

**Research**

# THE INCLUSION OF WOMEN IN THE LABOUR MARKET: SAUDI ARABIA'S LEAP FROM 21.2% TO 35.5% AND BEYOND

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**ABSTRACT**

**PURPOSE:** This paper examines the increase in the participation of Saudi women in the labour market. This has grown from 21.2% in 2017 to 35.5% in 2023, reflecting the Kingdom of Saudi Arabia's commitment to Vision 2030 and alignment with the United Nations Sustainable Development Goals.

**DESIGN/METHODOLOGY/APPROACH:** The paper outlines the evolution of legal consciousness prior to Vision 2030 and the cultural shifts essential for supporting legal modifications. It delves into the specifics of Vision 2030 and the substantial legal reforms that followed its launch. The paper then reviews the deployment of support enablers that helped translate legal reforms into practice.

**FINDINGS:** The findings suggest that awareness-raising efforts, coupled with legal reforms and initiatives designed to address challenges faced by women, have facilitated greater labour market inclusion.

**ORIGINALITY/VALUE OF THE PAPER:** This study contributes to the understanding of how targeted legal and social interventions can effectively promote gender parity in the labour market, offering valuable insights for policy-makers.

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**RESEARCH LIMITATIONS:** This paper primarily focuses on legal reforms and support enablers that have facilitated an increase in women's participation in the Saudi labour market. As such, it does not extensively explore other potential factors that might influence labour market dynamics, such as economic fluctuations or regional differences within the Kingdom. Although the cultural context and societal attitudes towards women's employment were addressed, they were not deeply investigated; this might be a crucial element in understanding the full scope of the labour market changes. In addition, the analysis relies on available data up to 2023, and future developments may provide further insights that were not captured in this paper.

**PRACTICAL IMPLICATIONS:** The findings of this study provide valuable insights for policy-makers and stakeholders in Saudi Arabia and other nations aiming to enhance women's participation in the workforce. The documented legal reforms and support mechanisms can serve as a blueprint for similar initiatives in different cultural and legal contexts. Specifically, the emphasis on removing legal barriers, coupled with practical support enablers such as training programmes, childcare subsidies, and continuous monitoring and evaluation, highlights effective strategies for fostering gender parity. Policy-makers can leverage these insights to design and implement targeted interventions that promote gender equality, contributing to overall economic growth and social development.

**KEYWORDS:** *Labour Laws; Saudi Arabia; Legal Reform; Labour Market Inclusion; Vision 2030; Cultural Shifts*

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## INTRODUCTION

The Kingdom of Saudi Arabia (KSA) has witnessed a remarkable transformation in the inclusion of women in the labour market, with participation rates rising from 21.2% in 2017 to 35.5% in 2023 (GSTAT, 2023). This leap signifies not only a substantial socio-economic shift but also mirrors the Kingdom's determined stride towards achieving the ambitious goals set forth in Saudi Arabia's Vision 2030. Vision 2030, a strategic framework with three pillars (vibrant society, a thriving economy and an ambitious nation) places a significant emphasis on increasing women's participation in the labour market (Vision 2030, 2016).

Historically, women in Saudi Arabia faced some legal and cultural barriers to employment, leaving them under-represented in the labour market compared to their male counterparts. However, recent years have seen an aggressive push towards legal reform and the implementation of supportive measures to dismantle these barriers. Legislative changes aimed at protecting women's rights in the workplace and encouraging their participation across various sectors have been instrumental in this transformation (Alnahda, 2020). This transformation is best captured in the 2020 Women Business and the Law report where Saudi Arabia scored 80 out of 100 compared to 31.9 in 2017 (World Bank, 2022).

These changes are in line with the United Nations Sustainable Development Goals (SDGs), specifically, Gender Equality (SDG 5) and Decent Work and Economic Growth (SDG 8). Among a number of targets, these SDGs aim to:

- End all forms of discrimination against women and girls everywhere (5.1);
- Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life (5.5);

- Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels (5.c);
- Achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value (8.5); and
- Substantially reduce the proportion of youth not in employment, education or training (8.6) (UN, 2015).

