القسط
ALQST
For Human Rights لحقوق الإنسان

After the *Kafala* Reforms:
The Harsh Reality for Migrant Workers in Saudi Arabia



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1. Executive summary

On 2 March 2025, the Saudi authorities published a lengthy description of purported reforms to the kingdom's labour laws and regulations, including the claim that the kafala sponsorship system had been abolished and replaced with a "contractual relationship improvement initiative" aiming to strengthen workers' rights and prevent exploitation. The main changes to the system, as reported by the official Saudi Press Agency, were supposedly intended to increase workers' freedom of movement and protect them from wage theft and other egregious violations of their rights. The announcement also outlined the use of digital contracts and platforms, and the implementation of a digital Wage Protection Programme.

No date was mentioned, but the article appeared to refer to reforms announced in previous years, notably the Labour Reform Initiative of 2021. No apparent new reforms were put forward, and so the "news" was met with scepticism from labour rights activists, some of whom saw it as a bid to enhance the kingdom's image ahead of hosting the 2034 FIFA World Cup.

In this report, which includes some harrowing case studies, ALQST reviews the extent to which the published labour reforms have or have not improved the lives and conditions of Saudi Arabia's estimated 14 million migrant workers. It describes how the *kafala* system has operated since the 1950s, and the exploitation and abuses it has facilitated, tightly restricting worker mobility and the freedom to change jobs. It examines the power imbalance between Saudi employers and their foreign workers and the consequences of this in terms of one-sided contracts, hazardous working conditions, discrimination in the workplace, vexatious accusations as a mechanism for wage theft, and extortion of illegal recruitment fees.

ALQST's report highlights the special vulnerabilities of domestic workers not covered by even the poorly enforced Labour Law applying in most other sectors, and the lack of access to justice for migrant workers who live under constant threat of deportation. It notes that maintaining such dismal conditions for migrant workers has knock-on effects for Saudi workers too, by depressing labour standards across the economy, undercutting wages, and normalising poor working conditions for all.

The report concludes that over the past five years in Saudi Arabia, despite official claims to have transformed labour relations, given workers new freedoms, and tackled exploitative practices such as wage theft, little has changed in reality for the majority of migrant workers. It raises a further concern, namely that publicising the purported reforms may persuade prospective workers to move to Saudi Arabia under the false assumption that the well-known abusive practices of the past have now been outlawed, leaving them unprepared for the serious risks and exploitation to which they may still be exposed.

2. Introduction

On 2 March 2025, the Saudi authorities announced that the *kafala* sponsorship system had been abolished and replaced with a "contractual relationship improvement initiative" aiming to strengthen workers' rights and prevent exploitation. The main changes to the system, as published by the official Saudi Press Agency, were supposedly intended to increase workers' freedom of movement and protect them from wage theft and other egregious violations of their rights. The announcement also outlined the use of digital contracts and platforms, and the implementation of a digital Wage Protection Programme first introduced in 2013 and scheduled for final rollout in 2020.

The announcement stated that over one million workers would benefit from the new contractual system, a figure that accounts for around 7% of migrant workers, but did not explain who it would cover, or why it would not cover everyone. It remains unclear whether either the contractual system or the Wage Protection Programme is a new initiative or simply builds on reforms introduced since 2020. The statement also provided little detail on how digital contracts and platforms would prevent different types of violations against workers. The announcement was met with scepticism from labour rights activists, some of whom saw it as a bid to enhance the kingdom's image ahead of hosting the 2034 FIFA World Cup. In this report, which includes some harrowing case studies, ALQST reviews the extent to which the published labour reforms have or have not improved the lives and conditions of Saudi Arabia's estimated 14 million migrant workers.

The *kafala* system makes foreign workers dependent on their Saudi employers' sponsorship for the right to remain in the country, as well as the right to leave, making them acutely vulnerable to all kinds of exploitation and abuse. This has not meaningfully changed under the new arrangements, and the protective measures that were announced are generally not being implemented or enforced. More than a year later, employers widely continue to exploit loopholes in the regulations and commit major violations with impunity. An ALQST survey of migrant workers between March and May 2026 found that almost 80% of respondents had suffered violations of their rights.

This discrepancy between published labour reforms – unenforced by the authorities – and the reality experienced by workers on the ground gives rise to two further concerns. One is that it may allow major companies involved in large projects to evade claims of liability for unjust practices and dangerous working conditions by arguing that they operate within a modernised, fair, system – even though this does not apply in practice to the average worker. The second concern is that the spread of misleading media reports that the notorious *kafala* system has ended may encourage prospective workers to come to Saudi Arabia under the false assumption that they will no longer risk exploitation and abuse, leaving them all the

more vulnerable to situations for which they are unprepared.

Saudi Arabia's migrant workforce under the kafala system

Saudi Arabia has relied heavily on migrant workers since the oil boom of the 1950s. While the main sectors employing migrant workers have changed over the decades, some industries have consistently been heavily dependent on migrant workers. These include construction, domestic work and agriculture. As the country has developed, sectors such as healthcare and hospitality have also become increasingly reliant on migrant labour.

According to Saudi Arabia's General Authority for Statistics, during the second quarter of 2025 there were about 14 million migrant workers registered as working lawfully in the country alongside 4 million Saudi nationals, in both the public and the private sector; foreigners made up 72% of the workforce. At the time of the last census, conducted in 2022, 41.6% of Saudi Arabia's population were foreign nationals, with individuals from Bangladesh, India, Pakistan, Yemen and Egypt making up 67.9% of all foreign residents in the country. Official figures put the median monthly income for migrants in 2023 at US$365.70 a month.

Until very recently, the vast majority of these foreigners were either employed under the *kafala* sponsorship system, which ties a worker's residence permit to a specific employer, or were family members of those workers. The structural imbalance embedded in the system gives employers, as sponsors, enormous power over their employees, many of whom have already taken on huge debts simply to reach Saudi Arabia and desperately need to earn money to support family members back home. For decades, with already weak protection measures not being enforced, Saudi sponsors have commonly exploited and abused these vulnerable migrant workers through wage theft, unsafe working conditions, excessive working hours, and in some cases physical and sexual abuse. Domestic workers, isolated and unseen in their employers' homes, are particularly vulnerable.

