



# LOCKED IN, LEFT OUT

THE HIDDEN LIVES OF KENYAN DOMESTIC WORKERS IN SAUDI ARABIA

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First published in 2025 by Amnesty International Ltd  
Peter Benenson House, 1 Easton Street, London WC1X 0DW, UK



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**Index: MDE 23/9222/2025**

**Original language: English**

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# 1 EXECUTIVE SUMMARY

***“When you are in a country like Saudi Arabia, you have no money, you are alone so you are helpless...I was locked inside, going outside was not allowed. I never left the house and did not have a day off.”***

Hope, who returned to Kenya after working as a domestic worker in Saudi Arabia.

Saudi Arabia is home to nearly 4 million domestic workers, including 1.2 million women and 2.7 million men from Africa and Asia who play an essential role in enabling the country's economic development and supporting family life. Yet, the experiences of Kenyan women outlined in this report illustrate how many of these workers endure gruelling, abusive and discriminatory working conditions, often amounting to forced labour and human trafficking.

Abusive recruiters sold the women interviewed for this report a dream before plunging them into an isolated, segregated reality of severe abuses being perpetrated in private households. They exploited the pressures shaping the lives of women and restricting their choices – soaring unemployment, few opportunities at home in Kenya and children to feed and educate. Once in Saudi Arabia they routinely withstood working days of 16 hours and more, with little rest and often not a single day off for months or even years. Some could never leave the house, and many were almost entirely cut off from the outside world. In their workplace, which was also their home, there was no escape from verbal abuse, demeaning treatment, racism, discrimination and extreme exploitation. In many cases, they were physically or sexually assaulted. Some were raped by their male employers and their sons. Many endured delayed or non-payment of their meagre wages. Almost all had their passports confiscated on arrival, making it virtually impossible for them to flee abusive employers, none of whom were held to account.

The cumulative impact of these experiences left deep scars on the women, some of whom struggle today with chronic health issues and the legacy of the trauma they experienced in Saudi Arabia.

This report is primarily based on in-depth interviews conducted in-person in 2024 with 72 Kenyan women who had recently returned from Saudi Arabia and were being supported by organizations in relation to the abuses they had faced. It also reflects discussions with civil society organizations in Kenya, analysis of Saudi Arabia's legal framework, literature about the East African slave trade and its legacies, and reviews of reports from UN treaty bodies, the International Labour Organization (ILO), and international, regional and national NGOs. Amnesty International wrote to the Saudi Arabian authorities, requesting information about their laws and recent reforms, but received no response. The organization met with Kenyan authorities in March 2024 to discuss initial research findings but did not receive a reply to subsequent written requests for further information.

While this report does not contend that all domestic workers in Saudi Arabia face harsh working conditions, nor that all employers of domestic workers are abusive, it does bring to light patterns of serious abuse facilitated by an immigration and labour system which is highly permissive in granting excessive power over women working in private households while denying them meaningful recourse to free themselves from dangerous situations and hold abusive employers to account.

Most of the women interviewed by Amnesty International migrated due to economic hardship and family support needs. With nearly 40% of Kenyans living below the poverty line in 2022, the government has increasingly encouraged youth to seek jobs abroad to address high unemployment. Between 2020 and 2022, remittances from Saudi Arabia more than doubled, and Kenyan officials estimate there are up

to 200,000 of its nationals residing there under regular migration status, including more than 150,000 domestic workers, most of whom are women.

The severe – and in many cases criminal – abuses faced by the women interviewed for this report are enabled by several factors. First, despite some limited changes to the kafala sponsorship system, – a labour migration system that binds foreign workers to their employers who act as their official sponsors – it continues to entrap domestic workers, making them almost totally dependent on their employers for every aspect of their lives and largely unable to change jobs or leave the country without their employer's permission. Second, their abuse is facilitated by the exclusion of domestic workers from Saudi Arabia's Labour Law, which results in the most marginalized workers in some of the most vulnerable situations being afforded weaker protections than their counterparts in other sectors. Third, the abuses are compounded by the weakness of recent labour reforms and a near-total absence of effective enforcement mechanisms for the safeguards that do exist for domestic workers. Finally, they are underscored by the structural and systemic racism that persists in Saudi Arabia, including racial hierarchies engendered by the kafala system and broader pervasive social attitudes.

## PATTERNS OF FORCED LABOUR AND HUMAN TRAFFICKING

The women interviewed faced severe mistreatment, with most of them reporting at least eight or nine forms of abuse that are considered among the International Labour Organization (ILO) 11 indicators of forced labour. As Black African women, like other racialized people in Saudi Arabia, they also faced multiple and intersecting discrimination which influenced and compounded their exploitation.

The abuse the Kenyan women faced started back home, when local recruitment agents preyed on their desperation to create a better life for their families, selling them a dream with false information about their prospective jobs and what they stood to gain.

