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Legal Framework for Advancing the Rights of Women and Girls with Disabilities in Saudi Arabia: Strategies for Implementation and Enforcement

By Ahmed M. Bamashmoos¹

Abstract

This study evaluates the effectiveness of Saudi Arabia's legal framework in promoting the rights of women and girls with disabilities through a comparative analysis with the United Nations Convention on the Rights of Persons with Disabilities and Sweden's disability policies. Employing legislative texts and policy documents, the research identifies gaps and benchmarks against international norms to propose necessary enhancements. The findings indicate that while Saudi Arabia has established a comprehensive legal structure focused on non-discrimination, accessibility, and reasonable accommodation, there are significant shortcomings in enforcement and gender-specific protections. Recommendations include enhancing legal protections for gender-specific needs, improving enforcement mechanisms via independent monitoring bodies, expanding reasonable accommodation provisions, and fostering social inclusion policies. The study highlights the need for strategic implementation involving training, awareness initiatives, and international cooperation better to integrate girls and women with disabilities into Saudi society.

Keywords: Women's rights, Persons with disabilities rights, Legal framework, Saudi Arabia, Accessibility, Gender equality, Gender and disability

Introduction

Advancing the rights of women and girls with disabilities represents a critical intersection of gender and persons with disabilities (PWD) rights, emphasizing the necessity for inclusive policies and legal frameworks that cater to the unique challenges faced by this demographic (UN Women, 2018). In Saudi Arabia, significant strides have been made toward empowering women, underscoring the nation's commitment to gender equality and human rights. This general advancement in women's empowerment includes removing gender-based barriers and enhancing access to educational and employment opportunities (Ministry of Human Resource and Social Development, n.d.). However, women and girls with disabilities often encounter compounded forms of discrimination, necessitating a targeted approach to ensure their full participation and equality within society. This requires initiatives specifically designed to address their unique challenges, promoting an inclusive environment where they can thrive alongside their peers without disabilities (UN Women Ukraine, 2019).

Saudi Arabia has an estimated 1,445,723 PWDs, constituting about 7.1% of the total population (General Authority for Statistics, 2017). Of these, 833,136 have mobility and physical disabilities; 811,610 have vision disabilities; 289,355 have hearing disabilities; 53,282 have autism

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spectrum disorders; 30,155 have cognitive and learning disabilities; and 19,428 have Down syndrome.

Figure 1: Distribution of Disabilities in Saudi Arabia (2017)



Source: General Authority for Statistics (2017)

Saudi Arabia is committed to advancing PWD rights through comprehensive legislation and initiatives (Government of Saudi Arabia, 2018). The Saudi Rights of Persons with Disabilities Act (RPDA, 2023) exemplifies the nation's dedication to creating an inclusive environment for all PWD and providing a robust legal framework that ensures their rights and facilitates their empowerment (Government of Saudi Arabia, 2023). By examining Saudi Arabia's legal infrastructure through the lens of international standards, particularly the United Nations Convention on the Rights of Persons with Disabilities (CRPD) (United Nations, 2007), this research aims to shed light on the current state of rights for women and girls with disabilities and propose strategic recommendations for enhancing their legal and social standing.

In this context, the present research endeavors to compare Saudi Arabia's legal framework for women and girls with disabilities against global benchmarks by identifying areas of strength and opportunities for further enhancement. Through this comparative analysis, the study aims to contribute valuable insights and recommendations, fostering a more inclusive and equitable society for women and girls with disabilities in Saudi Arabia.

This paper critically examines the effectiveness of Saudi Arabia's legal frameworks in safeguarding and promoting the rights of women and girls with disabilities, contrasting them with the CRPD and Sweden's disability rights policies. The analysis aims to pinpoint the strengths and

weaknesses of Saudi Arabia's approach, propose strategic improvements based on global best practices, and advocate for robust enforcement mechanisms to ensure these rights are recognized not only on paper but are actively upheld and advanced in society.

Research Problem and Objectives

Despite advances in Saudi Arabia's legal framework for PWD, women and girls with disabilities face unique challenges that hinder their full societal participation, pointing to a gap in policies that specifically address the intersection of gender and disability (Kadi, 2018). This research aims to analyze Saudi Arabia's legal measures for their effectiveness in meeting the needs of women and girls with disabilities; benchmark these measures against international standards, particularly the UN CRPD and Sweden's inclusive policies; identify gaps and opportunities for enhancing legal protections and empowerment; and propose actionable recommendations for a more inclusive legal framework. Through detailed analysis and comparison, this research will inform strategic improvements to ensure that women and girls with disabilities in Saudi Arabia can achieve greater empowerment and inclusion, influencing policy decisions to foster a more equitable environment.

Research Questions

- (1) How does the current legal framework in Saudi Arabia address the rights and needs of women and girls with disabilities?
- (2) How can Saudi Arabia's legal and policy frameworks be benchmarked against the CRPD and Sweden's disability policies to identify best practices and areas for improvement?
- (3) What specific gaps exist in the Saudi legal and policy frameworks that impact the rights and empowerment of women and girls with disabilities?
- (4) What strategic recommendations can be formulated to enhance Saudi Arabia's legal and policy frameworks to better support the inclusion and empowerment of women and girls with disabilities?

By addressing these objectives and questions, the research aims to contribute meaningful insights and recommendations that could influence policy decisions, ultimately advancing the rights and empowerment of women and girls with disabilities in Saudi Arabia.