It was therefore a hopeful sign when, in March 2025, the Saudi authorities implicitly acknowledged some of these problems by announcing that the kafala system had been abolished and replaced by a contractual system and mechanisms to prevent exploitation – although still keeping residence permits linked to sponsors. The main aims of the changes, as announced by the Ministry of Human Resources and Social Development and published by the Saudi Press Agency, were to increase workers' freedom of movement and address wage theft, among other major violations. This was to be achieved through a raft of detailed measures, several of them based on digital government platforms. In theory, these appear to support the authorities' claim to be progressively aligning labour laws with international best practice. However, more than a year on from the announcement, the labour system continues to operate largely as before, and the reforms under discussion are in many cases not being implemented or can be easily got round by employers finding loopholes. As such, with no effective protection from reprisals by a sponsor, the system preserves a form of contractual captivity rather than creating genuine freedom and protection.

3. Freedom of movement, and freedom to change jobs

The next two sections of this report examine aspects of the Saudi labour system where new freedoms and protections for workers have officially been introduced, and assess their impact to date.

One of the main purposes of the new system is to improve worker mobility: the freedom of migrant workers to move about freely, change jobs, and leave Saudi Arabia without requiring their employer's consent. One of the most heavily criticised features of the previous *kafala* system was that workers could not leave the country without an exit permit from their sponsor, even after their work contract had ended or when facing serious violations of their rights. Notoriously, sponsors might confiscate their passports and refuse to pay them benefits included in their contracts, such as return flights and end-of-service bonuses, which they could not afford to leave without. They could thus be virtually held hostage without any redress.

Reforms to the system now allow a worker to leave the country when their contract ends without a permit from the sponsor. However, if they wish to leave the country during the period of their contract, for a holiday or any other purpose, workers must apply through a government website, available only in Arabic and English, and pay a nonrefundable processing fee of SAR 200 (US$53). The sponsor then has ten days in which to object to the request, for example by claiming to believe that the worker does not intend to return and complete their contract. An objection of this kind can be sufficient to prevent the worker from leaving the country.

The system therefore remains open to abuse. Although passport confiscation is nowadays prohibited under Saudi law, the practice remains common and employers are rarely investigated or fined by the authorities. ALQST has heard of employers requiring workers to sign receipts acknowledging payment of money they never received as a condition for not objecting to their request for an exit visa. Others have demanded that workers find a colleague to act as guarantor, agreeing to compensate the employer financially if the worker does not return and complete their contract.

One of the main reforms that the announcement highlighted is that workers can now change employers at the end of their contract if they secure a new job. In theory they can also change employers before this, but only after a minimum of 12 months in their original job, or six months in the case of domestic workers. They must, however, compensate their current employer for the remainder of the contract, pay any contractual penalties, and

meet any other financial obligations set out in the employment contract. These are onerous conditions, and in practice they significantly limit workers' ability to change employers. Most migrant workers are signed up when arriving in the country to two-year contracts that tend to include hefty fines for leaving the employment.

A prospective new employer also has to pay a transfer fee, starting at SAR 2,000 (US$530) for a first transfer and rising to SAR 10,000 (US$2650) for subsequent transfers, in addition to a new residence permit needing to be issued and paid for, at a cost of SAR 650 (US$173.51) for most workers, and an additional fee if there is a change of occupation. The fact that these transfer fees and other costs are meant to be borne by the new employer makes workers wishing to switch jobs uncompetitive in the labour market and may deter potential employers from hiring them. There are also documented cases of employers pressuring workers to pay these enormous costs themselves, sometimes amounting to four times the average monthly wage for non-Saudi workers. ALQST has documented cases of workers being scammed by individuals or intermediaries claiming to be sponsors looking for workers, who take these payments from them and then disappear without completing the transfer process, leaving the workers at risk of deportation.

Work contracts

Migrant workers typically enter Saudi Arabia after securing a sponsor who agrees to provide them with employment. Unlike Saudi nationals, who can be employed on open-ended contracts, migrant workers have to be employed on fixed-term contracts, most commonly lasting two years from the start of employment. Under labour regulations, the employer must upload the contract within 90 days to Qiwa, the government's workforce management services portal, and issue a work permit for the employee. If the employer fails or refuses to complete the process within that time, the worker will be issued with a final exit visa.

During this period workers sometimes come under pressure to sign a contract for lower pay and benefits than originally indicated, or for a longer period, or for a completely different job, sometimes one for which they are overqualified and from which they will not be able to earn or advance their careers as much as they were promised. Some who arrived in the country with a domestic work contract have reported finding they were expected to work instead for a business, with the nature of their work not as described in their contract. And some employers prefer to register employees, incorrectly, as domestic or agricultural workers in order to take advantage of the looser regulations covering these sectors.

All of this helps to explain why workers on two-year contracts might want to break those contracts early and find a more suitable job with another employer, on more equitable terms. But Saudi labour law relies heavily on the binding nature of contracts, meaning that both parties are bound by the terms they sign. There are known cases where the employer has used the 90-day period to pressure the worker to sign another contract on lower pay and benefits, threatening to report the worker as unfit for the position or as having absconded,

either of which could lead to deportation with no possibility of switching sponsors. ALQST has documented cases where employers have delayed registration right up to the 90-day deadline, leaving workers with almost no possibility of finding alternative employment or challenging the terms of their contract in the labour courts. Even in the unlikely event that the court finds in the worker's favour (see section 6 below on the barriers to accessing justice), the employer may retaliate by issuing them an exit visa and forcing them to leave the country.