***“I was informed ...that I would work as a company cleaner but when I got to Saudi, I worked as a domestic worker in four different houses.”***

Lucia.

On arrival in Saudi Arabia, a grim reality hit. The women were often obliged to do far more onerous work for lower pay than promised. Some were misled about the size of the private home, the number of family members and the working conditions. Others were told they would work as teachers, for example, only to find themselves cleaning, cooking and looking after young children in private households where they would not only work but also have to live. In fact, for many, the home became a prison.

Once in the employer's house, all the women faced severe restrictions on their liberty and privacy. Almost all said they were never allowed to go out unless accompanying their employer, a few had never been allowed to leave the house. Some said their employers would lock them in the house alone for days, with barely any food and no access to the outside world. This extreme isolation was often exacerbated by their employer confiscating their phone or limiting their access to the internet, sometimes in retaliation for complaining about working or living conditions.

***“I have no freedoms, because once you are inside you never go out. You don't go out and do not see out. This made me feel like it's a prison.”***

Joy.



Excessive overtime was a chronic problem for all of the women interviewed. The majority worked at least 16 hours each day, many upwards of 18 hours, expected to be on call day and night and surviving on only a few hours' sleep. Some were required to work in several different households. Virtually all said they had never had a day off, meaning they worked for months or even years without a single rest day. Even when they were sick, many of the women said their employer would not allow them to rest, callously dismissing their pleas for medical care and offering only painkillers rather than taking them to see a doctor.

Nonetheless, overtime pay was but a fantasy. The women's pay averaged SAR 900 (USD 240) per month – equivalent to just USD 0.53 per hour. To compound their struggle, wage theft was common amongst the women, whose employers would delay payments, make arbitrary salary deductions or sometimes withhold their salaries completely.

Some of the women reported being physically assaulted by their employer or their employer's children, being spat at, slapped and beaten. Others were subject to sexual harassment and violence by male members of the household who made inappropriate advances, engaged in unwanted touching and harassment, and, in some cases, raped them.

***There was a time when the employer came and harassed me from behind when I was wearing a dress, lifted it, and I really fought him and told him I was not interested, that only work brought me [here]. He tried to give me money which I refused."***

Eshe.

Employers would also threaten or use various punishments to ensure their domestic worker's compliance, including falsely accusing them of "absconding" – which could lead to their eventual arrest and deportation – or theft. The threats, often made in response to complaints by the women or attempts to flee, left them too afraid to seek help, their fear compounded because none were allowed to keep their passports, having had them confiscated by recruitment agencies or their employers on arrival in the country.

***You are not allowed to ever touch your passport. The point is he [recruitment agent] had my passport and he could give it to someone else and tells you this is your employer. So, this stranger will take you and your passport to wherever."***

Hope.

Almost all said that their employer failed to provide them with sufficient food, despite their heavy workloads, or would force them to eat leftovers. A few of the women said they resorted to eating instant noodles to stave off hunger.

Their work was also sometimes hazardous, made to clean high windows or use toxic cleaning chemicals that would irritate their skin without being given protective equipment.



***“We only eat leftovers, especially in months of Ramadan it was always leftovers. They will eat first and give you whatever is left, even if you are also fasting, they do not care. The fact that we were Muslim did not help, because we were Black.”***

Rania.

Even the few hours’ sleep that the women managed to get each night were marred by the degrading and wholly inadequate living spaces they were provided – usually tiny cupboard-like rooms, with a mattress on the floor, or only some blankets, and faulty air conditioning despite the blistering heat. Others were forced to sleep on the floor in the living room or the children’s bedroom.

***“I used to sleep in the store [room] that was more like an attic with a water tank, where they had put a bed”.***

Imani.

Nearly all the women interviewed described being verbally abused by their employers and other members of the household. Many said they were called derogatory and dehumanizing names which were often also racist and sexist, such as “hayawana” (animal), “khaddama” (servant) and “sharmouta” (prostitute), and made other overtly racist references to the colour of their skin. Several said their employer would make them use “segregated” utensils and kitchen ware, and would make disparaging comments on their personal hygiene, attributing this to their skin colour.

***“The children, or the wife, they called us monkeys or baboons... ‘You baboon!’, because we are Black, we are different from them... I feel very bad. Yeah... Imagine being called a baboon.”***

Rosaline.

The treatment some of the women faced – including being deceived during recruitment about their job and then being subjected to severe exploitation on arrival – likely also amounts to human trafficking, which is criminalized in Saudi Arabia. Further, when situated within the highly restrictive kafala sponsorship system, the immense control that some employers exerted over some of the women interviewed may amount to slavery under the 1926 Slavery Convention, to which Saudi Arabia is a party.

None of the employers were brought to justice for the harrowing abuses they perpetrated against the women interviewed for this report. Many were too frightened to report the abuse, and the few who did, said they saw their complaint dismissed or were themselves falsely accused of a crime.