This paper aims to review the legal reforms and explore the support enablers that have contributed to the significant increase in women's labour market participation in Saudi Arabia. By examining the interplay between legal reform and cultural changes, we shed light on the multifaceted approach required to empower women economically and socially within the Kingdom.

## CULTURAL CONTEXT AND LEGAL CONSCIOUSNESS: PRE-VISION 2030

As defined by Merry (1990), legal consciousness is: “the way people conceive of the ‘natural’ and normal way of doing things, their habitual patterns of talk and action and their common sense understanding of the world”. Legal consciousness is formed through cultural practices where cultural groups have the power to shape perceptions of what is considered normal or acceptable (Merry, 1990). This control over cultural narratives can lead to a form of domination that impacts legal interpretations and cultural practices.

In the context of pre-Vision 2030 Saudi Arabia, cultural constraints played a significant role in limiting women's access to the labour market. These constraints were often justified by lay Muslims as “religious”, complicating efforts to challenge and reform them. Moustafa's (2013) research on Malaysian Muslims outside the religious establishment reveals how legal consciousness can act as a barrier to women's rights reforms. Moustafa found that the perception of Islamic law, as the direct implementation of divine commandments, makes it difficult for those without deep knowledge of Islamic legal theory to differentiate between negotiable laws and divine mandates. This misunderstanding of religious law hinders legal reforms aimed at empowering women.

Balchin (2009) suggests that for effective empowerment strategies in Muslim countries, efforts must extend beyond simply informing the public about laws; the concept of legal consciousness itself needs to be engaged and transformed. In Saudi Arabia, to foster a more conducive environment for legal reform, efforts were put in place to clarify the distinctions between cultural and religious norms. This was done through different outlets, such as the statements of prominent religious figures (Shar, 2017), as well as popular television shows (*Ana Rashidah*, 2017). While this paper primarily focuses on the legal changes, it is important to acknowledge the awareness-raising efforts that, although not the central subject here, were instrumental in facilitating these positive legal transformations.

## SAUDI VISION 2030: AN OVERVIEW

In April 2016, the Saudi government officially endorsed “Saudi’s Vision 2030” (Cabinet Resolution No. 308, 2016). This comprehensive strategy aims to transform the nation’s economy and society, with the Council of Economic and Development Affairs tasked with establishing the mechanisms for its implementation and oversight. Ministries and government agencies are each responsible for enacting relevant portions of the vision (Vision 2030, 2016).

To actualise Vision 2030, several “Vision Realization Programmes” have been launched, each with a clear roadmap for achieving specific goals. The National Transformation Program, for instance, focuses on developing infrastructure and fostering an environment that enables the public, private and non-profit sectors to contribute to Vision 2030’s objectives. Notably, this programme includes measures to increase women’s participation in the labour market, elevate their presence in administrative roles, boost the economic engagement of Saudi women aged 15 and above, and develop support mechanisms to facilitate women’s employment. Since the inception of Vision 2030, transformative legal reform has unfolded across the nation, focusing on dismantling legal and cultural barriers to women’s rights. The next section highlights only the legal reforms directly influencing women’s participation in the labour market.

## LEGAL REFORM AND WOMEN’S INCLUSION UNDER VISION 2030

Since the launch of Vision 2030 in 2016, Saudi Arabia has been at the forefront of promoting equal opportunities for men and women, with a special emphasis on labour market participation. In pursuit of enhancing women’s economic engagement, the Kingdom has established a robust and gender-sensitive legislative framework. In 2017, Saudi Arabia introduced ground-breaking legal reforms aimed at achieving equality. The World Bank’s 2020 Women, Business and the Law (WBL) report highlighted these reforms, showing a dramatic increase in the Kingdom’s score from 31.9 in 2017 to 70.6 in 2019 and further to 80 out of 100 in 2020, marking a significant leap of 48.1 points (WBL, 2020). This period saw exceptional advancement, notably in the mobility, workplace, pay, entrepreneurship, and pension indicators with a score of 100 in each.

