



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the fourth periodic report of Oman\*

1. The Committee considered the fourth periodic report of Oman (CEDAW/C/OMN/4) at its 2043rd and 2044th meetings (see CEDAW/C/SR.2043 and CEDAW/C/SR.2044), held on 7 February 2024. The Committee's list of issues and questions is contained in CEDAW/C/OMN/Q/4, and the responses of Oman are contained in CEDAW/C/OMN/RQ/4.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its fourth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/OMN/FCO/2-3) and its written replies to the list of issues and questions raised by the pre-sessional working group, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of Social Development, Laila Ahmed Awadh al-Najjar, and included representatives of the Ministry of Social Development, the Ministry of Education, the Ministry of Labour, the Ministry of Health, the Ministry of Economy, the Ministry of Agricultural Wealth, Fisheries and Water Resources, the Public Prosecution, the Muscat Court of First Instance and the National Centre for Statistics and Information, as well as the Ambassador and Permanent Representative of Oman to the United Nations Office and other international organizations in Geneva, Idris al-Khanjari, and other representatives of the Permanent Mission of Oman to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2017 of the State party's combined second and third periodic reports (CEDAW/C/OMN/2-3) in undertaking legislative reforms, in particular the adoption of the following:

\* Adopted by the Committee at its eighty-seventh session (29 January–16 February 2024).



- (a) Royal Decree No. 3/2019 ratifying the amendment to article 20 (1) and withdrawing the reservation to article 15 (4), of the Convention;
- (b) Royal Decree No. 6/2021 promulgating the Basic Law of the State (the Constitution) which recognizes equality between women and men;
- (c) Royal Decree No. 33/2021 establishing the Social Protection Fund as the official institution responsible for all social protection initiatives and programmes and for the implementation of the provisions of the Social Protection Law;
- (d) Royal Decree No. 31/2023 issuing the School Education Law, which affirms free and compulsory education without discrimination and guarantees the right to early education;
- (e) Royal Decree No. 52/2023 issuing the Social Protection Law, which expands the social protection benefits for children, women, persons with disabilities and older persons;
- (f) Royal Decree No. 53/2023 amending the Labour Law and expanding the rights of workers, including by prohibiting forced labour and the retention of passports, increasing the period of paid maternity leave and establishing a complaints and grievances system.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of:

- (a) The Social Action Strategy (2016–2025), including the National Women's Strategy;
- (b) The National Strategic Projects for Urban Development, which created the National Centre for Women's and Children's Health (2023);
- (c) Oman Vision 2040 that strives to include smart and sustainable cities, which play a major role in achieving the Sustainable Development Goals, including Goal 5 on achieving gender equality and empowering all women and girls and Goal 9 on building resilient infrastructure, promoting inclusive and sustainable industrialization and fostering innovation;
- (d) The Tenth Five-year Development Plan (2021–2025), considered as the first implementation plan for Oman Vision 2040;
- (e) The National Digital Economy Programme (2021).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified or acceded to the following international and regional instruments:

- (a) International Convention for the Protection of All Persons from Enforced Disappearance, in 2020;
- (b) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in 2020;
- (c) International Covenant on Economic, Social and Cultural Rights, in 2020.

### **C. Sustainable Development Goals**

**7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for**

**Sustainable Development.** The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize that women and men bear equal responsibilities in the realization of sustainable development and that women and men should be considered equally as driving forces of the sustainable development of the State party, and to adopt relevant policies and strategies to that effect.

#### **D. Parliament**

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Council of Oman, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

#### **E. Principal areas of concern and recommendations**

##### **Reservations**

9. The Committee takes note of the withdrawal of the reservation to article 15 (4) of the Convention by Royal Decree 3/2019. It remains concerned, however, that the State party maintains its general reservation, as well as its reservations to articles 9 (2) and 16 (1) (a), (c) and (f), which constitute an obstacle to the implementation of the Convention as a whole.