# RACISM AND DISCRIMINATION

The testimonies of the women interviewed for this report make clear that the abuse they faced in Saudi Arabia was fuelled and shaped by multiple and intersecting forms of discrimination, with employers' racist assumptions and explicitly racist insults being underwritten by the discriminatory legal framework, producing environments of extreme control, overwork and degradation.

Perceived racial hierarchies also appear to be wired into the country's labour migration system, with Black African and South and Southeast Asian people amongst those most often recruited for the lowest paid and most gruelling jobs, and the government's nationality-based recruitment cost caps set lowest for employers hiring from African countries – reinforcing racist perceptions of inferiority.

As Saudi Arabia and other UN member states affirmed during the 2002 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, racial discrimination must be viewed and addressed within its historical context. Much as racism in the United States or Europe must be viewed in the historical context of colonialism and the transatlantic slave trade, racism in the Gulf must also be understood in the historical context of the 1,000 year-trade in enslaved people from East Africa and beyond, as well as the introduction of the kafala system in the Gulf region under British control in the early 20th century. Both the academic literature and the experiences of the women interviewed for this report suggest that these periods have reinforced and institutionalized a racialized labour structure in Saudi Arabia, in which race and nationality influence the kind of work people do, the conditions they endure, and the value placed on their labour. Such a structure reflects systemic racism worldwide, resulting in disproportionate harms to migrant workers from Africa and Asia today and constituting indirect discrimination.

## KATHERINE'S STORY

In an interview with Amnesty International in Nairobi in 2024, Katherine explained how she became her family's primary breadwinner after her mother fell seriously ill and underwent major surgery. With overdue rent and school fees for her younger siblings, she met a man in a local shop who claimed to know about her situation and offered her a job in Saudi Arabia. Having heard stories about the life of domestic workers there, she was afraid. But, assured by the agent that "everything will be taken care of", she accepted.

After training on household work and employer expectations – where she was told to "do what we are told" due to Saudi Arabia's "harsh laws" – Katherine was briefly shown a contract which she signed, pressured by the agents into doing so quickly, she said.

At first, the work in Saudi Arabia was manageable. Soon though, she found herself working 18 hours each day, from 6am until midnight, and even longer on Fridays when the employer and the family of eight had parties. Katherine said she was never given a day off and barely left the house in two years, even then only to care for her employer's grandchildren.

She endured verbal and physical abuse, regularly being screamed at by the mother and children, including sometimes being slapped. The employer would refer disparagingly to her being Black, call her "shaghala" [servant], and declare, "I bought you. You belong to me, and you do what I say".



For Katherine though, “food was the main problem”. She explained that her employer would give her only leftovers, rotten food, or sometimes nothing at all. Katherine described how when she tried to cook for herself instead, the employer would scream at her and throw it in the bin, telling her it smelled bad. As a result, Katherine said she “survived on biscuits”.

Despite everything, Katherine faced, she thanks God “because I think my experience was better than others. Now back in Kenya, she works with an NGO to raise awareness, determined to help others: ***“Us Kenyans, we have this habit of standing with each other like bees. When you attack one of us, others will come to help.”***”

## WHOLLY INSUFFICIENT LAWS AND REFORMS

Migrant workers comprise around 77% of Saudi Arabia’s private sector workforce and are governed by the kafala sponsorship system which leaves foreign nationals dependent on their sponsor to enter and exit the country, obtain their visa, and renew their residence permit, and grant them permission to change job. This creates a deeply imbalanced relationship between workers and employers that directly enables forced labour and other serious abuses, and results in discriminatory and disproportionate impacts on racialized people, constituting a form of indirect discrimination.



In 2021 the government introduced some reforms to its labour migration governance through the Labour Reform Initiative (LRI), but these do not extend to domestic workers who are not covered by the country’s Labour Law. Instead, the government introduced a series of changes that are specific to domestic workers and supposedly target three core elements of the kafala system. On paper at least, these mean that some domestic workers can now leave the country without their employer’s permission once they finish their contract (usually two years) and change jobs without permission in very limited circumstances. The reforms also grant a six-week grace period to domestic workers accused of “absconding” before they risk arrest and deportation. While these represent some slight improvements to the country’s legal framework, they fall far short of the drastic changes needed to rebalance the relationship between domestic workers and their employers and reduce the risks of forced labour.

In October 2023, the government issued new ‘Regulations for Domestic Workers and the Like’, which came into effect a year after, replacing earlier regulations issued in 2013. The new Regulations have introduced additional safeguards related to working hours, break time, rest hours and a weekly day off, and required the electronic payment of monthly wages. It also introduced stricter penalties for employers who breach the provisions of the regulations. Nevertheless, significant shortcomings in the law and almost non-existent enforcement mechanisms persist, meaning that they remain wholly insufficient to address the types of severe exploitation experienced by the women interviewed for this research.