Literature Review

Overview of Women's Empowerment in Saudi Arabia: Progress and Reforms

Saudi Arabia has made significant strides in women's empowerment across legal, educational, workplace, and social domains, demonstrating a commitment to gender equality and inclusive governance (*Women's Empowerment*, Ministry of Human Resources and Social Development, n.d.). Legal reforms have enhanced women's participation in the workforce by removing gender-based barriers and supporting entrepreneurial activities. Before these legal reforms, women in Saudi Arabia often required the consent of a male guardian—such as a father, husband, or brother—to engage in some activities. These reforms have significantly reduced the barriers imposed by the guardianship system, enabling women to participate more freely in the workforce and initiate entrepreneurial activities without the need for the consent of a male guardian. Educational initiatives have increased the enrollment of women in universities and

specialized training colleges, highlighting efforts towards gender parity and broadening career opportunities. Workplace laws offer protections including maternity rights and safe environments, with additional facilities for nursing mothers and childcare support to aid working mothers (Government of Saudi Arabia, 2005). Social programs provide essential support to widowed or divorced women, and advancements in the legal sector have opened opportunities for women to serve as lawyers and notaries, which reflects a broader push towards gender equality in professional fields (Ministry of Justice, n.d.). These comprehensive efforts underscore Saudi Arabia's dedication to fostering an inclusive society where women can thrive and contribute significantly to the nation's development.

Upholding the Rights of PWD in Saudi Arabia: A Comprehensive Approach

Saudi Arabia has made significant strides in advancing the rights of Persons with Disabilities (PWD), ensuring they have access to a range of services that promote a dignified and inclusive lifestyle. Anchored by *The Basic Law of Governance*, which highlights human rights and justice including anti-discrimination measures for PWD (Government of Saudi Arabia, 1992, articles 26-27) the legal framework incorporates the Disabled Care System and the RPDA, providing comprehensive support across social care, healthcare, rehabilitation, and education, complemented by financial aid and specialized services (*Financial subsidy service for people with disability*, n.d.; Ministry of Health, n.d.). The nation ensures easy access to public services and transportation for PWD, supported by initiatives such as the priority card and the Traffic Facilities Card (*Financial Subsidy Service for People with Disability*, Ministry of Human Resources and Social Development, n.d.) and fosters equal opportunities in education and employment through specialized institutes and inclusive programs, supported by e-learning platforms and employment schemes (*Empowering People with Disabilities*, Ministry of Human Resources and Social Development, n.d.). The compatibility program, *Tawafuq*, supports individuals with disabilities in forming marriages through privacy-respecting and credible matchmaking services, extending beyond matchmaking to include training, rehabilitation, and financial and material assistance, under the motto "Together, We Complete Each Other." Similarly, the *Mowaamah* certification system establishes a healthy and inclusive work environment, allowing firms that achieve certification to enhance their employment ratio under national programs and earn the right to display the *Mowaamah* logo on their products, promoting inclusivity and recognition in the marketplace. Moreover, PWD are encouraged to participate in decision-making with opportunities to assume executive roles in public sectors augmented by initiatives like the King Salman Award for Disability Research, underscoring the nation's commitment to inclusive policy-making and community support (*Empowering people with disabilities*, n.d.; King Salman Center for Disability Research, 2020).

Overview of International Standards: CRPD

Established in 2006, the CRPD is a pivotal international treaty that guarantees comprehensive human rights and freedoms for all PWD, emphasizing non-discrimination and the dignity of each individual (Assembly, 2006). The CRPD advocates for the social model of disability, which perceives disability as an interaction between individuals with impairments and societal barriers rather than a personal medical issue. This model underpins the convention's directives, which include enhancing accessibility in all areas of society and ensuring equal rights to education, healthcare, employment, and participation in public and political life. Importantly, the CRPD addresses the specific challenges faced by women and girls with disabilities, requiring

measures to ensure their full and equal enjoyment of human rights. The convention also establishes a monitoring committee to oversee the implementation of its standards, requiring state parties to report regularly on their compliance and progress in adapting these inclusive principles, thereby fostering a global shift towards greater equity and inclusion for PWD.

Overview of Sweden's Legal Framework PWD Rights

Sweden's legal framework for the rights of PWD is robust and centered around the Discrimination Act of 2008, which has been amended up to 2017. This act comprehensively outlines the prohibition of various forms of discrimination—including direct and indirect discrimination, inadequate accessibility, harassment, and sexual harassment—in public spheres such as employment, education, healthcare, and access to goods and services (Assembly, U.G., 2006). It requires employers and educational institutions to take active measures to prevent discrimination and promote equality. Complementing this legislative backbone, the Equality Ombudsman (DO, n.d.) plays a crucial role in ensuring compliance with the act, thereby promoting a discrimination-free society and emphasizing respect for equal rights and opportunities across all sectors, including for PWD (The Equality Ombudsman, n.d.). This framework demonstrates Sweden's commitment to dignity, equality, and full participation of PWD in society.

