**Forum:** Human Rights Council 1

**Issue:** Advancing Women's Rights in the Kingdom of Saudi Arabia

**Student Officer:** Aleyna Ibrahim

**Position:** Deputy Chair

---

### Introduction

Women's rights in the Gulf Region have been prominently featured in the global media recently; landmark reforms in the Kingdom of Saudi Arabia (KSA) allowing women the right to drive and relaxing regulations on travel, as well as the inclusion of KSA in the UN Commission on the Status of Women (CSW) in 2017 has opened up dialogue in the UN and has drawn extra focus on advancement of women's rights in the Gulf Cooperation Council region.

In particular, there have been many high profile cases of women's rights activists imprisoned in KSA with accusations of torture whilst in detention, and indefinitely postponed trials. There are numerous other cases as well of women fleeing government persecution from KSA, and accounts of home imprisonment, domestic abuse and honour killings, all targeted towards women. Systemic discrimination against women is prevalent, and these cases and the spotlight shone on KSA has shown that serious work is due to be put in to advance women's rights in the Gulf, and in particular in KSA.

Women's inclusion in politics is also an area of concern for countries in the Gulf Cooperation Council (GCC). These countries are: Qatar, the Kingdom of Saudi Arabia, the United Arab Emirates, Bahrain, Kuwait, and Oman, with very few women in positions of political power. GCC countries have been working to improve the situation for women, with initiatives to increase education, leadership and political positions for women.

Another major issue is the disconnect between government initiative and a conservative society that is resistant to change that would allow women to travel freely and work in mixed
groups. GCC countries are Islamic, with religion based restrictions on mixed groupings. In particular in KSA, the constitution is heavily dependent on a Wahhabi interpretation of the Quran, Sunnah and Hadith. One specific part of the Quran that the government focuses on is its interpretation of Shari’a, which advocates for sex segregation and restrains women from leading any sort of public life. The shari’a laws also make the punishments of sexual abuse unclear, which not only makes the crime hard to prosecute but also endangers the woman reporting it. Additionally, it is important to note that Saudi Arabian women must have a male guardian report any crimes, even if they are the offender.

The advancement of women’s rights in Saudi Arabia has been accelerating in the last two years, however historically it has been a hostile environment for women, with limitations on access to education, work and travel, as well as legislature on abuse cases skewed against women. With only 12.9% of the parliament being female, it is difficult to pass new laws concerning women’s rights. This also points out the lack of females in political positions in Saudi Arabia. The overwhelming majority of men in the parliament contributes to the discriminatory laws that have been passed by the Saudi Arabian government. The human rights record in KSA is generally under scrutiny, as authorities have restricted rights to freedom of expression, association and assembly, with almost all human rights activists in prison under counterterrorism and other laws, and a record of extrajudicial executions such as in the widely publicized execution of Jamal Khashoggi in 2018.

Currently, there are numerous organisations around the world and human rights activists who have attempted to raise awareness or better the situation in Saudi Arabia. However, these efforts have not been enough seeing as women still have minimal rights compared to neighbouring Islamic countries. It is extremely difficult to improve as a nation while societal norms continue pressure women into following the male guardianship system. Furthermore, many western nations have raised concerns over Saudi Arabia’s Rights Record. Advancing women’s rights would not only solve the problems within the country, but also better Saudi Arabia’s relations with other states of the United Nations.

**Definition of Key Terms**
Wahhabi

Wahhabism is a puritanical form of Sunni Islam and is practiced in Saudi Arabia. The word “Wahhabi” is derived from the name of a Muslim scholar, Muhammad bin Abd al Wahhab, who lived in the Arabian peninsula during the eighteenth century (1703-1791). Wahhabism refers to a political and religious philosophy that seeks to “purify” Islam of any innovations or practices that deviate from the seventh-century teachings of the Prophet Muhammad and his companions. Wahhabism is also known by other names, such as “Unitarians” (muwahiddun) or “Salafiyyun”.

Quran

The Quran is the holy scripture for Muslims all over the world, a single text coming directly from God to His people, and delivered through the mouth of Prophet Mohammed in 600 CE, that unites all the sects and groupings of all Muslims. Although there are many translations of the Quran, only the Arabic text is considered to be binding. One of the miracles of Islam is the preservation of the Arabic text of the Quran in its entirety from the mouth of Prophet Mohammed to present day, making the Quran an ultimate authority for Muslim societies.