This would represent a catastrophic outcome for most migrant workers, who have frequently incurred significant upfront costs to come to Saudi Arabia, often financed through debt, including for medical tests, travel expenses, and (illegal) recruitment fees. The Business and Human Rights Centre discovered a few years ago, for example, that Kenyan workers were paying up to US$1,770 USD to go to work in Saudi Arabia and other Gulf countries. Leaving early would therefore mean returning home in a financially precarious situation, and so they remain trapped in abusive or even dangerous conditions.

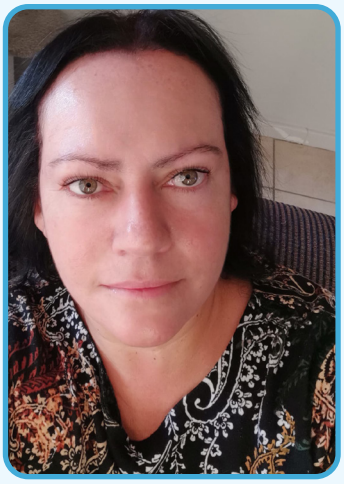
Another common practice is forcing a worker to sign a voucher for receipt of cash (*sanad qabd*), often under threat or coercion, for money they have not received. This is a legally binding document that says the worker has received a certain amount of money from the employer and has to pay it back at some point. Once signed, the employer can then use it to restrict the worker's ability to leave the country or change jobs until the alleged debt is repaid.

Migrant workers are placed at a significant disadvantage in the negotiation of contracts and other legal documents. Article 9 of the Labour Law states that Arabic is the only official language for employment contracts, and if a translated version is provided, the Arabic version remains the legally binding text. This has allowed some unscrupulous employers to write terms into the Arabic text regarding wages, working hours or penalties that differ significantly from what is explained to the workers in their native languages.

The law imposes hefty financial penalties on workers who terminate a valid contract early, except in very limited circumstances where they can prove to the satisfaction of the Saudi courts that they have suffered a grave violation of their rights, such as not getting paid their wages for three consecutive months, or having been falsely accused of absconding or being absent from work. In any case, even if a worker succeeds in terminating their contract on these grounds, this does not necessarily entitle them to transfer to another employer: workers must still satisfy the conditions governing job mobility, including any minimum employment period required before changing employers, otherwise they are required to leave the country.

For more on the lack of access to justice for migrant workers, and the threat of deportation, see section 6 below.

Case study:
Trapped in Saudi Arabia with no money



Pearl Blignaut arrived in Saudi Arabia in August 2025, just a few months after the new contract system was re-introduced. She had accepted a teaching job that promised a salary of SAR 8,400 per month, accommodation, and 50% of her child's school fees. She was also promised reimbursement for her plane ticket and the cost of her visa on arrival.

For weeks, Pearl's employer kept giving excuses for delays in reimbursing her for her ticket and relocation costs. In October, she was informed that she personally would have to pay for her *iqama* (residence permit), work permit, visa fees and her child's full school fees, despite having been promised that these costs would be covered, and the law stating that employers are responsible for visa and work permit fees. The employer also paid Pearl less than her full salary by manipulating attendance records to make it look as if she had missed work.

On 4 November, after she filed a complaint with the labour court regarding delayed wages and changes to her work contract, her employment was terminated. She was issued a final exit visa, and given an eviction notice ordering her family to leave their accommodation, while her labour case was still ongoing. A few days later, the employer cancelled the exit visa and transferred her sponsorship to another company – without her consent. Pearl objected and asked for the exit visa to be immediately reinstated, but the employer ignored her repeated requests. Pearl, her husband and her 11-year-old son were essentially held hostage for a month, trapped in Saudi Arabia with no money to take care of their basic needs, and in complete despair, before the final exit visa was eventually reissued.

Fearing that she and her family could be sent to a detention and deportation centre, Pearl and her family left Saudi Arabia in December without waiting for a resolution through the court. She has still not received full compensation for her unpaid wages and entitlements, and she no longer has access to Najiz, the online platform she needs to access to follow up her legal claims.

4. Protection from abuse and exploitation

Together with worker mobility, as discussed above, the second area of reform highlighted by the Ministry of Human Resources and Social Development (MHRSD) in March 2025 was a framework of measures to protect the rights of workers. The Ministry referred specifically to wage theft, said to be addressed by an electronic Wage Protection Programme, and mentioned other areas of employment practice where workers have long faced exploitation, with hazardous working conditions, excessive working hours, neglect of basic health and safety precautions, and opaque, if any, dispute resolution mechanisms.

The following paragraphs look at current practice more than one year on from the latest announcement of reforms to employment conditions for foreign workers in the Saudi kingdom.

Hazardous working conditions

Vast numbers of migrant workers are employed on giant construction projects in Saudi Arabia, working in harsh desert conditions and searing heat, on building sites that often fail to follow basic health and safety procedures. This has resulted in the past in numerous unexplained and uncompensated worker injuries and deaths. Conscious of the need to improve workplace safeguards, the MHRSD has announced improvements, but official measures are still neither widely implemented nor enforced. Moreover, the new reforms do not address the fact that putting workers at risk is still not a criminal offence in Saudi Arabia, and injured workers rarely receive compensation even if their employer is found to have been at fault.

Migrant workers are entitled to the same workplace protections as Saudi nationals, but two factors make their situation, on average, worse: they are heavily concentrated in sectors that are inherently hazardous, such as construction and catering; and, unlike Saudi workers, migrant workers dare not report abuses or unsafe working conditions for fear of reprisals that can jeopardise not only their employment but their residence in the country.

The MHRSD has the responsibility for monitoring working conditions and enforcing occupational health and safety regulations. However, its guidance to employers is seriously flawed, and employers who expose workers to dangerous conditions generally do not face criminal liability: the penalties for violations of the Labour Law consist only of administrative fines that provide little incentive to improve. There are limited mechanisms to address repeat offenders, and workers who report violations are not protected from reprisals.

