

# Gender Justice & the Law in the Arab States Region – Basic Facts & Figures

## The study

- provides a systematic review of the laws in 18 countries of the Arab states region
- assesses whether laws promote or impede equality between women and men and provide protection against gender-based violence
- includes analysis of:
  - **Constitutional guarantees** of gender equality & constitutional protections against gender-based violence;
  - **Penal codes** & whether the country has domestic violence laws that address gender-based violence;
  - **Personal status codes** & whether they provide women with equality in marriage, divorce and inheritance;
  - **Nationality laws** & how they ensure that women and men enjoy equal rights in relation to citizenship; and
  - **Labour laws** & how they provide protection from discrimination and gender-based violence in the workplace.

**Countries included** (collectively, referred to in this study as the Arab states region).

Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Lebanon, Libya, Morocco, Oman, Qatar, Saudi Arabia, Somalia, State of Palestine, Sudan, Syria, Tunisia and Yemen.

## Key Findings

**Many countries have introduced important legislative reforms that promote gender equality and protect women from violence. These include:**

- 11 countries** Penalize sexual harassment in public and/or the workplace.
- 7 countries** Have introduced laws against domestic violence
- All 18 countries** Guarantee paid maternity leave for women and 6 countries also provide fathers with a right to paternity leave
- 16 countries** Give women the right to equal pay for the same work as men

**However, some countries still have laws that do not provide women with equality before the law. These include:**

### *The Constitutions in*

- 3 countries** Do not have explicit constitutional guarantees of sex/gender equality

### *Penal codes in*

- 11 countries** Allow for mitigating circumstances such as adultery or other factors to decrease penalties or exonerate perpetrators of so called "honour" killings
- 3 countries** Exonerate a rapist from punishment if he marries his victim  
*In several countries customary law continues to be applied to save "family honour"*
- All 18 countries** Do not explicitly criminalize marital rape  
*In Djibouti & Tunisia there are precedents that allowed prosecution of a husband, but such prosecutions are rare*

### *Nationality laws in*

- 10 countries** Limit the rights of women to pass citizenship to her children and a foreign spouse

### *Family laws in*

- All 18 countries** Do not give equal rights in all aspects of marriage, divorce, guardianship and custody of children

### *Labour laws in*

- 16 countries** Restrict women from engaging in some types of night work