Sunnah and Hadith

The word Sunnah is an Arabic word which means tradition or way, and usually refers to the patterns of behaviour attributed to the Prophet Mohammed. The Hadith is a collection of sayings of the prophet Muhammad. Muslims around the world follow the Sunnah and Hadith because they believe the prophets life is a model for them to follow. There is no miracle preserving the perfect integrity of the Hadiths, which means that some texts are open to disagreement and argument and some are even questioned for their legitimacy.

Shari’a

The Quran reveals a specific law pertaining to the Muslim way of life. The Shari’a law encompasses the dress code for men and women, relations with each other, marriage and divorce laws, dispute and punishment laws, and the rights and duties towards children and
parents. The Saudi Arabian legal system is based on an interpretation of these laws under a sect of Islam called Wahabism.

**Mahram**

A mahram is male guardian which a woman cannot marry or engage in sexual intercourse with. For example; her brothers, father, uncles, and (if married) father in law. A woman's husband is also considered a mahram. Women in Saudi Arabia often need their mahram's permission before engaging in numerous activities such as travel, registering for education, receiving healthcare, marrying, registering for a marriage, divorce, birth of a child, death of a family member, a passport, applying for a job or a driver's license.

**Background Information**

**The Importance of Advancing Women’s Rights**

As a proud and private sovereign nation, it is difficult to find data on the human rights situation of women in Saudi Arabia, however there are many reports of honour killings, lack of access to freedom of movement, house imprisonment, and more reported by Amnesty International. It is clear that action must be taken to improve access to women’s rights in Saudi Arabia. Without a drastic improvement, more women will flee the country or attempt to end their own lives. Over 1000 women flee Saudi Arabia every year, and that rate is increasing annually, and while there are no official date reported on suicides, many women who flee say they were on the verge of suicide. In 2016, Saudi Arabia ranked 141/144 for gender equality in the World Economic Forum's Global Gender Gap report. This extremely low ranking directly correlates to women’s absence and silencing in public life. The forum also points out how the limitation of women in the workplace directly affects the GDP of the country. The report also points out the level of education compared to women and men in Saudi Arabia.
**Freedom to Drive**

For years Saudi Arabia’s women’s rights activists have campaigned to be allowed to drive. In 2018, women were finally granted this right. The new rights were granted by Crown Prince Mohammed bin Salman who also eased other restrictions on women. Since June 2018, tens of thousands of licences have been issued to Saudi Arabian women. Additionally, a few driving schools for women have opened along with more automobile advertisements aimed at women. In March of 2019, a top Saudi transportation official said that 70,000 women licences have been issued. While this is a large improvement, most Saudi Arabian women have yet to apply for licences because of the societal norms and pressure that they face. Social norms in KSA discourage women from driving, as it is seen as the province of morally weak to be a female driver. However, the Crown Prince has presented these reforms as gift to Saudi Women instead of their rights.

Saudi Women have also recently been granted the right to apply for a passport and to travel out of KSA without a mahram, all of which are positive changes relieving the second class treatment of women in KSA. These hard won gains were supported by many women’s rights activists. Complications arose as many Saudi Arabian women activists, who had been fighting for these rights, were arrested and put in jail. Just a few days prior to the lifting of the ban, 11 women’s rights activists were arrested on charges related to their activism. In the following days, more were detained on the same charges. Since then, some have been released on bail while many have remained in prison for over a year with reported torture and sexual abuse. Many people claim that these new reforms would not have happened if it were not for these activists who put their lives at risk. While driving is a milestone achieved by Saudi Arabia the good of these reforms are now in question as the reformers have been jailed and tortured.

**Freedom of Travel/ Fleeing the Country**

In August, Saudi Arabia announced that women would be allowed to travel without the consent of a male guardian. The new amendments also allow women over the age of 21 to apply for passports independently. In the past, women had to get the permission of mahram in order to have a passport or travel abroad. Women who did not have a passport were instead given a page in their mahrams passport, making it impossible to travel without them. While the
new decree received immense support, it also provoked backlash. Many conservatives took to twitter to post clips of Saudi clerics arguing in support of the guardianship laws. The new royal decree also gives women the right to register marriages, births, divorces, and also allows them to be guardians to minors.