The general safety guide found on the Ministry's website, published in 2022 and not updated since, does not cover workers' living accommodation, working in heat or at heights, or training in workers' own languages. There is no clear definition of hazard, and control measures only exist for certain kinds of hazardous activity. Meanwhile the Schedule of Labour Law Violations and Penalties, last updated in February 2026, imposes only a fine of SAR 1,500 (approximately US$400) on employers with 20 or fewer workers for failing to provide occupational safety and health equipment for all activities, and SAR 300 (79.51US$) for failing in only one of the requirements. They face no criminal liability, despite the devastating and sometimes lethal consequences of their neglect. Moreover, fines are applied per violation rather than per affected worker, and as the cost of providing adequate safety equipment and implementing safety measures can far exceed the amount of these paltry fines, employers have little financial incentive to improve workplace safety, especially given weak implementation of the safety guidelines in the first place.

In some documented cases, employers have required workers to pay for their own safety equipment, or have deducted the cost from their wages. For workers who are already earning barely enough to support themselves and their families, these additional costs can be prohibitive. As a result, some workers feel compelled to continue working without adequate protection or may even conceal safety violations in order to avoid paying for equipment. Fear of reprisals for whistle-blowing can further undermine the effectiveness of workplace safety regulations and enforcement mechanisms.

Yet the consequences of inadequate safety protections can be severe. Workers in excessively hot kitchens with poor ventilation may suffer burns, heat-related illnesses, or injuries caused by slips and falls. In the construction sector, the absence of appropriate safety measures can lead to life-changing injuries, including the loss of limbs, permanent disabilities, or death. Moreover, dangerous conditions are not limited to workplaces but are also found in workers' accommodation. Migrant worker compounds are often overcrowded and fail to meet basic health and safety standards of sanitation and ventilation. These conditions contribute to the spread of respiratory infections and other communicable diseases, while also increasing the risks associated with fires. The fine for failing to provide adequate fire prevention and fire safety equipment ranges from only SAR 300 to 1,000 (US$80 to $267), depending on the number of workers employed by the employer in question. Between 2010 and 2018, before a draconian crackdown on press freedom and free speech generally, several large fires causing deaths and injuries among migrant workers were reported in local media; any such fires since then have gone unreported, but fire regulations and, critically, their enforcement have remained largely unchanged.

A further concern is that in recent years outsourcing labour has become increasingly common among large companies, including international businesses operating in Saudi Arabia. Without strict monitoring and enforcement, this allows companies to distance themselves from their legal responsibilities and public scrutiny by employing workers at

arm's length through contractors rather than directly. It can also reduce costs for them, as contractors with fewer than 20 employees are subject to lower fines and pay reduced government fees. Saudi law provides no effective mechanism to address the discrepancies arising out of these arrangements, even where workers wear the main company's uniform, receive training from the main company, and work exclusively under its direction.

A recent report from FairSquare found that Saudi Aramco, the world's biggest oil and gas company, has committed serious violations against migrant workers, including exposure to extreme temperatures of over 50 degrees Celsius and inhumane living conditions, through its supply chains and contractors. Out of six cases FairSquare examined where workers died or sustained disabilities through their work, in only one case was adequate compensation paid to the men or their families.

Discrimination in the workplace

ALQST has documented cases where workers have experienced discrimination based on race and nationality. Since 2019 the Saudi Labour Law has included a nondiscrimination clause, but it applies only to citizens and does not explicitly address discrimination based on nationality or religion in relation to wages, working conditions, or treatment in the workplace. It merely states: *"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."*

Employers frequently post jobs with a list of accepted nationalities, and indeed the MHRSD maintains gendered lists of countries to whose nationals work visas may be issued for specific professions. For example, workers from Indonesia are eligible to obtain visas for domestic work but have only limited access to some professional visas, in sectors such as medicine, that are, however, available to applicants from countries such as Egypt.

This has resulted in migrant workers sometimes being channelled into jobs that do not match their qualifications or professional experience, due to their country of origin and nationality. Some workers reported having accepted jobs in the hope of switching professions once they arrived and settled in Saudi Arabia. In practice, however, as detailed in section 3 of this report, the ability to do this depends largely on the consent of their initial employer (their sponsor) and the length of their employment contract. Furthermore, professions predominantly occupied by migrant workers, such as domestic work and agricultural labour, are governed by separate, occupation-specific regulations that offer much less protection for workers than the standard Labour Law. This has encouraged some employers to intentionally misclassify their workers under occupational categories unrelated to their actual roles, in order to take advantage of these lower levels of legal protection and employer liability, and possibly justify paying lower wages.

In December 2021 the MHRSD issued a Ministerial Resolution that laid down penalties for employers in breach of regulations, including for "any kind of discrimination". However, these regulations are very weakly enforced and the only penalty for proven failure to comply is a small administrative fine. Workers have no incentive to report discrimination, as they will neither receive any compensation nor be protected against reprisals from their employers.

False reporting of absenteeism: another mechanism for wage theft

In a survey of migrant workers conducted by ALQST between March and May 2026, two-thirds of respondents reported not receiving their hard-earned wages for months at a time, and over a quarter said they had been falsely reported as absent from work despite having in fact attended, putting them at unjust risk of deportation without being paid the moneys due to them from their employers. Only 22% of respondents reported not facing any violations of their rights.

Under the new sponsorship system, as under the previous one, employers can report a migrant worker as absent from the workplace, or having absconded. Once such a report is made, the worker's visa and residence permit are automatically frozen, with devastating consequences. They lose all outstanding benefits due to them from their employer, including end-of-service bonuses and air fares back to their home country. They also lose access to essential services such as bank accounts and mobile phone contracts (essential for following up legal disputes, mainly conducted online), and the ability to sign rental agreements, which they urgently need to do if they have been living until now in employer-provided accommodation.