Methodology

This research utilizes a comparative analysis approach to evaluate Saudi Arabia's legal framework for the rights of women and girls with disabilities against the UN CRPD and Sweden's progressive policies. By examining legislative texts, policy documents, and implementation strategies from Saudi Arabia and Sweden, including the RPDA and the Discrimination Act of 2008, this methodology identifies best practices, gaps, and opportunities for enhancing Saudi policies. Primary sources include official documents addressing PWD and women's rights, while international and comparative sources involve CRPD guidelines and Swedish legislative materials. The selection criteria emphasize relevance, authenticity, recency, and comparability to ensure the analysis reflects current standards and innovative approaches in PWD rights, aiming to foster actionable recommendations for improving the inclusion and rights of women and girls with disabilities in Saudi Arabia.

Comparative Analysis of Legal Frameworks: Advancing the Rights of Women and Girls with Disabilities in Saudi Arabia, CRPD, and Sweden

This paper explores the legal frameworks that support the rights of women and girls with disabilities, focusing on Saudi Arabia, the United Nations CRPD, and Sweden. The comparative analysis aims to identify commonalities, best practices, and differences among these frameworks. It also examines how each system addresses issues of non-discrimination, accessibility, education, healthcare, social services, and enforcement. Through this analysis, the paper provides insights into strategies for implementing and enforcing legal protections for women and girls with disabilities in Saudi Arabia, guided by international standards and Sweden's progressive PWD rights policies.

Table 1: Comparison of Legal Frameworks: Saudi Arabia, CRPD, and Sweden

Aspect	Saudi Arabia	CRPD	Sweden
Non-Discrimination	Has laws against discrimination based on disability.	Mandates non-discrimination on all grounds, including disability.	Strong anti-discrimination laws including specific provisions for disabilities.
Accessibility	Laws ensure public access for PWD.	Requires comprehensive accessibility in public and private sectors.	Comprehensive laws mandating accessibility in all public spaces and services.
Employment	Provides support for employment of PWD, including quotas.	States must ensure the right to work, including accommodations and non-discrimination.	Employment laws include mandatory accommodations and specific protections against workplace discrimination.
Education	Requires accessible education for PWD.	Ensures inclusive education at all levels without discrimination.	Strong focus on inclusive education, with requirements for reasonable accommodations.
Healthcare	Mandates accessible healthcare services for PWD.	Guarantees access to healthcare without discrimination, including necessary accommodations.	Comprehensive healthcare access with specific provisions to support PWD.

Source: Author's comparison framework between Saudi Arabia, CRPD, and Sweden.

Rights and Legal Protections

Saudi Arabia

The legal framework in Saudi Arabia, as defined by the RPDA, provides comprehensive rights and protections for PWD, including women and girls with disabilities, focusing on non-discrimination and equal access to all services. It integrates accessibility requirements into governmental and non-governmental policies, activities, and designs, ensuring that PWDs are empowered to manage their affairs and fully participate in society, meeting maturity criteria set by regulations. Additionally, the RPDA mandates appropriate communication methods and requires training for personnel in disability rights and effective communication strategies (RPDA, art. 2). PWDs are entitled to access public spaces, educational settings, workplaces, and government facilities, with specific engineering and architectural specifications to facilitate access, ensuring the application of accessibility requirements in the issuance or renewal of permits, including the design of internal roads, sidewalks, and parking areas (RPDA, art. 3 & 7).

The RPDA also addresses safety during emergencies, ensuring the specific needs of PWDs, including women and girls with disabilities, are considered, providing a framework for enhanced safety during such events (RPDA, art. 5). It guarantees comprehensive healthcare services tailored to their medical requirements, including preventive, therapeutic, medical rehabilitation, and home care, thus encompassing a full spectrum of care without discrimination (RPDA, art. 9). Additionally, the RPDA supports the employment of PWDs by designing tailored employment programs and adapting workplace environments to ensure genuinely accessible and equitable employment opportunities (RPDA, art. 10). It ensures access to educational and training services without discrimination by supporting individuals at all educational levels and providing strategies,

curricula, and modern diagnostic tools tailored to their needs (RPDA, art.8).

Furthermore, the RPDA ensures that PWDs can access religious sites with necessary accessibility provisions and extends social and economic support to help PWDs and their families integrate socially, thus catering specifically to the needs of women and girls with disabilities. This includes providing services designed to facilitate adaptation to disabilities and promote social integration, with specific regulations outlined for implementation (RPDA, art.11 & 15).

CRPD

The CRPD outlines several key rights and protections, particularly focusing on the rights of women and girls with disabilities. It encompasses various aspects of life, aiming to ensure that all PWD, including women and girls with disabilities, enjoy their human rights and fundamental freedoms on an equal basis with others. Article 5 of the CRPD reinforces the commitment to equality and non-discrimination, mandating that states prohibit all forms of discrimination based on disability and provide reasonable accommodation to promote equality and eliminate discrimination, thus ensuring that specific measures to achieve de facto equality are not considered discriminatory (CRPD, art. 5). The CRPD specifically recognizes that women and girls with disabilities are subject to multiple forms of discrimination, and article 6 mandates states to adopt all appropriate measures to ensure their full development, advancement, and empowerment. This is crucial for guaranteeing their full and equal enjoyment of all human rights and fundamental freedoms, as outlined in the Convention (CRPD, art. 6).