10. The Committee reminds the State party that its general reservation and reservations to articles 9 (2) and 16 (1) (a), (c) and (f) are incompatible with the object and purpose of the Convention and are thus impermissible under article 28 of the Convention. Recalling its previous recommendations ([CEDAW/C/OMN/CO/2-3](#), para. 10), the Committee recommends that the State party review its general reservation and reservations to articles 9 (2) and 16 (1) (a), (c) and (f) of the Convention, with a view to withdrawing the reservations within an established time frame. In doing so, the State party should take into consideration the best practices of countries that are members of the Organization of Islamic Cooperation and have similar cultural and religious backgrounds and legal systems that have successfully harmonized their national legislation with their international human rights obligations, in particular those under the Convention.

##### **Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations**

11. The Committee welcomes the fact that the State party has conducted training and disseminated information on women's rights. It is concerned, however, that State party has not yet ratified the Optional Protocol to the Convention and that awareness of the Convention and the Committee's general recommendations is limited among the judiciary, law enforcement officials, government officials and the general public.

12. The Committee recommends that the State party ratify the Optional Protocol to the Convention and intensify its efforts to widely disseminate and raise awareness of the Convention, the Optional Protocol thereto and the Committee's concluding observations and general recommendations, and provide systematic capacity-building for government officials, judges, prosecutors, police officers and other law enforcement officials, as well as lawyers, thereon.

### **Legislative framework and definition of discrimination against women**

13. The Committee notes that article 17 of the Basic Law of the State (Constitution) prohibits discrimination against citizens. However, the Committee reiterates its concern:

(a) About the absence in the State party's legislation of a definition of discrimination against women covering both direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention;

(b) That the constitutional definition of discrimination applies only to citizens;

(c) About the persistence of discriminatory provisions in the State party's legislation, in particular the Personal Status Law and the Nationality Law.

**14. The Committee reiterates its previous recommendations (CEDAW/C/OMN/CO/2-3, para. 12) and urges the State party:**

**(a) To adopt and effectively implement a comprehensive definition of discrimination against women covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere;**

**(b) To amend article 17 of the Basic Law of the State (Constitution) to apply the definition of discrimination also to non-citizens;**

**(c) To expedite a comprehensive review of its legislation to ensure compatibility with the provisions of the Convention and to modify or repeal, without delay and within a clear time frame, all remaining discriminatory legislation, including discriminatory provisions in the Personal Status Law and the Nationality Law.**

### **Women's access to justice**

15. The Committee welcomes the efforts to facilitate women's access to justice through targeted policies, including by conducting workshops across all governorates, focusing on the Convention and women's rights under Omani law, the institutionalization of legal aid systems, including free legal aid to women without sufficient means, and the launch of an electronic platform to facilitate the submission of complaints. However, it notes with concern that the awareness of women and girls regarding their rights under the Convention and national laws and mechanisms to protect them from violations of their rights is still limited, particularly among rural women, migrant women, women belonging to ethnic minorities and women with disabilities.

**16. The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party strengthen efforts to enhance women's and girls' awareness of their rights and their means of enforcing them, placing particular emphasis on awareness-raising campaigns and on the integration of education on women's rights and gender equality into curriculums at all levels and paying particular attention to rural women, migrant women, women belonging to ethnic minorities and women with disabilities.**

17. The Committee is concerned about the lack of information about cases of women sentenced to the death penalty. It is also concerned that article 78 of the Penal

Law fails to explain how and whether this article is interpreted by the sentencing authorities to include gender-based violence against women, prolonged domestic violence, coercion, self-defence, dependency, economic destitution and other vulnerabilities unique to women as mitigating factors for women at risk of being sentenced to death.