Most recently, in January 2025, the government became the first Arab country to introduce a National Policy for the Elimination of Forced Labour. This commits the government to “eradicate all forms of forced labor” incorporating prevention and protection measures, enhancing victim protections, and committing to strengthening national, regional, and international coordination to combat forced labour more effectively. However the policy lacks clarity on the implementation mechanisms required to ensure enforcement, compliance and accountability.

The weaknesses of Saudi Arabia’s laws, regulations and enforcement mechanisms contravene the country’s status as a state party to various international treaties and ILO conventions prohibiting forced labour and other human rights abuses. These treaties oblige Saudi Arabia to protect people’s rights from being exploited while working and living in its territory, which includes the right of victims of abuse to equal and effective access to justice as well as adequate, effective and prompt reparation for the harm suffered.

Kenya is also obliged to safeguard its nationals from human trafficking, forced labour, and other forms of labour exploitation, both within its borders and abroad. In recognition of its “piecemeal” approach to date, the government introduced a national labour migration policy in 2023 setting out its commitments to strengthen protection of migrant workers. It remains to be seen how this translates in practice and what additional support it brings to Kenyan nationals in distress abroad.

## CONCLUSION

All of the Kenyan women domestic workers interviewed by Amnesty International were victims of forced labour with some also likely having been subjected to human trafficking. Their testimonies reveal a systemic disregard for their safety, dignity and rights.

While in Saudi Arabia, their lives were characterized by unremitting and exploitative work, appalling living conditions and daily degradation at the hands of their employers. Sometimes these employers and their families not only shouted at and insulted the women, but beat and slapped them, harassed and sexually assaulted them. Having confiscated their passports and all but cut them off from the outside world, employers held all the power, leaving these women domestic workers at their mercy with little chance of escape. As a result, nearly all those interviewed said they would never return to Saudi Arabia under any circumstances.

Every single domestic worker in Saudi Arabia is a foreign national, and most are racialized people from South and Southeast Asia and Africa. Many are women. Systemic racism embedded in the kafala system, coupled with entrenched discriminatory and racist social attitudes, perpetuates the extreme exploitation, abuse and discrimination of these essential workers, in violation of human rights protected under international law. In the face of unclear and poorly implemented legislation, the women interviewed often felt powerless to challenge unfair treatment or seek redress.

Recent reforms and initiatives, while important, continue to be insufficient to address the immense challenges and particular vulnerabilities facing migrant domestic workers. As a first step and at a minimum, domestic workers must be afforded at least equal protection to all other workers, by being brought under the purview of the country’s labour law. Additionally, the government must send a strong message that abuse will no longer be tolerated and help to rebalance the power dynamics between domestic workers and their employers by holding perpetrators accountable. Without wholesale reforms and robust implementation, abuses against marginalized domestic workers will continue to go unreported and unchecked, and their living and working conditions in Saudi Arabia will remain dire.

To this end, Amnesty International makes the following key recommendations. Further detailed recommendations can be found at the end of the report:

As the primary duty-bearer, **Saudi Arabia** must:

- Bring domestic workers under the labour law to afford them equal protections to other workers.
- In the meantime, effectively enforce the new Regulations for Domestic Workers, including by implementing an innovative and proactive inspection regime.
- Ensure timely follow-up on labour abuse reports, properly address sexual violence and establish a survivor-centred response mechanism.
- Investigate and penalize abusive employers.
- Fully dismantle the kafala system and other exploitative and discriminatory practices linked to it.
- Carry out research and collect data to understand and address the discriminatory harms resulting from laws, policies and practice on racialized people.

**Kenya** and other countries of origin for migrant workers also have a crucial role in protecting their nationals working as domestic workers abroad. They must:

- Work with Saudi Arabia to implement clear safeguards for migrant domestic workers pre-departure and during employment, including through strong rights-based bilateral labour agreements and comprehensive and free rights-based pre-departure training
- Better regulate and enforce recruitment processes and sanctions, to protect migrants from predatory recruitment practices.
- Ensure adequate resourcing to consular services to ensure timely and effective support to migrant domestic workers in distress.
- Assist nationals' reintegration following their return to their home countries.



## 2 METHODOLOGY

This report draws primarily on the testimonies of 72 Kenyan women, most of whom had sought support from organizations in Kenya because they had been subjected to abuses while working in Saudi Arabia. These interviews were conducted in person in Kenya during March 2024, and were carried out in English and/or Kiswahili. Due to significant security challenges in conducting field research in Saudi Arabia, interviewing migrant workers currently living and working there is particularly difficult. This is especially true for domestic workers, who often experience extreme isolation that makes even remote research challenging. All women interviewed for this report had returned to Kenya from Saudi Arabia between 2020 and 2024.

The interviews were conducted either as individual interviews or through group discussions. These discussions aimed to gather insights into the women's individual experiences and collective perspectives regarding their time in Saudi Arabia. A total of eight groups were organized with domestic workers who had recently returned from Saudi Arabia. The discussions were guided by a semi-structured format, using a set of questions aligned with those used in the one-on-one interviews. All group discussions were conducted in Kiswahili to ensure clarity and comfort for the participants.