Furthermore, the CRPD requires states to protect PWD, particularly women and girls with disabilities, from all forms of exploitation, violence, and abuse, both within and outside the home. This includes adopting appropriate measures, such as gender-sensitive assistance and support, and ensuring that protection services are age, gender, and disability sensitive. Article 16 of the CRPD underscores the necessity for legislative, administrative, social, educational, and other measures to prevent such abuses and to promote the recovery, rehabilitation, and reintegration of those affected in environments that respect their dignity and autonomy, emphasizing specific needs based on gender and age (CRPD, art.16). In terms of healthcare, the CRPD guarantees that PWDs have the right to the highest attainable standard of health without discrimination, as stated in article 25. States must ensure that health services are gender sensitive and include those services needed by women and girls with disabilities, such as sexual and reproductive health. Additionally, article 25 requires that PWD receive the same range and quality of health care as others, including health-related rehabilitation and access to public health programs. It mandates that health services be available as close to communities as possible, even in rural areas, and calls for training health professionals to uphold the dignity and rights of PWD, ensuring non-discriminatory access to health and life insurance and the prohibition of any denial of care based on disability (CRPD, art. 25).

Additionally, the CRPD emphasizes the right to education for PWD, including women and girls with disabilities, without discrimination. It requires states to ensure that education systems are inclusive, providing reasonable accommodation and individualized support where needed to facilitate effective education. Specifically, article 24 of the CRPD mandates that education be accessible to all PWD and that states ensure an inclusive education system at all levels and lifelong learning by directing them to provide adequate support services tailored to the needs of PWD within the general education system (CRPD, art. 24). These provisions demonstrate the CRPD's commitment to protecting the rights and well-being of women and girls with disabilities by addressing discrimination, violence, healthcare, and education, and by encouraging states to create

inclusive and supportive environments.

Sweden

The Discrimination Act of 2008 in Sweden provides a comprehensive legal framework for protecting the rights of PWD with a focus on ensuring equal treatment and combating discrimination. This framework addresses the specific rights and protections of women and girls with disabilities.

The legislation establishes a requirement for fairness and equal access, asserting that all persons must receive equal treatment without regard to their gender identity, ethnic background, religious beliefs, physical or mental disabilities, sexual orientation, or age. It categorizes disability as any long-standing physical, mental, or cognitive impairment that limits a person's capabilities, which could be inherent, develop progressively, or emerge due to an injury or sickness (*Discrimination Act of 2008*, sec. 5). This requirement pertains to multiple areas of societal involvement including employment, educational opportunities, healthcare access, and the availability of goods, services, and housing (*Discrimination Act of 2008*, ch.2).

It prohibits discrimination due to inadequate accessibility for PWD, ensuring reasonable measures for accessibility to allow PWD to access public spaces, education, and employment on an equal footing with others (*Discrimination Act of 2008*, sec. 3). Harassment is defined as conduct that violates a person's dignity and is associated with one of the grounds of discrimination, including disability (*Discrimination Act of 2008*, sec. 4). It also addresses sexual harassment, providing a framework for addressing and preventing such conduct against women and girls with disabilities (*Discrimination Act of 2008*, sec. 4).

The legislation forbids discrimination within educational and healthcare settings, highlighting the necessity to facilitate access and accommodations for PWD (Chapter 2, *Discrimination Act of 2008*, ch. 2). It compels educational institutions and healthcare providers to implement reasonable actions to ensure access and combat any form of harassment or discrimination rooted in disability (*Discrimination Act of 2008*, sec. 5). Furthermore, the act bans discrimination in the workplace, demanding that employers make suitable adjustments for PWD. It also mandates that employers actively investigate and address any incidents of harassment or sexual harassment at work (*Discrimination Act of 2008*, sec. 1).

These provisions demonstrate Sweden's commitment to protecting the rights of women and girls with disabilities by addressing key areas of potential discrimination, such as accessibility, education, healthcare, and employment. The Discrimination Act of 2008 offers a robust legal framework that aims to promote equal rights and opportunities while preventing discrimination and harassment against PWD, with particular attention to gender-specific protections.

Non-Discrimination and Equal Opportunities

Saudi Arabia

Saudi Arabia has integrated non-discrimination principles into its legislation to ensure equal opportunities for PWD in employment, education, healthcare, and accessibility. The RPDA focuses on non-discrimination and equal opportunities, providing a framework to ensure that PWD can access services and participate in society on an equal footing with others (RPDA, art. 2). In employment, the system encourages the hiring of PWD by adapting workplace environments and implementing programs to facilitate their employment in both government and private sectors (art. 10). In education, the system guarantees access to educational and training services for PWD at all levels, including adapted curricula, training programs, and assistive technologies. It also promotes

early intervention for children with disabilities and offers opportunities for higher education and scholarship programs (art. 8). In healthcare, PWD can access various services, including preventive care, medical rehabilitation, and reproductive health. Healthcare providers must meet the needs of PWD and remove any discriminatory barriers to care (CRPD, art. 9). Additionally, the system mandates accessibility in public facilities, transportation, and communication, ensuring that PWDs can travel safely and independently (CRPD, art. 3 & 6). These provisions demonstrate Saudi Arabia's commitment to promoting equal opportunities and non-discrimination for PWD across multiple sectors.