18. **The Committee recommends that the State party:**

(a) **Issue a moratorium on the death penalty, halt the execution of women on death row, and consider commuting all death sentences, including those against women, into prison sentences;**

(b) **Ensure a gender-sensitive interpretation and implementation of the law so that gender-based violence against women, prolonged domestic violence, coercion, a situation of self-defence, dependency, economic destitution and other vulnerabilities unique to women are taken into consideration as mitigating factors;**

(c) **Take the necessary steps towards the abolition of the death penalty.**

#### **National machinery for the advancement of women and gender mainstreaming**

19. The Committee notes that the National Women's Strategy, "Enhancing the Quality of Life", has been incorporated into the Social Action Strategy (2016–2025), and that it includes programmes and activities focused on the empowerment of women with disabilities, older women, and women with a lower income. The Committee notes that the National Commission for Family Affairs has expanded efforts to monitor the implementation of international human rights conventions, including those related to women. Nevertheless, it is concerned about the limited collaboration between the National Commission for Family Affairs and other entities that compose the national machinery for the advancement of women, and women's civil society organizations of diverse backgrounds.

20. **The Committee recommends that the State party ensure meaningful cooperation among the different entities of the national machinery for the advancement of women, regional and local authorities, and women's civil society organizations of diverse backgrounds, including during the development of the five-year plan.**

#### **National human rights institution**

21. The Committee notes that Royal Decrees No. 57/2022 and No. 40/2021 are aimed at strengthening the independence of the Oman Human Rights Commission, including by reducing the number of representatives from governmental bodies in its membership. It remains concerned, however, that the Commission has remained accredited with B status since November 2013 by the Global Alliance of National Human Rights Institutions, owing to its limited independence and the lack of a strong mandate.

22. **The Committee recommends that the State party continue to implement the recommendations of the subcommittee on accreditation of the Global Alliance of National Human Rights Institutions in order to ensure a broad and transparent selection and appointment process for the Oman Human Rights Commission and to strengthen the Commission's independence in its funding, mandate and membership, in order to bring it into full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), annexed to General Assembly resolution 48/134 of 20 December 1993). The State party is encouraged to seek technical assistance in**

**this regard from the Office of the United Nations High Commissioner for Human Rights.**

#### **Non-governmental organizations**

23. The Committee notes the ongoing discussions in the State party towards enacting a new law to strengthen the role of civil society organizations. However, it remains concerned about the absence of a robust civil society in the State party. It is also concerned about the lack of information on the legal requirements for the registration and operation of non-governmental organizations in the State party.

**24. The Committee urges the State party to expedite the enactment of a law on non-governmental organizations with clear legal requirements for their registration and operation in line with human rights standards and guaranteeing an enabling environment in which civil society organizations, including women's rights organizations, may be established and may freely and independently conduct their activities.**

#### **Temporary special measures**

25. The Committee is concerned about the lack of temporary special measures, including statutory quotas, royal and administrative orders, and affirmative procurement, hiring and promotion in key sectors and vital areas where women are underrepresented or disadvantaged, including in economic, political and public life as well as the private sector. It is also concerned about the inadequate understanding and capacity among officials about temporary special measures as tools for meeting the provisions and standards of the Convention.

**26. In line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party adopt and implement temporary special measures, including statutory quotas for and preferential recruitment of women, directed towards the achievement of substantive equality of women and men in areas where women are underrepresented or disadvantaged, including in economic, political and public life and decision-making positions, in both the public and the private sector, and that it build the capacity of public officials with regard to the effective use of temporary special measures.**

#### **Stereotypes**

27. The Committee welcomes the State party's commitment to eradicating discriminatory attitudes and forms of subordination in both the law and society, including by the withdrawal of its reservation pertaining to article 15 (4) of the Convention, related to freedom of movement, of choice of residence and of place of domicile. Nevertheless, the Committee reiterates its concern regarding the persistence of patriarchal stereotypes about the roles and responsibilities of women and men in society and within the family.

**28. The Committee recommends that the State party continue to implement measures, including education on gender equality, in curriculums at all levels, and awareness-raising campaigns to dismantle deep-rooted patriarchal attitudes and stereotypes regarding the roles and responsibilities of women and men in the family and in society, with the participation of relevant ministries, civil society organizations, community and religious leaders, schoolteachers, academics, the business sector and the media. It also recommends that the State party promote equal sharing of family responsibilities between women and men.**

### **Harmful practices**

29. The Committee notes with appreciation that article 4 of the executive regulation of the Child Law promulgated by Ministerial Decision 125/2019 identifies female genital mutilation as one of the traditional practices that are harmful to the health of women and girls, and that the practice is criminalized by article 67 of the Child Law. Nevertheless, the Committee regrets the lack of information on concrete efforts to eliminate this harmful practice, particularly in rural areas, where it continues to be observed. It is also concerned about the prevalence of child and/or forced marriage and its continuing legality under the Personal Status Law upon the authorization of a competent judge.