Researchers also interviewed four Kenyan male domestic workers who previously worked as private drivers in Saudi Arabia. While their testimonies and experiences – deeply troubling – are briefly included, the report's primary focus, findings and recommendations centre on women domestic workers given the compounded vulnerabilities they face due to the intersection of gender, race, and migration status, as well as the inherently precarious nature of their work. Amnesty International's lack of access to Saudi Arabia meant that interviews were not sought with employers of domestic workers.

This report focuses on the experiences of Kenyan women working in Saudi Arabia's domestic sector because of the large number of women domestic workers in the country and because the number of East African women migrating there in recent years has been increasing (see Background).<sup>1</sup>

### THIS REPORT FOCUSES ON THE EXPERIENCES OF KENYAN WOMEN WORKING IN SAUDI ARABIA'S DOMESTIC SECTOR



BECAUSE OF THE LARGE NUMBER OF WOMEN DOMESTIC WORKERS IN THE COUNTRY AND BECAUSE THE NUMBER OF EAST AFRICAN WOMEN MIGRATING THERE IN RECENT YEARS HAS BEEN INCREASING.

<sup>1</sup> For instance, according to the Saudi 2022 Census, the top three African origin countries are Uganda (127,932 nationals), Kenya (91,802) and Nigeria (79,547), with significantly more women than men from all three countries. See: General Authority for Statistics, "Saudi Census Statistics 2022", breakdown by nationalities, <https://www.stats.gov.sa/en/w/2-الجنسية?category=127396&tab=436327>

The focus on Kenyan domestic workers also serves as a representation of the broader struggles faced by Black African women working and living in Saudi Arabia. It highlights the challenges they face due to the intersection among systemic racism, sexism, patriarchy and the vulnerabilities associated with their precarious immigration status. However, it is crucial to recognize that this focus does not diminish the abuses or racial discrimination faced by domestic workers from other parts of the world.

Systemic racism manifests in multiple ways, shaping the experiences of domestic workers differently based on their race, skin colour, national origin, gender and immigration status. In fact, women from the Philippines, Indonesia, Sri Lanka, Nepal, Ethiopia and other countries also endure significant hardships and forms of racialization under Saudi Arabia's abusive kafala sponsorship system, and face similar patterns of exploitation, including unpaid wages, excessive working hours, physical, sexual and psychological abuse, and restrictions on their freedom of movement. The abuses are pervasive and systemic, affecting migrant domestic workers drawn from a diverse range of backgrounds and countries.<sup>2</sup>

This report refers to the Kenyan domestic migrant workers interviewed as Black African women, recognizing that they are racialized as Black in the context of Saudi Arabia and highlighting the anti-Black racism they experience, which many identified as a key factor in the human rights abuses documented.

The 72 women Amnesty International interviewed described many similar experiences, and, after several dozen, Amnesty stopped hearing about new types of human rights concerns. In other words, Amnesty researchers achieved what is described in qualitative research as 'saturation' and were thus confident that the 72 interviews were more than adequate to reveal key human rights concerns among women domestic workers in Saudi Arabia. In addition, findings were corroborated by other sources and align with Amnesty International's findings on the treatment of migrant workers in other countries where the kafala sponsorship system prevails, such as Qatar<sup>3</sup> and Lebanon.<sup>4</sup>

It is important to note that this report does not intend to imply that all domestic workers in Saudi Arabia face harsh working conditions, or that all employers are abusive. It also does not examine discrimination faced by racialized Saudi nationals, including those of African origin in the country. Addressing these issues would require separate research and is challenging due to limited data, restricted access, and the inability to conduct independent research or directly engage with affected individuals in Saudi Arabia.

