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HEALTHCARE ACCESS AND REPRODUCTIVE RIGHTS FOR WOMEN IN SAUDI ARABIA

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Reproductive rights and healthcare access for women in Saudi Arabia are primarily governed by Sharia law, which is complemented by national laws and health regulations. However, international human rights norms, while acknowledged, are often interpreted in a way that aligns with the kingdom's religious and cultural context.

As per the official Saudi Arabian governmental services and information source, the country's legal system, rooted in Islamic law, upholds the principle of complementary equality between men and women. This approach takes into account the distinct characteristics of both sexes in order to ensure fairness and justice. The Kingdom of Saudi Arabia views the integration of gender roles as essential for advancing and safeguarding human rights, thereby guaranteeing equal access to opportunities such as employment, education, healthcare, economic rights, and other fundamental rights.

Recently, the Saudi government made drastic changes to laws and regulations that advocate for women's rights and equality. Previously, women in Saudi Arabia needed their male guardian's permission to apply for a passport, school, jobs, travel outside of the country, and access certain medical and surgical procedures. This challenges women's rights for freedom of choice and making informed decisions about their own health and life. However, as of August 2019, there was an order issued to all governmental agencies, that women shall not require male guardian's consent to access any governmental services [1]. Despite the introduction of superficial reforms aimed at improving women's rights, the Saudi authorities have effectively maintained a system of male control over women through its first Personal Status Law (PSL) which was passed in March 2022 [6].

The law introduced positive reforms, such as setting a minimum age for marriage. Under the PSL, women still require the consent of their male legal guardian to get married. During marriage, they are expected to obey their husbands. Additionally, the law fails to criminalize marital rape [8] and allows men to initiate divorce unconditionally, while women face legal,

financial, and practical barriers when seeking dissolution of marriage. Therefore, despite some reforms, women and girls in Saudi Arabia still face inadequate protection from sexual and various other forms of violence [7].

Over 50 nations have urged Saudi Arabia to align its domestic legislation with international human rights norms and to ratify key international human rights conventions. Moreover, various countries have recommended that Saudi Arabia extend invitations to UN special procedures mandate holders for official visits. Notably, ten countries have specifically advocated for reforms concerning women's rights, particularly calling for the abolition of the male guardianship system. Although there has been some progress in recent years, substantial obstacles remain in ensuring the comprehensive protection of women's and girls' rights in Saudi Arabia.

The National portal of the Kingdom of Saudi Arabia (national source for government services and information) provides some summarized general information about women's health, reproductive and sexual healthcare [2].

There are specific regulations in place for pregnant women in Saudi Arabia regarding their healthcare rights. Pregnant women have the option to choose between public or private hospitals for childbirth. They are entitled to be informed about the status of their pregnancy, including the expected due date, and must provide personal consent, rather than that of a male guardian, for medical procedures such as Cesarean sections. Additionally, women are permitted to have a support person, such as a family member or friend, present during delivery, provided this does not infringe upon the privacy of other patients.

Saudi Arabia recognizes the importance of childbearing and the desire of couples to do so, and in appreciation of the need for some cases to treat delayed childbearing, has implemented the Fertilization, Embryo and Infertility Treatment Units Law [3] to provide services in it in safely and fairly and in line with the teachings of Sharia.

Abortion is generally illegal in Saudi Arabia, with a narrow exception. In cases where the pregnancy is a physical or mental threat to the mother, and the fetus is less than 120 days old, the mother is allowed to have an abortion after the approval of two specialized doctors. This process is confirmed by a decision brought forth by the medical committee, formed in accordance with the terms and conditions specified by the executive regulations.

There is a complex set of factors influencing Muslim women's sexual and reproductive wellbeing including personal perceptions, values and beliefs, and external factors including family and community influences, available healthcare services, and policies and regulation [5].

According to Noura Alomair research [4] there is entrenched belief in the Saudi Arabian society that marital status affected women's

perceptions of their information needs and influenced their desire to learn and acquire sexual and reproductive health information. According to this research which included interviewing 28 Saudi women, unmarried women faced difficulties seeking care for any reproductive health-related issues such as urinary tract infections and issues with menstrual cycle. It is believed that unmarried women cannot have any reproductive health issues, and that urinary tract infections are linked to sexual activity.

In summary, reproductive rights and healthcare access for women in Saudi Arabia are primarily governed by Sharia law, influenced by cultural and religious values that shape gender roles. Recent reforms allowing women to access government services without a male guardian's consent and the 2022 Personal Status Law, show progress in women's rights. However, key issues like male guardianship in marriage and the lack of legal protections in some other areas still require further review and improvement. International pressure has prompted some changes, but Saudi Arabia continues to interpret human rights within its cultural and religious framework, limiting the full realization of women's reproductive autonomy. While healthcare services have improved, cultural barriers and societal stigma still hinder access, particularly for unmarried women.

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