**30. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and the Committee's previous recommendations (CEDAW/C/OMN/CO/2-3, para. 24), the Committee encourages the State party:**

(a) **To ensure the enforcement of article 67 of the Child Law, criminalizing female genital mutilation, and undertake sustained comprehensive efforts, including in cooperation with religious leaders and the media, to prevent this harmful practice throughout the country, with particular focus on rural areas;**

(b) **To enforce the legal minimum age of marriage of 18 years, without exceptions, and undertake comprehensive public awareness-raising programmes, including media campaigns, on the negative consequences of child and/or forced marriage for girls, targeting in particular parents, teachers and community leaders;**

(c) **To establish appropriate redress mechanisms accessible to all victims of child and/or forced marriages and ensure that child marriage is criminalized and that perpetrators are prosecuted and adequately punished, while ensuring that children are not criminalized;**

(d) **To strengthen support measures, such as shelters, counselling and rehabilitation services, for women and girl survivors of violence, including victims of female genital mutilation and child and/or forced marriage, and provide training for the judiciary, law enforcement officers and health professionals.**

### **Gender-based violence against women**

31. The Committee notes the efforts made by the State party to address gender-based violence against women, including by launching national campaigns such as "Qurri Aynan" addressing violence against women and girls and by amending the Penal Code to increase penalties for perpetrators of crimes of violence against women. Nevertheless, the Committee notes with concern the absence of specific legislation to eliminate all forms of gender-based violence against women, including a definition of such violence, as well as:

(a) The fact that neither the Penal Code nor a specific law explicitly prohibits or criminalizes domestic violence;

(b) The lack of statistical data on gender-based violence against women, including domestic violence;

(c) The lack of shelters and support services for women who are victims of gender-based violence against women, especially in rural areas, which reportedly prevents many women from leaving their violent partners.

32. Recalling its previous recommendations (CEDAW/C/OMN/CO/2-3, paras. 26 and 28) and its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Enact legislation and/or further amend the Penal Code to specifically define and criminalize all forms of gender-based violence against women, and to criminalize domestic violence;

(b) Set up a system to regularly collect statistical data, disaggregated by age, nationality, ethnicity, disability, urban or rural area, socioeconomic background and the relationship between victim and perpetrator, on the number of reported cases of gender-based violence against women, investigations, prosecutions and convictions, as well as on the sentences imposed on perpetrators and the reparation provided to victims, and provide the Committee with this data in the next periodic report;

(c) Strengthen support services for women who are victims of gender-based violence against women, including by establishing shelters throughout the State party and ensuring the availability of psychosocial rehabilitation and reintegration programmes, and provide protection orders, including restraining orders, to evict perpetrators from the home.

#### **Trafficking and exploitation of prostitution**

33. The Committee welcomes the adoption of the new Labour Law (Royal Decree No. 53/2023). It notes with concern, however, the limited enforcement of the Anti-Trafficking Law of 2008. It also notes with concern:

(a) The lack of coordinated efforts to eliminate trafficking for the purpose of labour exploitation of migrant domestic workers and the fact that prevention and the identification of risk factors are not sufficiently prioritized in the State party;

(b) The low prosecution and conviction rates, including in cases concerning labour exploitation in domestic servitude;

(c) The fact that there is no current national action plan to combat trafficking;

(d) The lack of clear information on the National Committee for Combating Human Trafficking and on its mandate, its activities and its capacity to coordinate and monitor actions to combat trafficking in women and girls;

(e) The lack of systematically organized rehabilitation and reintegration measures, including access to counselling, medical treatment, psychological support and redress, including compensation for victims of all forms of trafficking.