The worker has 60 days to resolve the issue or else must leave the country. If the worker can prove to the authorities that the employer's report was false, they may transfer to a new employer without facing any penalties or having to compensate their previous employer, provided they can secure new employment and the transfer fees are paid (see section 3 above). However, if they cannot prove that the report was false – and this is difficult because attendance records are not commonly kept in sectors including construction and domestic work – the one way they can remain in the country is by paying compensation to their current employer in order to transfer to a new one. The only other option is to apply for an exit visa and bear their own travel costs, forfeiting any air fare home included in their contract. Failing to obtain an exit visa and leave the country within the prescribed period carries the risk of being arrested, detained and sent to a deportation centre. Despite the system allowing the worker to stay in the country for 60 days to contest the employer's action or find an alternative employer, there have been instances where workers have reported being deported while still pursuing legal claims to have their visas unfrozen – a process that can take months.

The MHRSD's Schedule of Labour Law Violations and Penalties makes no mention of employers issuing false reports against their workers. This has allowed some dishonest

employers to intentionally report workers as absconding for the purpose of avoiding paying salaries and benefits or air fares out of the country, a ruse that enables them to get rid of employees by ostensibly lawful means.

Extortion of recruitment fees

The new labour system does not address the widespread practice of illegally charging migrant workers fees for their recruitment. This practice is prohibited under International Labour Organization (ILO) fair recruitment principles, as it can lead to debt bondage and forced labour. Recruitment fees often amount to a substantial proportion of a worker's future earnings, putting them heavily in debt before they arrive in Saudi Arabia, and making it much harder for them once there to escape abusive employment conditions.

A 2024 Human Rights Watch report found that 128 out of 130 migrant workers in Saudi Arabia it interviewed had paid illegal recruitment fees, ranging from US$600 to US$2,422; and in November 2025 Amnesty International reported that migrant workers employed on the Riyadh Metro project had been required to pay between US$700 and US$3,500 in recruitment fees and associated costs. Many workers borrow money at high interest rates to cover these costs, which often amount to several months' earnings, thus increasing their vulnerability to exploitation.

There is no evidence that this situation has improved since the recent labour reforms. On the contrary, Saudi Arabia's changing economic conditions, with layoffs and reduced employment opportunities in some sectors, have increased workers' vulnerability. Indebted workers who lose their jobs or experience abuse often struggle to find alternative employment, even though labour mobility is now legally possible.

Although Saudi law prohibits employers and the recruitment agencies they work with from charging recruitment fees to workers, there is little evidence of effective enforcement. The government has not established a clear mechanism to identify and sanction companies that benefit from recruitment agencies charging illegal fees, nor is there an effective system to ensure workers are reimbursed.

Some employers also make newly arrived workers pay for their residence and work permits, which are by law the employer's responsibility. Nearly 40% of respondents to ALQST's survey of migrant workers, carried out between March and May 2026, reported having been forced to pay for these essential documents.

5. The special vulnerabilities of domestic and agricultural workersagricultural workers

Domestic workers make up a significant proportion of migrant workers in Saudi Arabia, employed as maids, nannies, cooks, chauffeurs and in other similar roles. According to the Saudi General Authority for Statistics, there were approximately 4.1 million domestic workers in the country at the end of 2025. This category of workers is governed by a separate legal framework from the general Saudi Labour Law – the Domestic Workers Regulations – and most of the recent amendments to the labour system and the Labour Law, such as freedom of movement, do not apply to them. Similarly, agricultural labourers are not covered by even the limited protections of the standard Labour Law.

The most recently updated version of the regulations for domestic workers in Saudi Arabia, published in 2025 on the MHRSD website, still offers very little protection for workers, even compared with the general Labour Law. Domestic work contracts are mostly for two years, and unlike other contracts there is no provision, even on paper, for them to be terminated if employers commit violations or stop paying wages. They also offer much lower end-of-service benefits compared with under the general Labour Law, and there are no clear rules regarding overtime and the compensation to be paid for it. Significantly, the amended law does not clearly affirm the right of free movement for domestic workers, which is an issue for many of them, as employers frequently ban workers, especially women, from leaving the household during their time off.

The Domestic Workers Regulations limit working time to 10 hours per day, but this excludes breaks taken during the day, meaning that workers are required to remain at their employer's disposal for an even longer period than this. They do not set a maximum limit on total daily working hours, including overtime, nor do they require overtime to be voluntary or specify the rate or method of compensation for any overtime worked. Similarly, while the regulations provide for a six-day working week, they state only that a worker who is required to work on their weekly day off must be compensated. They do not specify the amount of compensation to be paid or how it should be calculated, or whether the worker is entitled to an alternative day off instead. This lack of clarity leaves domestic workers vulnerable to excessive working hours and inconsistent compensation practices.

While the law prohibits physical and sexual violence against domestic workers, protection in practice remains inadequate. Police and other law enforcement authorities are neither equipped nor trained to respond to complaints from domestic workers, and reports of abuse are frequently not treated with the seriousness required. Female domestic workers, in particular, face significant barriers to reporting violence, accessing justice, and obtaining

effective protection. Hospitals do not perform forensic medical examinations on sexual assault victims, and there is no protection from reprisals if a worker reports abuse. Furthermore, there is no safe place for women in Saudi Arabia fleeing domestic or gender-based violence to seek refuge (a significant problem for Saudi women as well as migrant domestic workers) despite past efforts by Saudi feminists to set up independent women's shelters.



Two case studies: *Unexplained and uninvestigated deaths reportedly from falls from heights*

"A" travelled from Kenya to Saudi Arabia in February 2024 to perform general domestic duties including cleaning and cooking. According to her husband, she worked long hours and had limited contact with her family. After about one month, she reported repeated sexual harassment by her employer. When she rejected the advances, she was reportedly made to work overtime and repeat household tasks. The Saudi recruitment agency temporarily removed her, but she returned after the employer apologised and promised to change. The harassment reportedly resumed and became more physical. In her last communication, in July 2024, she said that the Saudi and Kenyan agencies had declined her request to leave again.