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- 2 See for example: Center for Migrant Advocacy – Philippines, "Stakeholder Submission for Universal Periodic Review", Oct-Nov 2018 Session, [https://upr-info.org/sites/default/files/documents/2019-04/cma\\_phils\\_upr31\\_sau\\_e\\_main.pdf](https://upr-info.org/sites/default/files/documents/2019-04/cma_phils_upr31_sau_e_main.pdf); Le Monde, "Saudi Arabia, a promised paradise turned into a nightmare for Ugandan maids", 31 January 2023, [https://www.lemonde.fr/en/international/article/2023/01/31/saudi-arabia-a-promised-paradise-turned-into-a-nightmare-for-ugandan-maids\\_6013745\\_4.html#](https://www.lemonde.fr/en/international/article/2023/01/31/saudi-arabia-a-promised-paradise-turned-into-a-nightmare-for-ugandan-maids_6013745_4.html#); Institute for War & Peace Reporting, "Ugandan Women Pay the Price of Exploitation", 18 December 2023, <https://iwpr.net/global-voices/ugandan-women-pay-price-exploitation>; Radio Free Asia, "Forced to work as maids in Saudi Arabia, Cambodians beg to be repatriated", 2 May 2024, <https://www.rfa.org/english/news/cambodia/maids-saudi-arabia-human-trafficking-05022024150341.html>; New York Times, "Why Maids Keep Dying in Saudi Arabia", 16 March 2025, <https://www.nytimes.com/2025/03/16/world/africa/saudi-arabia-kenya-uganda-maids-women.html>; Deutsche Welle, "Bangladeshi domestic workers face abuse in Saudi Arabia", 9 July 2019, <https://www.dw.com/en/bangladeshi-domestic-workers-face-physical-and-sexual-abuse-in-saudi-arabia/a-45401227>.
  - 3 Amnesty International, "Why do you want to rest?": Ongoing abuse of domestic workers in Qatar, (AI Index: MDE 22/3175/2020), 20 October 2020, <https://www.amnesty.org/en/documents/mde22/3175/2020/en/>; see also Amnesty International, "My sleep is my break": Exploitation of migrant domestic workers in Qatar, (AI Index: MDE 22/004/2014), 23 April 2024, <https://www.amnesty.org/en/documents/MDE22/004/2014/en/>
  - 4 Amnesty International, "Their house is my prison": Exploitation of migrant domestic workers in Lebanon, (AI Index: MDE 18/0022/2019), 23 April 2019, <https://www.amnesty.org/en/documents/mde18/0022/2019/en/>

***Systemic racism manifests in multiple ways, shaping the experiences of domestic workers differently based on their race, skin colour, national origin and immigration status.***

Amnesty International analysed the regulatory framework governing domestic workers in Saudi Arabia, including the 2023 Regulations for Domestic Workers and the Like (hereinafter 2023 Regulations for Domestic Workers)<sup>5</sup> and its earlier 2013 iteration<sup>6</sup>; the Labour Law and its subsequent amendments;<sup>7</sup> news announcements by the Ministry of Human Resources and Social Development (MHRSD) and social media posts related to the situation of domestic workers. Researchers also reviewed relevant international law and standards, including UN treaties and ILO Conventions.

Amnesty International conducted a literature review of the East African (or Indian Ocean) slave trade, race and discrimination within the Middle East, and the origins of the kafala sponsorship system, as well as research reports from UN treaty bodies and special procedures, the ILO and International Organization of Migration. Researchers also reviewed research from international and regional NGOs and engaged in discussions with Kenyan civil society organizations working on migration and trafficking.

During its research, Amnesty International met Kenyan government officials to discuss its preliminary findings. The organization later sent a follow-up letter on 22 January 2025 to the State Department for Diaspora Affairs outlining its preliminary findings and recommendations. At the time of writing, the Kenyan authorities had not provided a response. Additionally, Amnesty International reached out to the Saudi Arabian government on 20 January 2025, initially requesting information and statistics as well as seeking access to the country to discuss these issues, but received no response. On 11 March 2025, the organization followed up with a second letter detailing its provisional findings and recommendations. However, at the time of writing the government had not responded to any requests for comment.

Amnesty International would like to thank all those who assisted with the research and preparation of this report, in particular all those individuals who gave interviews to researchers, and the Kenyan organizations who facilitated these discussions and provided their expertise, without whom this report would not have been possible. This includes Azadi Kenya, Haart Kenya, Send Us Home Kenya, and Trace Kenya. Thank you also to Migrant-Rights.org for peer-reviewing the report and helping shape its recommendations, as well as Saudi human rights activists in the diaspora. Pseudonyms have been used for all the women interviewed to protect their identities.

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5 2023 Regulations for Domestic Workers and the Like, Decision Number (40676), 17/03/1445AH (2 October 2023), <https://www.uqn.gov.sa/archive?p=23825>.

6 2013 Regulations of Domestic Workers and the Like, Decision Number (310 of 1434), 07/04/1434AH (17 February 2013), <https://www.hrsd.gov.sa/sites/default/files/2017-05/Regulation%20of%20Domestic%20workers.pdf>.

7 Saudi Labour Law and its amendments, <https://www.hrsd.gov.sa/knowledge-centre/decisions-and-regulations/regulation-and-procedures/%D9%86%D8%B8%D8%A7%D9%85-%D8%A7%D9%84%D8%B9%D9%85%D9%84>



## 3 BACKGROUND

Worldwide, the abuse and struggles of domestic workers have long been hidden behind closed doors, despite the vital contributions these workers make to national economies, labour markets and family life.<sup>8</sup> By taking on essential household tasks such as cleaning, cooking, and caring for children, domestic workers not only enable others to participate in the workforce outside of homes but also play a key role in driving economic productivity themselves, often without receiving the recognition or compensation they deserve. As one former domestic worker in Saudi Arabia told Amnesty International, “Our work is vital...If I do not do my work, everything will come to a standstill”.<sup>9</sup> Nonetheless, their rights are frequently overlooked and trampled on. According to the ILO, globally “only about ten per cent of domestic workers are covered by labour legislation to the same extent as other workers, while more than 25 per cent are completely excluded”.<sup>10</sup> Furthermore, more than 80% of domestic workers globally are women, many of whom are migrants or members of disadvantaged communities, making them particularly vulnerable to exploitation and abuse.<sup>11</sup>

In 2011, in an effort to enhance the protection of domestic workers' rights, the ILO adopted the Domestic Workers' Convention No. 189. To date Saudi Arabia has not ratified this convention, thereby withholding its commitment to these essential protections.<sup>12</sup> However, given this is the first and only international standard establishing minimum labour protections specifically for domestic workers, this report will adopt its framework.