34. Recalling its previous recommendations (CEDAW/C/OMN/CO/2-3, para. 30) and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) Strengthen measures to identify and provide support to women and girls at risk of trafficking, particularly women migrant workers, including by providing systematic capacity-building to government officials on how to recognize and respond appropriately to crimes related to trafficking, expanding public awareness programmes and campaigns that promote the identification of possible victims and perpetrators, and raising awareness of preventative measures and avenues for assistance that ensure that victims can report their cases without fear of deportation or retribution;



(b) **Strengthen the implementation of the Anti-Trafficking Law of 2008, including by providing systematic capacity-building to judges, prosecutors, border police, immigration authorities and other law enforcement officials on the law and its gender-sensitive application;**

(c) **Design and adopt a new strategy and an effective action plan to prevent and combat trafficking in women and girls, with a gender-sensitive approach;**

(d) **Strengthen the capacity of the National Committee for Combating Human Trafficking by providing adequate human, technical and financial resources, and ensure inter-agency coordination between government entities for the investigation and effective prosecution and punishment of those who exploit women and girls, particularly in domestic servitude and for sexual purposes;**

(e) **Implement appropriate policies and programmes for prevention of trafficking in women and girls and for the recovery and social reintegration of victims, ensuring that temporary residence permits and other social services are provided to them irrespective of their ability or willingness to cooperate with the prosecutorial authorities.**

35. The Committee notes with concern that women in prostitution are criminalized in the State party, and that there is a lack of measures to discourage the demand for prostitution.

36. **The Committee recommends that the State party conduct educational and awareness-raising campaigns targeted at men and boys, to address objectification of women and the demand for prostitution. It also recommends that the State party implement adequately resourced programmes to create educational and employment opportunities for women at risk of entering prostitution or who are already engaged in prostitution and wish to leave it.**

#### **Equal participation in political and public life**

37. The Committee notes the increased efforts made by the State party to promote the participation of women in political and public life, including through the enactment of the Law on the Council of Oman (Royal Decree No. 7/2021) and the Law on Election of Members of the Shura Council (Royal Decree No. 54/2023) aimed at enhancing women's political participation, and amendments to the administrative apparatus (through Royal Decree No. 75/2020) to promote the participation of women in political life. It welcomes the increase of women in the current Council of Ministers (to 16 per cent) and in the State Council (to 21 per cent) and the appointment of eight women ambassadors during the year 2023. The Committee is concerned, however, that women continue to be significantly underrepresented in decision-making positions and that specific measures to address the underlying causes of women's underrepresentation, including prevailing social and cultural attitudes, are lacking.

38. **The Committee, recalling its previous recommendations (CEDAW/C/OMN/CO/2-3, para. 32) and its general recommendations No. 23 (1997) on women in political and public life and No. 25 (2004) on temporary special measures, recommends that the State party take targeted measures to reach parity between women and men in decision-making systems including in the Council of Oman and the Shura Council, local councils, government offices and all instances of the judiciary, including in family courts, including by adopting temporary special measures in the form of quotas, with time-bound targets, and by conducting awareness-raising campaigns on women's and men's equal competence to hold leadership positions in the public and private sectors.**

### Nationality

39. The Committee welcomes the issuing of Royal Decree No. 23/2023, which specifically addresses the marriage of Omanis to foreigners. It also notes the executive regulation of the Nationality Law issued by Ministerial Decision No. 92/2019, which specifies the requirements and conditions for applying for Omani nationality. However, it remains concerned that article 18 of the Nationality Law of 2014 continues to discriminate against women by placing strict and numerous conditions on an Omani woman married to a foreign spouse who wishes to transmit her nationality to their children, such as being widowed, divorced, or abandoned by her husband for at least 10 continuous years, with the abandonment being supported by a legal judgment, the marriage of the parents having taken place after obtaining prior approval from the Ministry of Interior, and the mother having the legal custody over her child by virtue of a legal judgment before the application, among other restrictions, placing such children at risk of statelessness. It also notes with concern the discriminatory provisions with regard to the naturalization of foreign spouses of Omani women, who are currently required to be married for at least 15 years in order to obtain Omani nationality, while a foreign wife requires 10 years of marriage to obtain it.