CRPD

The CRPD establishes a framework for non-discrimination and equality, ensuring that PWDs, including women and girls with disabilities, are granted equal rights and legal protection. It emphasizes that discrimination based on disability is prohibited and mandates that states provide equal protection under the law, along with reasonable accommodation to eliminate discrimination (CRPD, art. 5). Additionally, the convention allows for specific measures to achieve or accelerate equality, ensuring that affirmative actions taken to promote equality for PWD are not considered discriminatory. The CRPD also underscores the need to address gender equality, recognizing that women and girls with disabilities often face multiple forms of discrimination. It requires states to take appropriate measures to ensure the full development and empowerment of women and girls with disabilities, guaranteeing their equal enjoyment of human rights (CRPD, art. 6). The convention further mandates states to ensure equal access to education, healthcare, and employment without discrimination based on disability (CRPD, art. 4). These principles demonstrate the CRPD's commitment to fostering a society where all individuals are treated equally and with dignity, with a robust focus on preventing discrimination, ensuring reasonable accommodation, and promoting gender equality to protect the rights of women and girls with disabilities.

Sweden

Sweden's approach to non-discrimination and equal opportunities in its PWD rights framework is comprehensive, focusing on social inclusion across employment, education, healthcare, housing, and public services. The Swedish Discrimination Act of 2008 prohibits discrimination based on gender, ethnicity, disability, sexual orientation, or age, mandating that everyone should be treated equally (*Discrimination Act of 2008*, sec. 1). This applies to employment, where discrimination against employees, job applicants, trainees, and those seeking work is banned. Employers must ensure accessibility and provide reasonable accommodations for PWD, as well as investigate and address workplace harassment or sexual harassment (*Discrimination Act of 2008*, sec. 2 & 3). In education, discrimination against children, students, and applicants with disabilities is prohibited, with education providers required to ensure reasonable accessibility and take active measures against discrimination and harassment (*Discrimination Act of 2008*, sec. 5). Sweden's disability policy underscores social inclusion and equal opportunities, with municipalities and county councils responsible for providing social services, healthcare, and accessibility under a framework that allows broad interpretation to meet individual needs (*Swedish Disability Policy*, 2009). Additionally, Sweden's national action plan for disability policy highlights the need to address discrimination and create a society where PWD can participate equally and independently (*Swedish Disability Policy*, 2009). These initiatives reflect Sweden's commitment to fostering a non-discriminatory environment that supports PWD,

ensuring they have the necessary support to engage fully in society.

Accessibility and Reasonable Accommodation

Saudi Arabia

Saudi Arabia's legal framework for accessibility and reasonable accommodation establishes provisions to ensure public spaces, education, and employment are accessible to PWD. The RPDA outlines these requirements. Public buildings and spaces must comply with accessibility standards, facilitating easy navigation for PWD, including in buildings, parking lots, and roads (RPDA, art. 3). Engineering and architectural guidelines specify minimum requirements for accessibility, such as ramps and adequate door widths. Reasonable accommodation is also a focus, with entities required to provide necessary measures to ensure PWD can access services and facilities without undue burden (RPDA, art. 1). Additionally, public and private sector entities must consider the needs of PWD in facility design and infrastructure planning (RPDA, art. 3). The right to access educational and training services is guaranteed, with adaptations in educational environments, including curriculum modifications and assistive technologies (RPDA, art. 8). These provisions underscore Saudi Arabia's commitment to creating a more inclusive environment by embedding accessibility and reasonable accommodation in its legal framework.

CRPD

The CRPD prioritizes accessibility and reasonable accommodation, setting a framework that ensures PWD, including women and girls with disabilities, can access public spaces, education, employment, and other key areas without discrimination. Accessibility is central to the CRPD, with states required to ensure that PWD can access the physical environment, transportation, information, communication systems, and other public facilities and services (CRPD, art. 9). This includes making buildings, transportation systems, and communication technology accessible. Reasonable accommodation, another crucial aspect, mandates that states make necessary adjustments to allow PWD to participate fully in various activities on an equal basis with others, without imposing undue burdens on those providing these accommodations (CRPD, art. 2). In employment, the CRPD requires employers to provide reasonable accommodation, such as adapting workplaces and offering assistive devices or technologies to enable effective work for PWD (CRPD, art. 27). The convention also ensures accessibility in education, healthcare, and other public services, with reasonable accommodation supporting the unique needs of PWD (CRPD, art. 24 & 25). This commitment to accessibility and reasonable accommodation underscores the CRPD's goal of creating an inclusive society where PWD can engage in all aspects of life without barriers, promoting equal opportunities and non-discrimination across various domains.

Sweden

Sweden's approach to accessibility and reasonable accommodation is comprehensive, with measures designed to ensure equal opportunities for PWD in various aspects of society. The Swedish legal framework mandates that public buildings and transportation systems be accessible to PWD. The Swedish Discrimination Act of 2008 requires employers to make reasonable accommodations for employees with disabilities, including adapting workplaces and providing assistive technologies to reduce barriers. Municipalities and county councils play a key role in ensuring public spaces and social services accommodate PWD, with the Swedish Disability Policy promoting accessibility in public facilities, educational institutions, and recreational areas. This

approach mandates that public buildings, roads, and other infrastructure meet accessibility standards. In education, Sweden emphasizes inclusion by offering reasonable accommodation for students with disabilities, ensuring they have access to accessible learning environments and flexible teaching methods. Education providers must comply with the Discrimination Act of 2008 requirement to make reasonable adjustments to accommodate students with disabilities. Sweden's practices demonstrate a commitment to creating an inclusive society where PWD can participate fully and equally in education, employment, and public life.

