officially earned the right to obtain drivers licenses and drive.
- The first driving school for women opened at Princess Nourah bint Abdulrahman University in March 2018.
- Since early 2018, women can attend concerts, sporting events and other public gatherings.
- The Council of Ministers approved an Anti-Harassment Law in May 2018 to create a more cohesive society and protect women against abuse and harassment.
- In March 2018, women received the right to receive custody of children in divorce settlements, and the ruling that enforced their return to ex-spouses has been abolished.

## **Work and Finance**

- Since February 2018, Saudi women can hold positions in the military, passport controls, public prosecution office.
- Creditors and banks cannot discriminate credit access based on gender.
- In August 2018, women entrepreneurs became able to open a business without needing consent of a male guardian.
- Ministerial Decision 2370/1 stated in August 2010 that it is not permissible to discriminate in wages between male and female employees for work of equal value.

## Facts & Figures

- Saudi women make up **more than half of nearly 5 million students** currently enrolled in Saudi schools and universities.
- Approximately 48,000 women entered the workforce in Q2 2018, an **8.8% increase** over the same period of the previous year. The highest female employment rate in the Kingdom's history.
- King Salman's royal decree granted **more than 6 million women** the right to drive.
- Focus on sports for Saudi women has skyrocketed, with the integration of football stadiums in the Kingdom and the introduction of physical education classes for girls in public schools.
- Women make up **22% of the Saudi workforce**, and the Crown Prince aims to increase that figure to **30% by 2030**.
- **20% of Shura council members are women.**
  - Women have held positions in the Shura council since 2013, and could vote and run in municipal elections since 2015.