**40. The Committee, in line with its previous recommendations (CEDAW/C/OMN/CO/2-3, para. 34), urges the State party to amend article 18 of the Nationality Law to remove discriminatory requirements against women and to enable Omani women to transmit their nationality to their foreign spouses and their children on an equal basis with men. It also recommends that the State party accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.**

### Education

41. The Committee welcomes the high rates of enrolment of girls at all levels of education, the increased percentage of women and girls graduating in the fields of science, technology, engineering and mathematics, and the fact that higher education institutions have incorporated women's rights and gender equality into their curriculums, encouraging academic research on women's rights. It notes with concern, however, that:

(a) Comprehensive sexual and reproductive health education is not part of the national curriculum;

(b) Access to education for disadvantaged groups of girls, especially migrant girls, girls with disabilities and girls living in rural areas and in situations of poverty, remains limited, and that illiteracy and their school dropout rates remain high.

**42. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party:**

(a) **Integrate comprehensive age-appropriate education on sexual and reproductive health, including on responsible sexual behaviour, modern forms of contraception and sexually transmitted diseases, into curriculums at all levels of education;**

(b) **Continue to improve the accessibility and quality of education for all children, in particular disadvantaged groups of girls, and investigate and address the disproportionately high illiteracy and dropout rates among girls from disadvantaged groups.**

## Employment

43. The Committee welcomes the significant increase of women's participation in the labour force. It also notes with appreciation the State party's National Initiative for Digital Competencies, *Makeen*, targeted at women graduates and entrepreneurs, which provides them with training on digital skills. The Committee nevertheless notes with concern:

(a) The disproportionate burden of household and family responsibilities on women and the unequal parental leaves of 8 days for men and 98 days for women, which hampers women's equal participation in the labour market;

(b) That the increased enrolment of women and girls in the fields of science, technology, engineering and mathematics has not led to increased labour market participation by women in these fields;

(c) The limited effectiveness of and lack of awareness of complaint mechanisms available to victims of discrimination in employment;

(d) The absence of legislation criminalizing sexual harassment in the workplace;

(e) The low number of ratifications by the State party of International Labour Organization (ILO) conventions, with the State party having ratified only 4 out of the 10 fundamental conventions, 1 out of 177 technical conventions and no governance conventions.

44. **The Committee recommends that the State party:**

(a) **Prioritize the enactment of the draft law on parental leave and ensure that it extends the parental leave for men, and conduct awareness-raising campaigns to promote equal participation of women in the workforce and shared family and domestic responsibilities between women and men;**

(b) **Take concrete measures, including providing incentives, to address persistent traditional attitudes and stereotypes that restrict women's access to non-traditional career paths, including in the petrochemical industry;**

(c) **Adopt and enforce laws and regulations to ensure legal remedies and complaints mechanisms to protect women from discrimination, and conduct awareness-raising on them;**

(d) **Provide mandatory training for employers and employees on the criminal nature of sexual harassment and on employers' responsibility to apply a zero-tolerance approach and to prevent and report incidents, and ratify the ILO Violence and Harassment Convention, 2019 (No. 190);**

(e) **Consider ratifying all ILO fundamental conventions, particularly the Equal Remuneration Convention, 1951 (No. 100) and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111).**

## Women migrant domestic workers

45. The Committee takes note of the awareness-raising activities and campaigns for migrant workers and their employers organized by the State party. However, it remains concerned:

(a) That the Labour Law does not apply to migrant domestic workers, most of whom are migrant women, thereby exposing them to the risk of economic and physical abuse and exploitation;

(b) About the absence of specific legislation regulating domestic employment that includes provisions regarding the effective protection of domestic workers from abuse, exploitation and violence, and that addresses the lack of labour inspection mechanisms, the deportation of an “absconding” worker, and the absence of sanctions applied to employers for withholding the passports of domestic workers, although there is legislation sanctioning these practices, or for failing to provide adequate housing, food, medical expenses, daily breaks or weekly rest days, as well as the absence of effective complaint mechanisms with adequate enforcement measures against employers engaging in abusive practices and the lack of a monitoring system to conduct workplace inspections;

(c) That the Standard Domestic Work Contract, which regulates the relationship between the employer and the domestic worker, does not offer adequate protection from exploitation of migrant domestic workers, as it does not regulate maximum working hours, overtime compensation, rest periods and the provision of adequate health care, leaving women migrant domestic workers vulnerable to exploitation.