## RACISM AND DISCRIMINATION IN THE GULF

***“Racism was there a lot of time. They will refer to you as ‘this Black person’. You feel bad, frustrated and traumatized, but at the same time you have no choice, who is going to listen to you or help you? No one. You are there on your own.”***

Janet.<sup>13</sup>

Women migrant domestic workers, particularly those racialized from the global south, face multiple and intersecting forms of discrimination based on gender, race, citizenship, national origin, class and migration status when they travel to Saudi Arabia for employment. This reflects a global phenomenon, referred to by scholars as “the racial division of reproductive labour”<sup>14</sup> which sees racialized women

8 ILO, *Protecting Migrant Domestic Workers: The international legal framework at a glance*, 2016, <https://www.ilo.org/media/6136/download>; see also, International Organization for Migration (IOM), Blog, “World’s 53 million domestic workers often exploited”, <https://weblog.iom.int/worlds-53-million-domestic-workers-often-exploited>

9 Interview conducted in, 13 March 2024

10 ILO, *Snapshot: ILO in action, domestic workers*, 31 May 2013, <https://www.ilo.org/publications/snapshot-ilo-action-domestic-workers>

11 ILO, *Snapshot: ILO in action, domestic workers* (previously cited).

12 ILO, “Ratifications of C189 – Domestic Workers Convention”, 2011 (No 189), [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:2551460:NO](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:2551460:NO)

13 Interview conducted in Nairobi, 13 March 2024.

14 “Reproductive labor includes activities such as purchasing household goods, preparing and serving food, laundering and repairing clothing, maintaining furnishings and appliances, socializing children, providing care and emotional support for adults, and maintaining kin and community ties.” Evelyn Nakano Glenn, “From Servitude to Service Work: Historical Continuities in the Racial Division of Paid Reproductive, 1992, Signs, Vol. 18, No. 1 (Autumn, 1992), Pp. 1-43, [https://www.sjsu.edu/people/ruma.chopra/courses/h186\\_M\\_Spr2011/s2/Service\\_Work.pdf](https://www.sjsu.edu/people/ruma.chopra/courses/h186_M_Spr2011/s2/Service_Work.pdf)

from the global south leave their own children and wider families to provide care for predominantly “elite” families.<sup>15</sup>

The lack of official data disaggregated by race or country of origin makes it difficult to comprehensively assess the full extent of racial discrimination faced by non-Saudi citizens and hinders the government’s ability to take preventive measures.<sup>16</sup> However, through interviews conducted for this report, Amnesty International found clear evidence of how racialized women are disproportionately affected by abuse and exploitation, enduring human rights violations in which race, gender and national origin played a significant role.

## LEGACIES OF SLAVERY

In 2002 Saudi Arabia, along with 133 other states, voted at the UN General Assembly to adopt the Durban Declaration and Programme of Action.<sup>17</sup> The Durban Declaration acknowledges that modern forms of racism and xenophobia, particularly against African people and people of African descent – as well as Asian people and people of Asian descent – are rooted in slavery and the slave trade, as well as in colonialism.<sup>18</sup> Both slavery and colonialism relied on explicit processes of racialization in order to position the enslaved and colonized people as less than, worthy of exploitation and/or ‘correction’ by their supposed superiors.<sup>19</sup> The Durban Declaration further affirms that xenophobia “against non-nationals, particularly migrants, asylum seekers and refugees, constitutes one of the major sources of contemporary racism”.<sup>20</sup>

Despite the existence of racism within the Middle East and North Africa, and a history of slavery and racial hierarchies, relatively little has been written on these topics compared with extensive scholarship on slavery and racial hierarchies in the North American and European context. These issues are highly sensitive, often deemed political “red lines” by state authorities in the Middle East.<sup>21</sup> To better



15 Sumayya Kassamali, “The Kafala System as Racialized Servitude”, The Project on Middle East Political Science, <https://pomeps.org/the-kafala-system-as-racialized-servitude>

16 As highlighted by the UN Committee on the Elimination of Racial Discrimination (CERD), 8 June 2018 Concluding observations on the combined fourth to ninth periodic reports of Saudi Arabia, UN Doc. CERD/C/SAU/4-9, para. 7, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSAU%2FCO%2F4-9&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSAU%2FCO%2F4-9&Lang=en)