About one week later, A's family received a call from a Riyadh hospital informing them that she was in intensive care, having been brought in by a police officer who stated that the police had received her from the employer's residence and that she had reportedly fallen from a height. The same doctor later called the family to inform them of her death. The family was not told how the reported fall occurred, and it remains unclear whether Saudi authorities investigated the circumstances or whether the employer or recruitment agencies faced consequences.

With the help of an NGO and Kenya's Ministry of Foreign and Diaspora Affairs, A's remains were returned to Kenya approximately seven weeks later. The family received her passport, a Saudi-issued death certificate recording the cause of death as "failure of dominant nerve centres in the brain", and medical records, some of which reportedly contained errors. But they did not receive her telephone, clothing or other personal belongings, and there has been no further word on compensation, outstanding wages or other benefits. Her husband commented: "No one should have to go through what my family went through."

"B", another young Kenyan domestic worker, who went to Saudi Arabia in 2019 aged 22, also died there after reportedly falling from a building in circumstances that remain unclear. During her first year in the kingdom, she contacted her family in distress several times and reported very long working hours, inadequate food, discrimination, confrontations with her employer and confiscation of her passport. She reportedly left the first employer and returned to the Saudi recruitment agency, and her family believes she later worked for another employer without the required documentation. From early 2021, a relative repeatedly contacted Kenya's Ministry of Foreign Affairs seeking assistance to locate and repatriate her, but she could not be traced.

In July 2024, B's mother received a call from someone who knew her daughter in Saudi Arabia informing her of the death. Approximately two days later, officials from Diaspora Affairs contacted the family and confirmed it. A friend of B in Saudi Arabia told the family that she had reportedly fallen from a building, and according to the family the friend was afraid to make further enquiries because she feared arrest.

Members of the Kenyan community in Saudi Arabia raised funds towards the costs of returning her remains to Kenya. When the body arrived, relatives reported observing dried blood and apparent injuries at the back of her head, but they were given no further official explanation of the circumstances leading to her death or information regarding any investigation. The Saudi-issued death certificate recorded the cause of death as "failure of dominant nerve centres in the brain". It remains unclear whether an employer or recruitment agency faced legal consequences. Outstanding wages, compensation and other benefits were never paid.

Cases documented by Global Justice Kenya and shared with ALQST, based on interviews with A and B's families and the limited information available to them

The revised regulations specify the circumstances in which a domestic worker's employment contract can be terminated, which are limited to expiry of the contract or the death of either the employer or the worker. They do not recognise an employer's failure to pay wages or other serious violations of the worker's rights as grounds for terminating the contract. Domestic workers therefore have no clear legal right to end an abusive employment relationship and transfer to another employer without facing legal or financial consequences.

Domestic workers who are alleged to have breached their contractual or legal obligations may face penalties or deportation. Article 16 of the Implementing Regulations requires domestic workers to "comply with the laws in force in the kingdom, and to comply with Saudi society's customs and traditions". These broad and vaguely defined obligations

create an obvious risk that workers may be penalised for exercising their right to freedom of expression or for unintentionally violating local customs and traditions due to a lack of knowledge or cultural familiarity.

In addition, the Regulations impose substantial fines, relative to migrant workers' earnings, for a number of broadly defined offences. For example, a domestic worker may be fined SAR 1,000 (approximately US$265) for disclosing their employer's private information, SAR 2,000 for undertaking any income-generating work other than domestic work for their sponsor, or SAR 1,000 if it is determined that the worker has committed "any act or omission intended to cause financial loss to the employer".

Exploitation verging on modern slavery

A further exploitative practice, which can be considered modern slavery or trafficking in persons, has grown up partly in response to high recruitment fees, and particularly affects domestic workers.

Due to the high upfront cost of obtaining visas for employees, and the amount of money demanded by recruitment agents, many families in Saudi Arabia looking for a maid or nanny have started to turn to domestic staffing agencies that cover these costs and then hire workers out to families, often by the month or hour. Migrants working for this kind of sponsor get moved around families regularly, while clients are offered a choice from different files of workers that usually include their religion, weight, height and, for women, how many children they have. Workers are not asked for their consent to share this private information with the clients, and sponsors often take at least 50% of the monthly payment from the families before paying the rest to the migrant worker. The worker has no say in any of this.



Case study: *Cut off from family, with years of unpaid wages*

Hanni, a domestic worker from Indonesia, went to Saudi Arabia in 2005 and worked for her employer for a year before her visa was transferred – without her consent – to another employer, for whom she worked for 19 years. She only left the country in late October 2025, long after the latest reforms were introduced. During those 19 years, Hanni was not allowed to have a cell phone, contact her family or go on leave, and she had no days off. She suffered both verbal and physical abuse at the hands of her employer.

Hanni's initial contract set her salary at SAR 600 a month, and she was never given a pay rise, despite there being a minimum wage agreed between Saudi Arabia and Indonesia that has been increased more than once, and fixed at SAR 1,200 since 2022.

While working for her employer, Hanni was confined to the house and her movements heavily restricted. Her repeated requests over the years to be allowed to return to her country were refused. Of the total of 228 months Hanni was forced to work, the employer paid her for only 78, making the excuse that they had no money left for her at the end of the month.

During the first five years, the employer allowed Hanni a few phone calls to her family. This happened only at lengthy intervals, and in the meantime Hanni lost the only phone number she had for them, so all contact was lost and she was unable to call her family for 14 years. On 3 October 2025, staff from the Indonesian Consulate arrived at her employer's home, having been alerted to Hanni's situation by a domestic worker employed by a neighbouring family. Consular staff asked the employer to allow Hanni to leave and took her to the Indonesian Consulate in Jeddah, where she remained while the Consulate made arrangements with the Saudi authorities for her to leave the country.