**46. The Committee, in line with its previous recommendations (CEDAW/C/OMN/CO/2-3, para. 40) and its general recommendation No. 26 (2008) on women migrant workers, calls upon the State party:**

(a) **To urgently extend the application of the Labour Law to migrant domestic workers;**

(b) **To adopt a specific law regulating domestic employment, which includes provisions regarding the effective protection of domestic workers, particularly women migrant domestic workers, from abuse, exploitation and violence, and which explicitly prohibits and sanctions the deportation of an “absconding” worker, the withholding of passports of domestic workers and the failure to provide adequate housing, food, medical expenses, daily breaks or weekly rest days and provides for free legal aid, a confidential and independent complaint mechanisms for women migrant workers under abusive employment contracts and a well-funded monitoring system that can carry out regular labour inspections at the workplaces and dormitories of women migrant workers;**

(c) **To amend and formalize, in coordination with the relevant foreign embassies, the Standard Domestic Work Contract, to ensure that it offers adequate protections from exploitation of migrant domestic workers, detailing the maximum working hours, agreed minimum wages, overtime compensation, rest periods and mandatory provision of health care, notwithstanding it being concluded through a recruitment agency or bilaterally with the employer;**

(d) **To ratify the ILO Domestic Workers Convention, 2011 (No. 189).**

### **Health**

47. The Committee welcomes the fact that the percentage of births under specialized medical supervision increased to 99.9 per cent, improving the experience of the mother during labour and childbirth and the clinical outcomes. The Committee also notes with appreciation that family planning services, including modern contraceptives, are available free of charge. It also notes that the State party obtained a certificate of international recognition from the World Health Organization for eliminating the transmission of HIV and syphilis from mother to child. The Committee notes with concern, however, that the maternal mortality rate remains high (17.1 per 100,000 births in 2022) and that abortion is criminalized, except when the life of the pregnant woman or girl is at risk, which compels women and girls, in particular those living in rural areas, to resort to unsafe abortions.

48. **Recalling general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, in order to reduce global maternal mortality and ensure universal access to sexual and reproductive health-care services, the Committee recommends that the State party amend the Penal Code to legalize abortion, at least in cases of rape, incest, fetal impairment and risk to the physical or mental health of the pregnant woman, in addition to threats to the life of the mother, and decriminalize it in all cases and ensure that women and adolescent girls have adequate access to safe abortion and post-abortion services.**

#### **Economic empowerment of women**

49. The Committee welcomes the establishment of the Small and Medium Enterprises Development Authority (by Royal Decree No. 107/2020) to encourage entrepreneurship, and the launch in 2023 of the “Makasib” virtual platform, which creates electronic retail outlets to promote sales of products by entrepreneurs and owners of small and medium-sized enterprises nationwide. It is concerned, however, that women remain underrepresented as beneficiaries of these initiatives, with only 298 women registered on the Riyadh (entrepreneurship) database for the agricultural and rural sector and women accounting for only 25 per cent of the beneficiaries.

50. **The Committee recommends that the State party allocate additional earmarked financial resources to increase access to microcredits, loans and other forms of financial credit for women in order to promote women’s entrepreneurship and empower them economically.**

#### **Economic and social benefits**

51. The Committee welcomes the initiatives taken by the State party to strengthen women’s access to social and economic benefits, including the tenth Five-year Development Plan (2021–2025), to provide social protection targeted at persons subjected to poverty. The Committee notes with appreciation that the Central Bank is addressing banking services and access to microcredits and loans for women with disabilities. It notes with concern, however, the lack of accessible information on the coverage of social programmes, including social protection schemes and pension benefits, for women living in poverty, migrant women, rural women and women with disabilities.