Education and Training

Saudi Arabia

Saudi Arabia's approach to education and training for PWD focuses on creating an inclusive educational system that offers supportive educational and training services. The RPDA guarantees that PWDs can access educational and training services at all levels without discrimination. This includes adapting educational curricula and providing assistive technologies to meet the specific needs of PWD (RPDA, art. 8). Additionally, the system mandates the implementation of early intervention programs for children with disabilities and provides opportunities for admission to higher education, postgraduate studies, and scholarship programs, ensuring that PWD has equal access to educational opportunities and resources (RPDA, art. 8). This comprehensive approach supports the development and empowerment of PWD within the education system.

CRPD

The CRPD places significant emphasis on inclusive education and lifelong learning, aiming to ensure that PWD can access educational opportunities equally with others. The CRPD mandates that states guarantee the right to education without discrimination and ensure an inclusive education system at all levels (CRPD, art. 24). This includes providing reasonable accommodations, individualized support, and accessible learning environments to facilitate effective education for PWD. Additionally, the CRPD underscores the importance of lifelong learning, encouraging states to promote continuous education and training opportunities for PWD, allowing them to further their skills and knowledge throughout their lives (CRPD, art. 24). The focus on inclusive education and lifelong learning demonstrates the CRPD's commitment to fostering a more equitable and accessible educational landscape for all individuals, regardless of disability.

Sweden

Sweden's approach to education and training emphasizes inclusivity and non-discrimination, with policies supporting women and girls with disabilities. Sweden's Discrimination Act of 2008 prohibits discrimination in educational settings, ensuring equal opportunities and requiring educational institutions to make reasonable accommodations for students with disabilities (sec. 5). This includes adapting teaching methods and providing assistive technologies. Sweden's national policy on disability promotes lifelong learning, encouraging continuous education and skill development for social inclusion and employment. Although specific policies focus on women and girls with disabilities, the broader framework supports an inclusive educational environment (Swedish Disability Policy, 2009). By addressing the specific needs of women and girls with disabilities, Sweden's educational approach demonstrates a commitment to equal opportunities and social integration.

Health and Social Services

Saudi Arabia

Saudi Arabia's healthcare provisions for PWD focus on providing comprehensive services that address gender-specific needs. The RPDA guarantees access to various healthcare services, including preventive care, treatments, medical rehabilitation, general healthcare, and home care, all tailored to meet the medical requirements of each disability (RPDA, art. 9). Healthcare providers must consider the needs of PWD in their services, ensuring pharmaceutical and nutritional information is accessible and removing discriminatory conditions that could limit access to full medical care and assistive devices (RPDA, art. 9). Furthermore, the healthcare provisions extend to reproductive health services and early detection programs for disabilities, emphasizing the prevention of further complications in diagnosed cases. This comprehensive approach ensures that the health and social needs of PWD, including gender-specific requirements, are addressed within the Saudi Arabian healthcare system.

CRPD

The CRPD includes several key articles that address the health and social services of PWD. Article 25 of the CRPD focuses on health and mandates that states ensure that PWDs have access to the same range, quality, and standard of healthcare as others. This includes access to health services that are gender-sensitive and consider the specific needs of women and girls with disabilities. The CRPD emphasizes that healthcare services should be provided without discrimination and that medical professionals should be trained to offer care that respects the dignity and autonomy of PWD. Furthermore, the CRPD underscores the importance of social services in supporting the inclusion and full participation of PWD in society. Article 26 encourages states to provide early intervention and comprehensive habilitation and rehabilitation services to support the physical, mental, and social well-being of PWD. These provisions highlight the CRPD's commitment to ensuring that health and social services are accessible, inclusive, and non-discriminatory for all PWD.

Sweden

Sweden's healthcare policies for PWD focus on providing comprehensive services, including gender-sensitive approaches, to meet their diverse needs. The Discrimination Act of 2008 mandates that healthcare providers make reasonable accommodations for PWD, ensuring they have equal access to healthcare services without discrimination (sec.2). This includes ensuring that women and girls with disabilities receive appropriate care, considering their specific needs. Additionally, Swedish healthcare policies promote accessibility and social inclusion, emphasizing that public healthcare facilities and services should be designed to be inclusive and accommodating to PWD, contributing to a more equitable healthcare system (Swedish Disability Policy, 2009). These gender-sensitive approaches ensure that women and girls with disabilities receive the necessary healthcare and social services.

Enforcement and Penalties

Saudi Arabia

Saudi Arabia upholds the rights of PWD with a regulatory framework that specifies sanctions for any infringements and includes established procedures for enforcement. Sanctions for infringing on the rights of PWD, which may include physical, mental, or financial harm, neglect, or other forms of maltreatment, are detailed in article 21 of the RPDA. These sanctions

range from fines to imprisonment, for instance. Penalties may include imprisonment for up to two years or fines up to five hundred thousand Saudi Riyals, or both, with penalties increasing if the affected PWD is either a child or elderly (RPDA, art. 22). The enforcement of these regulations is managed by the Public Prosecutor's Office, which handles the investigation of such violations and initiates legal action in the appropriate courts (RPDA, art. 24). Courts have the authority to mandate the publication of a judgment summary at the expense of the violator based on the violation's severity and context (RPDA, art. 23). The framework also ensures specific protections based on gender. The offenses are considered more severe when involving girl children and elderly women with disabilities. The legal framework specifically recognizes the compounded vulnerability of these groups, who may face increased risks due to both their gender and disability. This recognition is reflected in the imposition of more severe penalties for offenses against girl children and elderly women with disabilities to deter potential violators and provide a stronger protective measure for these particularly vulnerable populations.