These changes were implemented after a very high profile case of a woman fleeing the country went viral. Rahaf Mohammed Al-Qunun is an 18 year old Saudi Arabian woman who was caught in Bangkok trying to flee her family. The case caught the attention of many all over the world and soon after, Rahaf was granted asylum in Canada. Saudi Arabia started getting negative attention when headlines were being made about the women of their country fleeing and seeking asylum abroad. Soon after, it was announced that women would be allowed to travel and obtain passports without the permission of male guardians. However, there have been many campaigners arguing that these reforms on women's rights are less extensive than people believe and claim that Saudi Arabian women are still “second class citizens”. The campaigners pointed out how there is a lack of clarity as to if women will be able to travel independently. Women's rights researchers at Human Rights Watch have asked for clarification on whether Saudi Arabian women can leave the country without the permission of male guardian but Saudi Arabian authorities have failed to give such clarification.

**Sexual and Domestic violence**

Because it is considered a sensitive and taboo subject, sexual violence in Saudi Arabia is hardly discussed; even by the women activists of the country. Criminal justice in Saudi Arabia is determined by Islamic laws that cover three main areas: Hudud, Qizas, and Tazir. Hudud crimes are seen as God's Will and therefore have fixed punishments. Rape and domestic violence are included in Hudud crimes. Punishment for Hudud crimes include: being lashed, death by stoning, amputation of certain body parts (mainly hands), and crucifixion. These punishments are severe and are often used to discourage people from committing the crime in the first place. There is a saying in the Hadith “if you can, avoid using the hudud penalties”. While Saudi Arabia does consider rape and domestic violence punishable crimes, the difficulty arises while attempting to report them. Additionally, these crimes have extremely strict evidentiary requirements.
In Saudi Arabia, rape is considered *Zina* which often refers to adultery and fornication. The evidence required to process this crime is four male witnesses, female witnesses are not accounted for, or a confession from the offender himself. If the victim becomes pregnant, it is not regarded as evidence; the crime must be proved by eyewitnesses and confessions. Rape can also be considered a tazir crime which refers to offenses whose punishments have not been stated in the Quran or Sunna and are left for the judges to decide. In these cases, circumstantial and medical evidence is allowed but it must be provided by the person making the allegation. However, in many cases of rape, women are accused of adultery and gender mixing. Another problem that women have faced while attempting reporting sexual or domestic violence is that they are not permitted to report the crime themselves. Instead they are required to have a mahram report the crime for them who, in many cases, is the offender himself.

**Migrant Domestic Workers**

Migrant domestic workers in Saudi Arabia are able to work there because of the Kafalah system. The Kafalah system is a sponsorship system that enables employers to control the mobility and basic rights of the worker. This includes holding their passport, control over their right to exit the country and over their ability to change employment. Although both the employer and employee have a right to break the contract, if the worker breaks her contract she is forced to pay the cost of her return ticket and she may also be fined by the recruitment agency. Once the contract has been signed by the worker, she has no say in the salary she will earn and in some cases, she earns no salary at all. The contact system enables the employers to limit the workers mobility and also allows them to beat or sexually assault her.

The recruiting agencies that send these workers to Saudi Arabia are aware of the abuse these women face. However, these countries continue to send female domestic workers because of the financial benefit of remittances. Sending workers to Saudi Arabia reduces the number of unemployed women. The restrictive contact system makes female domestic workers subject to a modern form of slavery where they are bound to their employers and creates an environment where she is forced into involuntary servitude. Workers who attempt to escape from their Saudi employers are accused of absconding and potentially face imprisonment, fines, and deportations. This is because the execution of the law favours Saudi employers rather than
the workers which makes it extremely difficult to prove that they are overworked, sexually abused, beaten or maltreated.

**Major Countries and Organisations Involved**

**Girls Not Brides**

Girls Not Brides is a global partnership focused on ending child marriage and attempting to enable girls to their full potential. They address many issues that touch Saudi Arabia. One of them is called “Society for Defending Women’s Rights in Saudi Arabia” which mobilises women’s rights in relation to the representation of Shari’a, domestic abuse, and child marriages. The organisation mainly focuses on child marriages and human trafficking, highlighting the efforts and promises made by the country to improve. Saudi Arabia has now committed to ending child marriage by 2030 with target 5.3 of the Sustainable Development Goals. As of 2017, Saudi Arabia’s Shura council decided that no girl below the age of 15 should get married and the groom should be no more than double the age of the wife. While this may not seem like a significant improvement, for Saudi it is. Girls Not Brides highlights the issues in Saudi Arabia in addition to other Middle Eastern countries and attempts to ensure solutions.