On 18 April 2017, a royal order mandated all relevant governmental bodies to eliminate the requirement for women to seek a guardian’s approval for services, barring legal necessities (Royal Order No. 33322, 2017). This directive highlighted and sought to eradicate cultural practices, such as employers demanding a male guardian’s consent for female employment without legal justification, thereby positioning legal authority above customary practices. In addressing codified barriers, the Royal Order necessitated a review of governmental laws and procedures. This instigated a thorough legal review and subsequent amendments; these are chronologically reviewed below.

On 26 September 2017, a Royal Order was issued endorsing equal application of Traffic Law (Royal Decree No. M/85, 2007) provisions to both genders, including driving licence issuance (Royal Order No. 905, 2017). Although Traffic Law never explicitly restricted driving rights to males, in practice, women could not take advantage of the law. This Royal Order entered into force on 24 June 2018. By January 2020, 174,624 women had obtained driving licences, indicating significant progress in transportation accessibility (GSTAT, 2020).

Further enhancing women's access and ensuring workplace safety, the Anti-Harassment Law was established on 31 May 2018 (Royal Decree No. M/96, 2018). Its provisions aim to prevent harassment, safeguarding victims and maintaining individual dignity. Notably, *Article Five* addresses workplace sexual harassment, outlining preventative measures and disciplinary actions for violations, reinforcing the commitment to a safe work environment.

A landmark legal overhaul occurred on 30 July 2019, with a Royal Decree approving multiple amendments to the Travel Documents Law, the Civil Status Law, the Social Insurance System, and the Labour Law (Royal Decree No. M/134, 2019). These amendments aimed to enhance women's freedom of movement and to ensure equality in the job market.

Regarding women's freedom of movement, the Travel Documents Law (Royal Decree No. M/24, 2000) and its implementing regulations have been amended to guarantee that women can obtain passports and travel abroad on the same basis as men. Prior to these changes, the issuance of passports to women and their ability to travel internationally was contingent upon the consent of a male guardian. The legal acknowledgment of women's unconditional right to freedom of movement was further enhanced by a decision that stipulated that women should not be denied accommodation within the Kingdom based on the absence of a male guardian's consent—addressing and rectifying a previously common cultural practice (Saudi Commission for Tourism and National Heritage Decision No. 2/T/41, 2019). Additionally, the Civil Status Law underwent modifications, notably the amendment of Article 30 to remove the stipulation that “The residence of a married woman is deemed to be the residence of her husband if they reside together...”. These legal amendments have fortified women's autonomy over their movements, potentially impacting their participation in the labour market (Htun *et al.*, 2019).

The Social Insurance System (Royal Decree No. M/33, 2000) has been updated, including a pivotal amendment to Article 38, to establish equality between men and women regarding retirement age, setting it at 60 years for both genders. Previously, the retirement age was differentiated, with women retiring at 55 and men at 60. Such direct discrimination in retirement age not only impacts career advancement opportunities but also results in indirect discrimination regarding pension benefits (UN, 2012).

To advance gender equality and ensure equitable access to the labour market for both men and women, the labour law (Royal Decree No. M/51, 2005) underwent significant

amendments to affirm that employment is a right shared by all individuals, regardless of gender. The modifications to the articles illustrate a commitment to eradicating gender-based discrimination in the workplace. Examples of the changes are given below:

- **Article Two** shifted from defining a worker as: “any natural person working for an employer and under their management or supervision for a wage, even if the worker is not under the employer’s direct control”, to a more inclusive definition that explicitly states: “any natural person—male or female—working for an employer and under their management or supervision for a wage, even if the worker is not under the employer’s direct control”. This amendment ensures that the definition of a worker encompasses both males and females equally, emphasising the law’s recognition of women’s rights in the labour market.
- **Article Three** was amended to strengthen the principle of equal opportunity and non-discrimination within the labour market. The original text, “work is the right of every citizen. No one else may exercise such right unless the conditions provided for in this Law are fulfilled. All citizens are equal in the right to work”, was expanded to include a clear prohibition against discrimination: “work is the right of every citizen. No one else may exercise such right unless the conditions provided for in this Law are fulfilled. All citizens are equal in the right to work without discrimination on the basis of gender, disability, age, or any other form of discrimination, whether during their performance of work, at the time of employment, or at the time of advertising”. This addition explicitly forbids discrimination not only in the execution of work but also in hiring practices and job advertisements, thereby promoting a more inclusive and fair employment environment for all. It affirmed some of the non-discrimination principles that were previously put into regulations, for example, wage equality that was introduced into labour regulations on 14 January 2018 (Minister of Human Resources and Social Development Decision No. 84447, 2018).

These amendments reflect a proactive approach towards ensuring gender equality in the workplace and demonstrate a legislative commitment to creating a labour market where all individuals, regardless of gender, have equal opportunities to work and thrive. Another amendment directly related to Labour Law took place in 2020 (Royal Decree No. M/5, 2020). The amendment deleted Article 149 from the Labour Law; this Article used to prohibit the employment of women in dangerous or harmful professions such as mines. It also deleted Article 150 that prohibited employing women during the night. This amendment enabled women to work in all job opportunities available to men.

In 2020, a significant amendment introduced a new social security system, marking a departure from the previous framework in several key aspects (Royal Decree No. M/32, 2020). Unlike the prior system, which specifically recognised divorced and widowed women as beneficiaries, the updated system shifted its scope to support the most vulnerable segments of society, irrespective of marital status. This reformed system encompasses provisions and penalties designed to ensure that pensions are disbursed to those who are rightfully entitled, while also promoting efforts towards achieving financial independence through designing specific programmes to enable qualified beneficiaries to have the necessary skills to enter and remain in the labour market.

## SUPPORT ENABLERS: TRANSLATING LAW TO PRACTICE!

Laws, regardless of how well they are formulated, represent merely one component of a more comprehensive system. Despite their significant importance, these legal texts alone do not guarantee their enforcement in reality. Their application is contingent upon a combination of supporting enablers. In the absence of enabling conditions that facilitate the implementation of these texts, they can remain mere words on paper, and the disparity between the written law and its actual practice widens (WGDAW, 2017). Therefore, enabling women to have equal access to the labour market requires measures that extend beyond legal change. These measures include gender balance initiatives, education, training, leadership development, inclusion initiatives and monitoring. This section discusses some of the measures that were implemented in Saudi Arabia.

**Gender Balance Initiatives:** With the inception of Vision 2030, Saudi Arabia established the Gender Balance Project to promote women's empowerment and amplify their leadership presence. This project was committed to fostering gender parity across both public and private sectors, tackling any impediments to this ambition. A comprehensive review of legislative, regulatory, and human resource frameworks was conducted through a gender lens, identifying disparities, determining training requisites, and formulating strategic recommendations. This analysis culminated in a set of guidelines designed to fortify human resource protocols that advocate for gender equality, thereby diminishing opportunity gaps (Alnahda, 2020).

In 2021, the Gender Balance Center was inaugurated as a dedicated administrative entity within the Institute of Public Administration in the KSA capital, Riyadh. Its establishment underscores a strategic commitment to human capability enhancement and the enforcement of equal opportunity principles within the labour market. The centre is required to align efforts of state agencies towards achieving national gender balance, launching initiatives and projects aimed at closing the gender gap. It also orchestrates training workshops and dispenses consultative, study-based, and policy recommendations to ensure the thorough application of equal opportunity standards and the attainment of gender balance (IPA, 2023).