CRPD

The CRPD implements a detailed system for enforcement and monitoring. Article 33 of the CRPD details the structure for national implementation and oversight, compelling states to appoint specific entities within their governments to oversee the application of the CRPD. Furthermore, it requires the creation of an infrastructure, inclusive of an autonomous agency, to advocate for, safeguard, and observe the execution of the CRPD. This agency must adhere to established norms for national bodies dedicated to human rights, ensuring that the monitoring is conducted fairly and independently (CRPD, art. 33). Moreover, the CRPD highlights the critical involvement of civil society, especially PWD and their advocacy groups, in the monitoring and enforcement processes, guaranteeing their complete engagement and active participation. This holistic strategy provides a robust framework to monitor the faithful implementation of the CRPD and to verify adherence to its mandates.

Sweden

In Sweden, the enforcement of PWD rights is rigorously maintained through the Discrimination Act of 2008, which delineates and prohibits various forms of discrimination, including those specifically affecting women, such as sexual harassment and gender-based discrimination (sec. 4). The Equality Ombudsman (DO) plays a critical role in overseeing compliance, with the authority to investigate, process complaints, and litigate on behalf of victims, ensuring offenders face financial penalties or other corrective actions for non-compliance (*Discrimination Act of 2008*, sec. 1, 3 & 5). Furthermore, the Board against Discrimination can impose financial penalties, reinforcing the system that holds entities accountable for upholding gender-focused and broader PWD rights, thus supporting a framework that addresses gender-specific enforcement and promotes legal adherence (*Discrimination Act of 2008*, sec. 4 & 7).

International Cooperation and Compliance

Saudi Arabia

Saudi Arabia aligns with international standards and conventions regarding PWD rights, particularly the CRPD. The country has made significant efforts to comply with international agreements, demonstrating its commitment to enhancing the rights and well-being of PWD. Saudi Arabia's government has taken various measures to ensure international cooperation and compliance with the CRPD, including integrating PWD rights into its legal framework and

promoting the inclusion of PWD in education, employment, healthcare, and public services (RPDA, art. 2). This approach also aligns with the Marrakesh Treaty, facilitating access to published works for persons with visual impairments or other disabilities. By embracing international cooperation and compliance, Saudi Arabia aims to provide a more inclusive society for PWD.

CRPD

The CRPD emphasizes international cooperation and compliance, fostering a global framework that encourages states to work together to improve the rights of persons with disabilities (PWD). It mandates that states actively engage in international cooperation to promote research, training, awareness, and the sharing of best practices, aimed at enhancing the lives of PWD and promoting greater accessibility, inclusion, and participation in society (CRPD, art. 32). Additionally, the CRPD's compliance requirements ensure that states uphold their obligations under the convention, with regular reporting and monitoring processes in place. States must submit reports to the CRPD Committee detailing their progress in implementing the convention's principles and practices (, CRPD, art. 35). This committee reviews the reports, provides feedback, and may request additional information to ensure compliance. States are also encouraged to collaborate with international organizations, such as the United Nations, to strengthen their implementation efforts (CRPD, art. 34). Overall, the CRPD's focus on international cooperation and compliance provides a comprehensive framework for promoting and monitoring the rights of PWD worldwide, aiming to create a more inclusive global community that supports the rights and well-being of PWD.

Sweden

Sweden's active participation in international cooperation to advance the rights of PWD aligns closely with its obligations under the Convention on the CRPD. Committed to the CRPD's principles (CRPD, art. 32), Sweden engages with other nations and international organizations to promote best practices and enhance the inclusivity of PWD through research, training, and awareness programs (Swedish Disability Policy, 2009). The nation's legal framework, particularly the Discrimination Act of 2008, embodies compliance with CRPD standards by emphasizing non-discrimination, accessibility, reasonable accommodation, and social inclusion. Furthermore, Sweden regularly reports to the CRPD committee, detailing its adherence and progress towards the convention's mandates (CRPD, art. 35), exemplifying its dedication to fostering PWD rights both domestically and internationally (CRPD, art. 33).

Findings and Analysis

The comparison of Saudi Arabia's legal framework with the CRPD and Sweden's approaches reveals both areas of strength and gaps in the existing system, as well as insights into best practices.

Saudi Arabia Compared to CRPD

Saudi Arabia's framework for PWD rights aligns with the principles of the CRPD in several ways, including its emphasis on non-discrimination, accessibility, and reasonable accommodation. The RPDA underscores these principles, providing specific protections for PWD in various contexts such as employment, education, and healthcare. This demonstrates Saudi Arabia's commitment to international standards of PWD rights. However, the CRPD also requires

broad measures for gender equality and specialized provisions for women and girls with disabilities. Saudi Arabia's existing framework could benefit from a more explicit focus on gender-specific needs, as highlighted by the CRPD, which mandates states to take specific measures to ensure the development and empowerment of women and girls with disabilities (CRPD, art. 6).