52. **The Committee recommends that the State party ensure that the information on the coverage of social programmes, including social protection schemes and pension benefits, is made accessible for women living in poverty, migrant women, rural women and women with disabilities, including by disseminating information in different languages and in rural areas.**

#### **Rural women**

53. The Committee notes with appreciation the various initiatives in support of rural women, including the launch of the “Reefi” platform, which works to promote marketing and commercialization of products by rural women and rural business leaders in agricultural and fishery activities. It also welcomes the use of artificial intelligence to support women in agricultural work, using predictive capabilities to anticipate harvests and weather patterns, and fertilizer-spreading agriculture drones. It remains concerned, however, about the disadvantaged situation of women in rural and remote areas, who face poverty, and difficulties in gaining access to health care, education and income-generating activities.

54. **The Committee recalls general recommendation No. 34 (2016) on the rights of rural women, and target 5.a of the Sustainable Development Goals to**

**undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, and recommends that the State party continue its efforts to ensure that rural women have access to productive means, education, health care and other basic services, as well as to labour-saving technologies, markets and services in order to reduce their disproportionate burden of unpaid domestic and community work.**

### **Marriage and family relations**

55. The Committee welcomes the new Basic Law of the State (Constitution), of 2021, but remains concerned about the lack of progress on family law reforms and the continued application of discriminatory provisions in the Personal Status Law. In particular, the Committee notes with concern:

(a) That article 4 of the Personal Status Law defines marriage as “a legal contract between a man and woman, the purpose of which is to establish a stable family under the patronage of the husband” and that article 38 provides that “the husband is entitled to receive the attention and obedience of his wife, as the parent of the family, and his wife’s duty is to be responsible for the home and looking after their children”;

(b) The requirement for a woman to obtain her guardian’s permission to marry, and that a woman needs to appeal to the sharia court chamber in the Supreme Court or directly to the Sultan if her guardian refuses to grant her permission;

(c) That the marital property regime fails to ensure that property that was acquired by both spouses during marriage is distributed equally between them following a dissolution of the marriage;

(d) The discriminatory provisions in the Personal Status Law relating to divorce and inheritance;

(e) The permissibility of polygamy for Muslim men;

(f) The restrictions with regard to women’s custody and guardianship of their children, which increase the risk of women being exposed to gender-based violence and create barriers for women wishing to leave violent relationships and obtain justice.

**56. In line with its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:**

**(a) Amend the Personal Status Law to ensure spousal equality between men and women in marriage;**

**(b) Ensure that all women have an equal right to enter into marriage on their own accord by abolishing the requirement of the permission of a male guardian, and without having to resort to court proceedings to obtain that right;**

**(c) Introduce a marital property regime whereby women receive equal rights to property acquired by the spouses during marriage upon dissolution of the marriage, considering contributions to the marital household through unpaid domestic work;**

**(d) Accelerate the preparation and adoption of the draft law on the family, with its specific chapter on women, to ensure that women have equal rights with men with regard to divorce and inheritance;**

(e) **Restrict polygamous marriages with a view to prohibiting them in practice, raise awareness about their harmful effects on women, in line with the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations and joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and ensure the protection of the economic rights of women and their children in existing polygamous marriages, including upon their dissolution;**

(f) **Amend its guardianship law so that both parents are recognized as the guardians of the child, and ensure that mothers cannot be deprived of the right of custody in case of remarriage or moving to a foreign country.**

#### **Data collection and analysis**

57. **The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals.**

#### **Beijing Declaration and Platform for Action**

58. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

#### **2030 Agenda for Sustainable Development**

59. **The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.**

#### **Dissemination**

60. **The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the parliament and the judiciary, to enable their full implementation.**

#### **Ratification of other treaties**

61. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International**

<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

**Covenant on Civil and Political Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.**

**Follow-up to the concluding observations**

62. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 20, 24, 34 (c) and 46 (c) above.

**Preparation of the next report**

63. The Committee will establish and communicate the due date of the fifth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

64. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).