**Education:** The inception of formal girls' education in the Kingdom dates back to 1959 (Alshiekh, 2021). To bolster female education, women's higher education has evolved substantially since 1962. Over the last 15 years, statistics show that the proportion of female university graduates has varied, peaking at 57.1 % and dipping to a low of 49.4 % relative to the total graduate population (GSTAT, 2020). Additionally, women comprised 43.5 % of scholarship students in 2018; however, despite the significant presence of women in higher education, certain programmes were traditionally limited to men. For instance, in 2018, women represented 58 % of the 37,600 STEM graduates; however, only 2.7 % of these female graduates completed engineering degrees, compared to 40.5 % of their male counterparts (GSTAT, 2020). Vision 2030 has markedly influenced education by ensuring that



women have unrestricted access to all academic programmes, for example, engineering, political sciences and physical education (KSU, 2023).

**Training:** Several targeted training initiatives have been instituted to bolster women's integration and progression within the labour market. The Tamheer Program, initiated in 2017, is tailored for Saudi graduates as an on-the-job training scheme, delivered through both governmental agencies and premier private sector firms. Its objective is to furnish participants with vital skills and work experience, fostering their readiness for employment. Since its inception, the Tamheer Program has served over 61,000 graduates, with women representing a significant 74% of the beneficiaries (SPA, 2022).

Furthermore, the Parallel Training initiative is specifically designed to uplift unemployed women by offering concurrent training modules: practical on-the-job training by employers complemented by technical and soft skills development through expert training providers. Upon successful completion, trainees are awarded a recognised diploma by the owning entity of the programme, while participating companies receive multifaceted support. This initiative has set an ambitious goal to train and employ 100,000 women, reflecting a commitment to enhancing female labour market accessibility and career development (MoF, 2023).

**Leadership development:** In an effort to amplify the representation of women in administrative capacities, specialised leadership programmes have been crafted for women who are poised to ascend to leadership roles in diverse fields. For instance, the Pioneering Executive Leadership Program was introduced in 2019 by Princess Nourah bint Abdulrahman University, in partnership with the esteemed French INSEAD Institute. This programme was designed to train 1,700 aspiring female leaders and professionals on the cusp of entering executive positions across a spectrum of industries. By 2022, the programme met its objectives, marking a significant stride in cultivating a robust pipeline of skilled female leaders ready to make impactful decisions and drive innovation within their respective sectors (MoF, 2023).

**Inclusion initiatives:** The Kingdom has implemented various programmes to broaden access to the labour market for women. The Human Resources and Development Fund (HRDF) is pivotal in this, focusing on tailoring the national labour market's skills to meet job market demands (HRDF, 2017). Two significant initiatives, *Qurrah* and *Wusool*, were established in 2017 to address specific challenges faced by women. *Qurrah* offers subsidies for childcare, allowing women to enter the labour market with confidence in their children's well-being (*Qurrah*, 2017). *Wusool* provides subsidised transportation for female private sector employees, easing their commute and enhancing job attendance (*Wusool*, 2017). In April 2020, HRDF launched the Employment Support Program, designed to assist job seekers by providing salary subsidies within the private sector. This initiative extends additional assistance for jobs in regions with limited opportunities and targets support for women, people with disabilities, and small-scale enterprises. Additionally, a retrospective support



scheme was initiated to sustain employment levels prior to the COVID-19 outbreak and to mitigate its impacts, benefiting 134,145 individuals in 2021, of which 62.44% were women (MoF, 2023).