When Hanni finally left, her employer still owed her approximately SAR 90,000 in unpaid wages. Despite all she had endured, no mechanism was triggered to investigate her imprisonment and exploitation over the 19-year period, despite the fact that the Indonesian Consulate had notified the Saudi authorities while they tried to secure an exit visa for her. Hanni was told that the only way to get her backpay was to hire a lawyer in Saudi Arabia to pursue a civil claim against her employer, but Hanni does not have the means to do this. The Indonesian embassy has said it is trying to help her recover her unpaid wages, but as of mid-June 2026, Hanni had received no compensation.

6. Lack of access to justice, and the threat of deportation

Migrant workers face enormous obstacles in trying to secure their legal rights and seek redress for abuses through the Saudi judicial system. It is hard even for Global North expatriates, who might have the financial and social resources to pursue a lengthy court battle, but workers from the Global South, often debt-ridden and illiterate in both Arabic and English, confront an almost insuperable power imbalance that leaves them at the mercy of their employers. If they suffer abuse, injustice or violations of their rights, their only options are usually either to leave the country, at disastrous economic cost (see section 3 above), or to remain and risk arrest and deportation. Threats, coercion and the constant fear of facing either of these outcomes make most workers reluctant to risk reprisals for speaking out about their treatment and working conditions.

Saudi Arabia's judicial system lacks independence and relies heavily on *ta'zir* (judicial discretion). In the absence of a formal penal code, judges enjoy wide latitude in determining both guilt and sentencing. This results in significant unpredictability and inconsistencies in judicial outcomes, with individuals from marginalised communities such as migrant workers particularly vulnerable to excessively harsh punishment.

As discussed earlier in section 3 of this report, pursuing claims against employers in the labour courts can take several months, during which workers are often left without a stable source of income. Workers must submit supporting documentation in Arabic, and those who do not speak Arabic need legal representation to present their case. These requirements are significant financial and practical burdens on the vast majority of migrant workers, and their vulnerability is heightened by a lack of access to accurate and helpful information. In the absence of trade unions, civil society groups or any other independent organisations that could provide information, legal advice or support, many workers are left to navigate the system on their own and struggle to understand or enforce their rights.

Although the Judicial Assistance Regulations introduced in 2018 formally guarantee a right for everyone who needs it to apply for legal assistance – which can include representation by a lawyer as well as interpretation and translation during interrogation, detention and court proceedings – it does not explicitly guarantee legal aid for anyone facing criminal charges or taking action in the labour courts who cannot afford a lawyer. There are no clear eligibility criteria, and no means to appeal if applications are rejected. A document sent to ALQST by the Saudi Bar Association, which operates under the direct supervision of the Ministry of Justice and hence is not an independent body, stated that the judicial assistance service

is delivered by professionals volunteering, subject to capacity and the nature of the cases received.

Documented cases indicate that migrant workers are rarely granted legal aid in terms of a lawyer or offered translation in court. Migrant workers facing serious charges, including drug-related offences and cases before the Specialised Criminal Court (the Saudi counterterrorism court), both of which can carry the death penalty, have frequently been interrogated, tried and sentenced without access to a lawyer or translator. The fact that a high proportion of those executed in Saudi Arabia in recent years, especially for drug-related offences, came from major labour-sending countries such as Pakistan, Egypt and Ethiopia suggests that most of them had entered Saudi Arabia as migrant workers.

The Saudi judicial system, moreover, relies heavily on confessions: judges can issue convictions based solely on a confession, even in the absence of material or corroborating evidence. For migrant workers, limited proficiency in Arabic, unfamiliarity with local dialects, and difficulties accessing legal assistance can result in their signing or making confessions that they do not understand, increasing the risk of wrongful conviction and undermining their right to a fair trial. Similarly, in several documented cases migrant workers have reportedly been forced to sign documents written in Arabic during interrogation without being provided with translation or any explanation of their content.

Once a worker has left Saudi Arabia, whether through deportation or by other means, they lose virtually all possibility of continuing to press for justice. Many government services can only be accessed from within Saudi Arabia or through a Saudi mobile phone number with international roaming activated. Najiz, the main portal used for attending court hearings and following up legal proceedings, requires an *iqama* (residence permit) number and a Saudi phone number to which a confirmation SMS text can be sent. However, once workers are issued final exit visas they often have their bank accounts and mobile phone services terminated. As a result, workers who leave the country lose access to the digital systems required to monitor or pursue their legal claims, significantly limiting their ability to seek redress from abroad.

Treatment in detention

Prisons and deportation centres in Saudi Arabia struggle with overcrowding, inadequate staff training, and poor coordination with the judiciary. The lack of transparency and independent oversight further increases the risk of serious human rights violations against detainees.

ALQST has documented cases in different prisons where migrant workers and foreign nationals from labour-sending countries were held in separate cells and under worse conditions than Saudi or other Gulf-country nationals. In one case, at Dammam prison, migrant inmates were kept in extremely overcrowded cells with a limited number of beds. Prisoners were forced to take turns sleeping on the beds, spending the rest of the time sitting

or sleeping on the hard floor. In another case, at Dhahban prison, prison authorities banned foreign nationals from using the library, restricting access exclusively to Saudi prisoners. This seemingly petty discrimination nevertheless denied the workers a rare opportunity to obtain information that might help them in their situation.

At deportation centres, authorities reportedly make little to no effort to address the spread of tuberculosis and other infectious diseases. Meanwhile, detainees may wait with increasing anxiety for weeks, and in some cases months, without knowing when their deportation flight will be booked. Some foreign nationals who were tried on criminal charges and transferred to deportation centres after serving their prison sentences still have outstanding court-imposed fines that they are in no position to pay. These individuals face an uncertain future, as they are told that they will not be permitted to leave the country until the fines are paid, leaving many effectively trapped in detention.



Case study: *Driven across the border and dropped in the desert*

ALQST documented the case of a Yemeni migrant worker who attended a private medical clinic for a check-up. After he tested positive for HIV, the clinic disclosed his diagnosis to the immigration authorities. As a result, his residency permit was revoked, and the authorities detained him in November 2025.