**International Federation For Human Rights**

The FIDH (international federation for human rights) is an international human rights Non Governmental Organisation that defends cultural rights of numerous nations. The organisation sheds light on the numerous issues currently taking place in Saudi Arabia and hopes to find solutions for all of them. Their mandate is to defend all human rights and tries to secure the freedom of human rights defenders. Since there are numerous human rights defenders who have faced or recieved the death penalty for their actions in Saudi Arabia, this organisation is extremely important. It is not strictly focused on women’s rights however, since most activists in Saudi are female, most of the organisations support in Saudi goes to women. The organisation has a wide range of successful methods for bringing change. Including, but not limited to; urgent
responses in cases of emergencies, investigative missions to look into cases of child marriages, and legal defense to help women in domestic abuse situations.

**Women's Islamic Initiative in Spirituality & Equality**

WISE is a non profit organisation which focuses on the social justice movement. WISE is now an independent organisation that envisions a world with more Muslim women leaders. The organisation addresses persistent gender inequality by amplifying the importance of muslim women in public policy debate. WISE promotes muslim leaders who mainly focus on advocating for women’s rights. Since only 12.9% of the parliament of Saudi Arabia is female, this organisation is crucial for increasing women’s jobs, helping women get more rights, and putting more women in a position of power. More women in power would result in more people hearing about the issues with gender bias and would hopefully help reduce the gap of employment between men and women.

**Canada**

Canada is a major nation involved with the relations in Saudi Arabia. With the numerous high profile cases of women requesting asylum, Canada almost always grants it. Canada is one of the few countries in the world with tremendous rights for women which is why women from all over the globe often times seek asylum there. Canada has accepted almost every Saudi Arabian woman that has reached out for help and put them into protection services, almost like witness protection. Without the help of this nation, many Saudi Arabian women would be in prison or even dead. Recently, an 18 year old Saudi Arabian woman escaped the country in hopes of leaving a situation of abuse. She was locked in a hotel room in Bangkok, live tweeting that her family would kill her if she would be found. Propitiously, Foreign Minister Chrystia Freeland came to Toronto Pearson Airport to receive the girl and grant her asylum in Canada.

**Timeline**

The following conventions that include women’s rights have been agreed upon by Saudi Arabia:

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Convention on the Rights of the Child</td>
</tr>
</tbody>
</table>
Reservations: In ‘respect to all such articles as are in conflict with the provisions of Islamic law’.

<table>
<thead>
<tr>
<th>Year</th>
<th>Treaties and Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>1997</td>
<td>International Convention on the Elimination of All Forms of Racial Discrimination</td>
</tr>
<tr>
<td></td>
<td>Reservations: 1. If provisions do not conflict with the precepts of Islamic Sharia. 2. Not bound by article 22 since Saudi Arabia considers disputes referred to the International Court of Justice with approval of States parties to the dispute.</td>
</tr>
<tr>
<td>2003</td>
<td>Amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination</td>
</tr>
<tr>
<td>2007</td>
<td>CEDAW</td>
</tr>
<tr>
<td></td>
<td>Reservations: 1. In case of contradiction between any term of the Convention and the norms of Islamic Law, the Kingdom is not under obligation to observe the term of the convention 2. The Kingdom does not consider itself bound by paragraph 2 of article 9 and paragraph 2 of article 29 of the convention</td>
</tr>
<tr>
<td>2008</td>
<td>Convention on the Rights of Persons with Disabilities</td>
</tr>
<tr>
<td>2008</td>
<td>Optional Protocol to the Convention on the Rights of Persons with Disabilities</td>
</tr>
<tr>
<td>2011</td>
<td>Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict</td>
</tr>
</tbody>
</table>

**Relevant UN Treaties and Events**

- Promoting Women’s Rights in Saudi Arabia Through Social Media (October 2nd, 2012)
- Report on Empowerment of Women’s Work in the Private Sector (October 11th, 2016)
Previous Attempts to Solve the Issue

The United Nations Commission on the Status of Women is an intergovernmental body that exclusively focuses on the promotion of gender equality and the empowerment of women. In 2017, Saudi Arabia was approved as a member of the commission for the 2018-2022 term. While Saudi Arabia is notorious for its laws that limit women's rights, the vote for them joining the commission sends Saudi Arabian women the message that the country is in a position of power for improving women's rights. The former prime minister spoke in favour of this decision claiming that it’s important to support those in the country who are working for change for women.