The Ministry of Human Resources and Social Development also introduced the freelance work initiative in 2019, simplifying the process for citizens to obtain freelance work documentation and offering a suite of benefits. Women's participation in freelance work jumped from 7,997 in 2019 to 961,189 in 2021 (MoF, 2023; Freelance, 2019). The Remote Work Program addresses employment challenges by connecting job seekers with remote work opportunities, with women's participation reaching 80,662 in 2022. This represents 91% of all telework contracts for the year (Telework, 2019). Lastly, *Mowaamah* supports the employment of people with disabilities, providing tools and advocating for private sector inclusivity, contributing to the Kingdom's commitment to disability rights and inclusive employment. Such efforts are in harmony with Article 28 of Labour Law; this mandates that employers with 25 or more employees must hire at least 4% of their labour market from people with disabilities (Royal Decree No. M/51, 2005).

**Monitoring:** The Women's Empowerment Directorate under the Ministry of Human Resources and Social Development is a key sector focused on boosting female participation across all job levels. It aligns its efforts with Saudi Arabia's Vision 2030 to enhance gender equality and advance women into leadership roles, thereby growing their labour market footprint. The Directorate's roles include formulating empowerment strategies, ensuring equal job opportunities, supporting professional development, providing expert guidance on women's initiatives, and overseeing the success of such programmes in the labour market (HRSD, 2024).

In addition, the National Committee for Workers' Committees is considered the main and only reference for workers' committees in establishments representing all workers in the Kingdom. The committee oversees the interests of all workers, defending their rights and issues as established by law and in accordance with the international conventions and human rights standards ratified by Saudi Arabia (SNC, 2019).

## BEYOND 35.5%: THE WAY FORWARD

To maintain the positive impact of the legal amendments, on 10 January 2023, the Council of Ministers endorsed the "national policy to encourage equal opportunities and equal treatment in employment and profession in the Kingdom" (Council of Ministers Resolution No. 416, 2023). This policy serves to bolster the reforms made to the labour system in 2019 and 2020, specifically aiming to boost women's participation in the labour market. The policy outlines three main objectives. First, development of anti-discrimination laws and policies that not only define and prevent discrimination but also promote equal treatment, including mechanisms for redress and evaluation. Second, boosting women's labour market participation by removing barriers and providing support mechanisms; this involves crafting and implementing programmes that assist

women entering or re-entering the labour market, whether they are transitioning from educational environments or resuming work after a break. Third, supporting policy implementation through practical measures by developing a suite of programmes and initiatives to ensure that the principles of equal opportunity and treatment are not only advocated but also actively implemented within the labour market. This includes training programmes for observers to identify and counteract discriminatory practices in the workplace. These three main objectives represent a comprehensive approach to dismantling barriers to gender equality in the workplace, thereby fostering a more inclusive and equitable labour environment. The policy will be implemented for an initial period of five years, after which it will be re-evaluated and enhanced. Following this assessment, it will be implemented for an additional five-year term.

## CONCLUSIONS

The journey of Saudi women in the labour market in recent years is a testament to the Kingdom of Saudi Arabia's dedication to fostering gender parity and economic inclusivity. The substantial rise in women's labour market participation from 21.2% to 35.5% encapsulates more than a numerical success; it signifies a paradigm shift in cultural, legal, and economic domains under Vision 2030. This paper has scrutinised the multifaceted approach the Kingdom has adopted, acknowledging that empowering women is not only a matter of social justice but also a strategic economic necessity.

The legal reforms and supporting measures, such as HRDF's targeted programmes, education, training and the amplification of leadership development, have collectively dismantled historical barriers. These endeavours have catalysed women's ascension to leadership roles and their greater participation in fields that were once restricted.

Moving forward, it is imperative to continue the diligent monitoring and evaluation of these initiatives, ensuring that they yield the intended outcomes. The overarching goal remains to solidify a labour market that is not just resilient and dynamic but also equitable and just. With the support of entities such as the Women's Empowerment Directorate and the National Committee for Workers' Committees, the Kingdom's strides towards economic diversification and women's empowerment are poised to contribute significantly to its vibrant society, thriving economy, and ambitious national identity, as envisioned in the transformative blueprint of Vision 2030. The narrative of Saudi women in the labour market is evolving from participation to empowerment, marking a new era of socio-economic development for the Kingdom.

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