Saudi Arabia Compared to Sweden

Sweden's approach, known for its progressive PWD rights policies, places a strong emphasis on non-discrimination, accessibility, and reasonable accommodation. The Swedish Discrimination Act of 2008 provides a robust legal framework to protect PWD, mandating active measures from employers and education providers to prevent discrimination. Sweden also has dedicated institutions like the Equality Ombudsman (DO), which plays a significant role in monitoring compliance with anti-discrimination laws. In contrast, Saudi Arabia's enforcement mechanisms are more centralized, focusing on penalties and fines for violations. This comparison suggests that Saudi Arabia might enhance its framework by adopting a more proactive approach to monitoring compliance, like Sweden's model.

Identification of Gaps and Best Practices

The examination of Saudi Arabia's legal framework for PWD reveals significant gaps, particularly in enforcement and monitoring mechanisms and in addressing gender-specific issues affecting women and girls with disabilities. Drawing from the CRPD and Sweden's models, which utilize independent bodies like the CRPD committee and the Equality Ombudsman (DO) for better accountability, Saudi Arabia could benefit from establishing similar institutions to strengthen compliance. Moreover, while Saudi Arabia provides broad protections, the specific challenges faced by women and girls with disabilities require more focused solutions, as recommended by the CRPD. Adopting best practices from Sweden, such as proactive reasonable accommodation, detailed anti-discrimination measures, and inclusive social policies, could significantly enhance Saudi Arabia's approach, ensuring both broader protection and targeted support for women and girls with disabilities.

Overall, the findings suggest that while Saudi Arabia has made significant progress in advancing the rights of women and girls with disabilities, there are opportunities to strengthen its legal framework by adopting best practices from international standards and progressive approaches like Sweden's. These enhancements could lead to a more inclusive and equitable environment for women and girls with disabilities in Saudi Arabia.

Recommendations

To ensure that Saudi Arabia's legal reforms effectively support the unique needs of women and girls with disabilities, this section outlines targeted recommendations that align with international standards, particularly the CRPD, and draw on successful global practices. These suggestions aim to enhance both legal frameworks and practical implementations to foster a more inclusive society.

1. Legal Reforms:

Gender-Specific Legal Protections: Amend existing disability laws to explicitly address the specific needs of women and girls, such as protections against gender-based violence and access to comprehensive reproductive health services. This could involve integrating guidelines that mandate the training of healthcare providers in gender-sensitive approaches to disability care.

Policy Formulation: Develop and implement policies specifically targeting the economic empowerment of women and girls with disabilities. These should include programs that promote their participation in high-demand economic sectors, provide startup grants for women-led enterprises, and establish partnerships with the private sector to ensure sustainable job placements.

2. Implementation Strategies:

Training Programs: Implement comprehensive training programs for public officials, educators, and private sector employees to increase awareness and understanding of the rights and needs of women and girls with disabilities. This training should cover legal obligations, respectful communication, and ways to adapt services to be more inclusive.

Monitoring and Evaluation: Establish a robust gender-responsive monitoring framework that regularly assesses the effectiveness of policies and programs aimed at women and girls with disabilities. This framework should involve feedback mechanisms that allow for the participation of women with disabilities in policy evaluation, ensuring that their experiences directly inform policy adjustments and enhancements.

3. Enforcement Mechanisms:

Legal Advocacy: Strengthen and fund legal advocacy services that support women and girls with disabilities in accessing justice. This could include the establishment of specialized legal aid centers that offer services tailored to the challenges faced by women with disabilities, ensuring that they have recourse in cases of discrimination and rights violations.

Community Engagement: Enhance the involvement of organizations led by women with disabilities in the legislative process. Support these organizations with resources and platforms to ensure that their voices are not only heard but are influential in shaping laws and policies. This should include regular consultations and the inclusion of representatives from these organizations in governmental advisory boards.

Thus, by implementing these detailed actions, Saudi Arabia can better align its policies with international norms and ensure that the rights and opportunities for women and girls with disabilities are fully realized, contributing to a more equitable and inclusive society.

Conclusion

This research evaluates Saudi Arabia's legal framework for advancing the rights of women and girls with disabilities by comparing it to international standards like the United Nations CRPD and Sweden's progressive policies. While Saudi Arabia has made considerable progress in developing a comprehensive legal framework that emphasizes non-discrimination, accessibility, and reasonable accommodation for PWD, the study reveals critical gaps in enforcement mechanisms and gender-specific protections. These shortcomings suggest a need for a more proactive approach and an explicit focus on the unique challenges faced by women and girls with disabilities.

Sweden's model, highlighted by its Discrimination Act of 2008, offers robust protections against discrimination and mandates active measures to promote equality, serving as a valuable benchmark. The role of Sweden's Equality Ombudsman (DO) in monitoring compliance with anti-discrimination laws presents a potential model for Saudi Arabia to enhance its enforcement strategies. The comparative analysis suggests that integrating aspects of Sweden's approach could strengthen Saudi Arabia's efforts in safeguarding the rights of women and girls with disabilities.

The study recommends that Saudi Arabia refine its legal framework to include stronger gender-specific protections and improve enforcement mechanisms. This includes expanding reasonable accommodation requirements and fostering broader social inclusion policies. Establishing independent monitoring bodies, enhancing regular reporting, and engaging in international collaboration are also critical for supporting these reforms. By adopting these best practices, Saudi Arabia can make significant strides towards a more inclusive and equitable society, ensuring that women and girls with disabilities can participate fully and equally in all societal aspects.

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