

Saudi Arabia acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) on 23 September 1997 and claimed to be aligned with international standards and conventions. However, ADHRB denounces the Saudi authorities' poor commitment to CERD obligations as the country *de facto* pursues discriminatory practices against racial and ethnic minorities especially migrant workers, female domestic workers, Saudis of African background as well as migrants facing execution.

Article 2 Paragraph 1 of CERD commands that States Parties “condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms” and Article 6 claims that State Parties shall “assure to everyone within their jurisdiction effective protection and remedies, through the competent national tribunals and other State institutions, against any acts of racial discrimination.” However, Amnesty International’s ‘The State of the World’s Human Rights’ 2024 Report underlines the ongoing violations to human rights and freedoms carried out by the Saudi authorities. Migrant workers still face abuse and exploitation and find their rights to freedom of expression and association highly restricted.

The Kingdom claims to respect equal rights for non-citizen workers and non-discrimination, yet millions of migrant workers are still subjected to exploitation and forced labour. Many migrants, including from the Philippines, India, and Bangladesh have often seen their salary reduced, their passports confiscated by their employers and have faced psychological or physical abuse. For example, Bangladeshis are charged the highest rates when it comes to paying fees to recruitment agents for their jobs in Saudi Arabia.

The Government of Saudi Arabia sustains the rights of migrant workers to the freedom of movement. However, migrant workers have limited freedom of mobility, due to the *kafala* system which is the root cause of the violations of migrant workers’ rights and freedoms. Dozens of Nepali migrant workers are [subjected](#) to serious human rights abuses and they find their wages withheld by third-party contractors who often do not provide the workers with the required documents to allow them to change jobs or leave the country.

This visa sponsorship program [gives](#) extensive powers to employers and leaves workers vulnerable to abuse as the 1969 labor law establishes that all migrants working in Saudi Arabia are required to have a private sponsor in order to legally enter and work in the kingdom. The sponsor is frequently the migrant’s employer, thereby the system has facilitates the illegal employment of many migrants, particularly in construction and domestic work.

Migrant workers are vulnerable to exploitation due to their isolation and reliance on their employers and they face physical, sexual abuse. Tuti Tursilawati, an Indonesian domestic worker was executed in 2018 after she was convicted of murdering her employer while she was defending herself from sexual assault.

Article 47 of the Basic Law of Governance stipulates that: “All citizens and residents of the Kingdom of Saudi Arabia have an equal right to take legal action”, yet Saudi Arabia’s complaint

system is futile due to the multiple process violations within the judicial system such as the long proceedings, unfair trial, no legal assistance, pressure to sign confessions, and ineffective translation services. Also, impunity for security forces remains a serious problem.

Migrant workers often live isolated which makes it difficult to seek help and when they attempt to leave without their employer's consent, migrant workers often experience severe consequences, including arbitrary detention and deportation. A notable case of this is the forced deportation of migrants from the Kingdom. Nearly 70,000 Bangladeshi migrant workers were forcibly [deported](#) in 2022 and many argued that their residence permit was not renewed with notice from their employer while others were deported regardless.

In August 2020, Human Rights Watch [identified](#) three detention centers where thousands of Ethiopian migrants were being detained in appalling conditions and many were ferociously beaten. Starting from March 2022, 100,000 Ethiopians were to be [returned](#) from Saudi Arabia and all of them were detained while awaiting deportation.

Also, HRW reported that the Saudi government perpetrated killings of hundreds of Ethiopian migrants and asylum seekers who tried to cross the Yemen-Saudi border between March 2022 and June 2023. All these atrocities violate the UN Convention Against Torture, to which Saudi Arabia is bound.

Moreover, migrant workers are disproportionately punished for non-violent crimes such as drug offenses and criticism of the Kingdom for which they can obtain capital punishment practices. On March 12, Hussein Abu al-Khair, a Jordanian citizen working as a driver in Saudi Arabia, was [executed](#) after being charged of drug smuggling using a confession allegedly obtained under torture according to Human Rights Watch (HRW).

Saudi Arabia has professed to [engage](#) in different labor reforms to guarantee more rights to migrant workers and uphold CERD obligations. However, the country's recent efforts to limit racial discrimination have been insufficient and its enforcement of relevant laws is weak or absent. Migrant workers are still excluded from the labor law and are endangered by the sponsorship system which makes them the least protected people in the country.

Conclusion

The Saudi government has not established effective support and adequate measures for migrant workers facing racial discrimination, as current complaint mechanisms and the legal system disadvantage workers. As a State Party to CERD, Saudi Arabia must end all forms of racial discrimination, adequately investigate these abuses, and comply with the principles underpinning the CERD.

Instead of the kafala system, the country must abolish this modern practice of slavery and clarify the procedures and regulations within the new labour reforms as well as carefully monitor the companies and industries that rely on migrant workers.

Finally, the international community must tackle the problem with determined action and denounce Saudi Arabia for its abusive migrant labor practices and persistent kafala sponsorship system. States should work with Saudi Arabia to guarantee that it aligns with high standards for the treatment of migrants.