Despite the World Health Organisation's recommendation that HIV status should not be used as a basis for restricting residence or deporting individuals, the Saudi authorities held him in solitary confinement before forcibly deporting him to Yemen. He was driven across the border and abandoned without any transportation or assistance. Speaking to ALQST, he said: "I was dropped in the desert with no access to transportation or services."

The deportation left him in a country experiencing a prolonged civil war and humanitarian crisis, where access to HIV treatment and other essential healthcare services is extremely limited, placing his health and life at serious risk.

7. The knock-on effects for Saudi workers

The structural flaws of the new contractual system, like those of the old *kafala* system, have harmed not only migrant workers but also Saudi workers. Migrant workers make up around three-quarters of Saudi Arabia's workforce. When such a large share of the labour force is forced to accept unsafe working conditions, excessive working hours, extreme heat, inadequate safety equipment or nonpayment of wages, it lowers labour standards across the economy and normalises poor working conditions for all workers.

Although the Saudi authorities have promoted "Saudisation" since the 1970s to increase the employment of Saudi nationals in the private sector, they are failing to achieve this objective. Employers continue to have strong financial incentives to hire migrant workers, because Saudi labour law does not prohibit discrimination in wages based on nationality and does not set a universal minimum wage. Workers from countries such as Uganda and Ethiopia, for example, are commonly recruited on salaries of only SAR 900-950 (US$240-253) per month, and are often expected to work excessive hours for at least six days a week.

In addition, employers can exercise a level of control over migrant workers through immigration and sponsorship rules that cannot be exercised over Saudi citizens, making migrant workers easier to exploit and less able to negotiate better wages or working conditions. This creates an uneven labour market and pushes labour standards further down for all workers.

So rather than replacing migrant labour with Saudi workers, the system has depressed wages, weakened the bargaining power of Saudi workers, and reduced their competitiveness in the labour market. It also creates incentives for labour-sending countries to compete among each other by supplying workers at lower wages and with fewer protections, contributing to a race to the bottom that undermines labour standards both within Saudi Arabia and across the region.

8. Conclusions

Since March 2025, when the Saudi Ministry of Human Resources and Social Development announced that the kingdom's notorious *kafala* system had been abolished and replaced with a new contract-based system of employment, aiming to curb wage theft and other forms of labour exploitation – and indeed since the Ministry announced its Labour Reform Initiative in 2020 – little has changed in practice for the majority of migrant workers.

An ALQST survey carried out between March and May this year found nearly 78% of respondents reporting violations of their rights, including two-thirds who had not received their wages for months at a time, and more than a third who had been illegally forced to pay for their residence and work permits. More than a quarter had been falsely accused of absconding, a ruse repeatedly resorted to by unscrupulous employers to force workers out of the country without paying them their outstanding wages and end-of-service benefits.

The system clearly remains wide open to abuse. The structural imbalance of power between Saudi employers and foreign employees, combined with an absence of effort or will on the part of the authorities to implement and enforce the measures they have published, keeps migrant workers in a permanent state of precarity.

Unfortunately, media outlets in both Saudi Arabia and major labour-sending countries such as India have uncritically published news of the reforms as announced by the Saudi authorities, rather than as experienced by workers in the kingdom, and the reality is made all the harder to ascertain by heavy press restrictions. The concern here is that prospective workers may be persuaded to move to Saudi Arabia under the false assumption that the well-known abusive practices of the past have now been outlawed, exposing them to serious risks and exploitation for which they are unprepared.

9. Recommendations

ALQST urges the Saudi authorities to:

- rigorously enforce health and safety measures to international standards in all workplaces; impose meaningful sanctions on noncompliant employers at every stage in the supply chain and set adequate compensation for workers and their families in the event of injury or death;

- ensure that migrant workers have access to independent advice and translation services so that they understand their legal rights as well as documents they are required to sign;

- outlaw discrimination in the workplace and vexatious reporting of alleged absenteeism;

- extend the protections provided under the Labour Law to workers currently excluded from its scope, including domestic workers, agricultural workers and workers in comparable occupations;

- guarantee the right to change employers without employer permission within the first year of employment in Saudi Arabia when mistreatment and violations of workers' rights occur;

- reduce the period of unpaid wages required before a worker is legally entitled to terminate their employment contract, particularly in cases of repeated wage delays by the employer;

- introduce a fair minimum wage for all workers, both Saudi and expatriate; establish a maximum limit on daily and weekly working hours; and require all overtime to be voluntary and compensated at a higher rate of pay;

- impose effective penalties on employers and recruitment agencies that shift recruitment, visa, work permit or other employment-related costs onto workers;

- establish clear protocols for investigating physical and sexual violence against migrant workers, developed in consultation with civil society organisations, survivors, and labour-sending countries; and provide specialised training to police, prosecutors and other relevant authorities to ensure complaints are handled effectively;

- permit the establishment and operation of independent refuges, and allow independent labour organisations to operate freely, monitor labour conditions, conduct workplace visits, and provide legal and other assistance to workers;

- reform the Judicial Assistance Regulations to make legal aid, including qualified lawyers and professional translation services, an absolute guarantee for workers facing criminal court proceedings or pursuing legal action against their employers when the case involves serious violations of their rights.

Labour-sending countries should:

- regulate agencies recruiting workers for employment in Saudi Arabia and other Gulf countries to ensure that they do not charge fees to the workers or collude with recruitment agencies in the destination countries to do so;

- make every effort to see that accurate and up-to-date information is provided to prospective migrant workers detailing their legal rights in destination countries; and

- ensure that their diplomatic missions in Saudi Arabia and other Gulf states have dedicated teams to assist their nationals, with a particular focus on migrant workers; these teams should be provided with adequate staffing and budgets to travel within Saudi Arabia when necessary, conduct consular visits, monitor workers' conditions, and provide legal and other assistance.



After the Kafala Reforms:

The Harsh Reality for Migrant Workers in Saudi Arabia