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Human Rights Advocates Warn: New Saudi Labour Laws Won't Address Pandemic Misery for Migrant Workers

Equidem urges Saudi government to address discriminatory laws and policies that place millions of migrant workers at risk of modern slavery

LONDON — Equidem, a charity dedicated to promoting the human rights of the most marginalised globally, is warning that new labour laws taking effect in Saudi Arabia today do not adequately protect or improve conditions for migrant workers in the Kingdom. Saudi Arabia hosts the third-largest migrant population in the world; foreign workers account for about a third of Saudi Arabia's 30 million population and more than 80 per cent of the kingdom's private-sector workforce. These workers are prone to exploitation and abuse, and those harms have been exacerbated by the COVID-19 pandemic. The Saudi government announced a series of labour reforms last year that take effect today. But the new laws do not address the systematic discrimination, weak enforcement, and prohibition on migrant workers joining or forming a union that currently leaves millions at risk of modern slavery.

"Passage of laws alone will not improve conditions for migrant workers," said Mustafa Qadri, founder and executive director of [Equidem](https://www.equidem.org). "Saudi Arabia has historically allowed conditions to flourish that lead to the abuse, exploitation, and dehumanization of migrant workers. The pandemic has rapidly worsened conditions for workers, but these new laws simply do not address the root of the problem. We have heard from workers about what they're experiencing, and we know what needs to be done to enact real change. Our hope is that Saudi Arabia chooses to put some action behind its rhetoric and show the world it's serious about improving conditions for migrant workers."

Specifically, Equidem is calling on the Saudi government to:

- Allow all categories of workers to exercise their rights to freely change their employer and leave the country as and when they wish to.
- Remove the crime of absconding from Saudi law, and put in place protections against retaliation from employers for workers who make complaints about their treatment, or seek to change jobs or leave the country.
- End the racial discrimination of migrant workers by providing employment, health and other protections and benefits to all women, men, and children without distinction, exclusion, restriction or preference based on race, colour, descent, national or ethnic origin, gender or sexuality.
- Ensure all migrant workers are paid the wages and other benefits owed to them, including the women and men who are no longer based in the country.
- Increase efforts to raise worker awareness of their rights and avenues for support and redress, including with respect to labour disputes and access to health care.
- Recognise migrant workers' right to join and form a trade union and collectively bargain through the passage of legislation.
- Provide long-term migrant workers with a path to seek permanent residency and citizenship if they so choose.

Saudi Arabia's labour reforms

Previously, migrant workers in Saudi Arabia were required to be sponsored by an employer to work in the country. They had to seek the permission of their employer to change jobs, open a bank account, travel out of the country and do other administrative tasks. The new laws appear to eliminate these restrictions for migrant workers employed in the private sector in certain types of jobs, such as construction, hospitality, oil and gas, and infrastructure works. However, the labour reforms do not apply to nearly 4 million women and men working as domestic workers, farmers, gardeners, drivers, and security guards, as well as those on short-term visas. Workers in these sectors are among the most at risk from modern slavery and other labour exploitation.

All migrant workers will still need to seek permission from the Ministry of Human Resources and Social Development to leave or enter the country, and can only transfer to another job after a year of employment or at the end of their contract. It remains a crime for migrant workers to 'abscond' from their employer, and employers can easily report an individual as an abscondee (known as a 'huroob'). This immediately invalidates their work visa and places them outside the protection of the labour law.

"Saudi authorities still have a long way to go. For these reforms to be effective they must be applied to all workers, across all sectors and visa categories, and adequately enforced. Employers and others who seek to restrict worker rights must be sanctioned. Otherwise these reforms will have little impact on the rights and livelihoods of millions of workers in Saudi Arabia," Qadri said.



Discriminatory response to COVID-19

When the pandemic hit last year, the Saudi government moved quickly to protect the jobs of Saudi nationals – introducing a \$2.4 billion furlough scheme, allocating \$1.4 billion in human resource funds,

and allocating extra government aid. But none of these measures extended to migrant workers, setting up a discriminatory system. Research carried out by Equidem in Saudi Arabia indicates that the changes created an enabling environment for employers to reduce or simply not pay the wages for thousands of workers during the height of the pandemic. These practices cut across sectors, with Equidem documenting cases involving workers in large, medium and small enterprises in oil and gas, hospitality, health services, construction and domestic work.

“The government dramatically worsened the inequities and abuse facing migrant workers by enacting a policy that effectively allowed employers to reduce employee salaries, place them on unpaid leave, or terminate contracts. The move weakened protections for migrants under Saudi labour law because, in the absence of workers able to exercise the freedom of association rights, workers were in no position to challenge the terms offered by their employers,” Qadri said.

“No business, big or small, international or local, can escape exposure to modern slavery and discrimination in the Saudi labour market. If Saudi Arabia does not act quickly to address the significant gaps in the new labour laws, businesses will be mired in a toxic environment for human rights,” Qadri said.

Equidem’s work on Saudi Arabia and the Gulf countries

Last year Equidem released a report, [The Cost of Contagion](#), which highlighted the lived experiences of women and men migrant workers in the Kingdom who spoke of the financial ruin, destitution and psychological impact of unpaid wages, poor accommodation, and inadequate access to medical care while COVID infection rates soared across the country. The report is the largest independent study into the human rights impacts of COVID on migrant workers in the Gulf. It includes the stories of 15 migrants working for Saudi Aramco, the world’s largest oil company. The men employed by six different sub-contractors said their companies failed to pay wages for several months, even after months of pleading.