Another notable attempt to better the situation was a social experiment conducted by Un Women called “What If We Switched Roles?”. The experiment takes 20 young women and men from different Arab nations and asks them to switch roles and answer questions how they believed the opposite gender would. The results showed that approximately 67% of men felt that women were oppressed and left the men feeling grateful that they were not females. On the other side, 60% of the women felt that men had the right to do whatever they want. The experiment was conducted to raise awareness on the gender stereotypes in the Arab Region.

Possible Solutions

Education for Women and Men

The Saudi educational system highlights islamic values and preaches the teachings of islam. However the knowledge that Saudi students receive on islam is often thought of as sexist towards women. The education system treats the sexes differently due to the societal expectations. Males are taught about male activities whereas women are taught about their
nurturing roles as housewives and mothers. One way to raise awareness in Saudi Arabia is to increase education for men and women in the country. Seeing as education is tailored differently to men and women, it is important to educate both genders on women’s rights. While there are some female activists in the country, many women stay silent due to the fact that they are unaware of their own rights. Increasing education on human rights will make women aware of the rights they should have in comparison to the rights they currently have.

**Offering Asylum to Women Activists**

Activists find their terrain risky when in Saudi Arabia. While going against the laws of the nation, activists put their lives at risk. On May 15th 2018, 15 human rights defenders and women's rights activists were detained. Saudi Arabian authorities have made statements about serious possible charges including prison sentences for up to 20 years. Saudi Arabia was urged by the UN to unconditionally release all human rights activists who have been detained for their peaceful human rights work and campaigns. However, to this day, these prisoners are still in jail with some of them awaiting trial. Saudi Arabia claimed that these activists were being detained for suspicious contact with foreign parties and questioning the states security and stability.

The best solution to this issue would be for other UN states to offer asylum to women activists in Saudi Arabia. In the past, there have been numerous cases of women taking asylum in Australia and Canada. Granting asylum to women activists would not only put their lives out of danger, but also enable them to continue fighting for women’s rights and spread the message to new audiences.

**Encouraging Women Into Political Roles**

As of 2014, 87.1% of the parliament in Saudi Arabia consists of men. The lack of women in leadership positions is a worldwide issue because of the extreme cultural biases against women. Many women do not apply for leadership roles because they are treated differently than their male counterparts and also because of the fear of failure. According to Forbes, women are more likely to accept leadership positions when companies or, in this case, countries are in crisis and risk of failing. Since Saudi Arabia is in crisis when it comes to women’s rights, the addition of women to decision making positions would be crucial.
With more women in decision making positions, the country will have the opportunity to elevate their rights and upgrade their thinking. This would also put more women in the workforce and give the country a higher percentage of working women. Another benefit of giving women leadership roles is that it would establish a workplace for women and men and would generate significant economic value. Right now there are working men in Saudi, and there are also working women however, there are no establishments where men and women can work together. The idea of men and women working together could speed up the development process of the country and would end one form of sex segregation in Saudi Arabia. It will also establish a working order where both genders can be present while simultaneously respecting the religious views of the country.

Bibliography

Full report on Saudi Arabia, Amnestry Interantional 2018

Rasmi, Adam. “A Record Number of Saudi Women Have Joined the Workforce.” Quartz at Work, Quartz, 30 July 2019, qz.com/work/1676120/glowork-helps-women-in-saudi-arabia-enter-the-workforce/.


“Western Countries Raise Concerns Over Saudi Rights Record.” *Voice of America*,


Rashad, Marwa. “Saudi Arabia Women's Rights Reforms May Still Be Thwarted by Custom.” *Reuters*, Thomson Reuters, 5 Aug. 2019,


Appendix

A well credited source for delegates to find UN documents related to any member state. I would recommend this source when searching for past solutions, questions from other nations, and finding ongoing events.

This source helped me separate the truths about Saudi Arabia from the myths. This is a great source with a lot of information on the matter at hand.