17 The Durban Declaration was established in 2001 at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa. UN, “Following recorded vote, General Assembly adopts Declaration, Programme of Action of Durban World Conference against Racism”, 27 March 2002, <https://press.un.org/en/2002/ga10012.doc.htm>

18 Durban Declaration (previously cited), paras 13-14.

19 Report of the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 21 August 2019, UN Doc. A/74/321, <https://documents.un.org/doc/undoc/gen/n19/259/38/pdf/n1925938.pdf>

20 Durban Declaration (previously cited), para. 16.

21 World Bank, *Examining Racism and Discrimination in the Middle East and North Africa Region*, Washington, DC: World Bank, 2024, pp. 11-13, <https://openknowledge.worldbank.org/server/api/core/bitstreams/5ca627a3-522d-45af-ae5d-98337e24c5a7/content> and; Arabarometer, *Racial Discrimination and Anti-Blackness in the Middle East*, 2022, p.10, [https://www.arabbarometer.org/wp-content/uploads/ABVII\\_Racism\\_Report-ENG.pdf](https://www.arabbarometer.org/wp-content/uploads/ABVII_Racism_Report-ENG.pdf) and; Abdulrahman Alebrahim, “Slavery and Post-Slavery Gulf History and the Social Historian’s Dilemma”, LSE, 27 September 2021, <https://blogs.lse.ac.uk/mec/2021/09/27/slavery-and-post-slavery-gulf-history-and-the-social-historians-dilemma/>; and Deutsche Welle, “How are Gulf countries dealing with slavery?”, 2 August 2022, <https://www.dw.com/en/how-are-gulf-countries-coming-to-terms-with-their-history-of-slavery/a-60686264>

understand attitudes to domestic work, migrant women and discrimination in Saudi Arabia, Amnesty International sought to undertake a public poll in the country in 2024. However, two global polling companies declined to conduct such polls, with one citing that the topic was “political in nature” and therefore prohibited under their guidelines<sup>22</sup>. Nonetheless, as Amnesty International and others have previously highlighted in research on Europe and North America,<sup>23</sup> contemporary manifestations of systemic racism cannot be separated from the historical legacies of slavery and colonialism around the world. Therefore, to begin to understand and address continuing manifestations of racism and racial discrimination in the region, including Saudi Arabia, it is crucial to acknowledge such histories in the Middle East and their relevance to present-day issues. This includes the trade in enslaved people from East Africa to the Arabian Peninsula and beyond, as well as the impact of more recent British involvement in the Gulf region.

The East African – or Indian Ocean – slave trade endured for more than 1,000 years, beginning around the 7th century. Although less studied than the Transatlantic slave trade that followed it, the East African slave trade saw the enslavement and forced displacement of millions of people from Eastern Africa to what is today considered the Arabian Peninsula, as well as India. Estimates of the total number vary widely due to the lack of precise historical records.<sup>24</sup> However, historians concur that for much of this time, the majority of those enslaved were women and girls, who were primarily taken as domestic servants in wealthy households or as concubines – women “enslaved for the purpose of sexual relations with their male owners outside the institution of marriage.”<sup>25</sup> During the same period, many hundreds of thousands more were captured from inland North and North-East Africa and shipped across the Red Sea (known as the Red Sea slave trade), similarly a trade overwhelmingly in women and girls.<sup>26</sup>

The 18th and 19th centuries saw a significant expansion of the East African slave trade, driven in part by rising demand in Europe, North America, and elsewhere for goods produced in labour-intensive industries in the Gulf, such as date farming and pearl diving.<sup>27</sup> This period also saw a shift in the gender balance of the enslaved population, with young men – including children in some cases – increasingly being trafficked across continents for physically demanding work in the Gulf.<sup>28</sup>

22 Email from global polling company to Amnesty International, August 2024. On file.

23 See for example: Amnesty International, “*Canada has destroyed me*”: Labour exploitation of migrant workers in Canada, (AI Index: AMR 20/8807/2025), 30 January 2025, <https://www.amnesty.org/en/documents/amr20/8807/2025/en/>; <https://www.amnesty.org/en/documents/amr20/8807/2025/en/>; and Amnesty International, *Global: Africans and people of African descent call on Europe to reckon with their colonial legacies*, 18 November 2024, <https://www.amnesty.org/en/latest/news/2024/11/global-africans-and-people-of-african-descent-call-on-europe-to-reckon-with-their-colonial-legacies/>; and Amnesty International, “*They did not treat us like people*”: Race and migration-related torture and other ill-treatment of Haitians seeking safety in the USA (AI Index: AMR 36/5973/2022), 22 September 2022, <https://www.amnesty.org/en/documents/amr36/5973/2022/en/>

24 For discussion of the range of estimates, see for example: Matthew S. Hopper, “‘Slaves of One Master’: Globalization and the African Diaspora in Arabia in the Age of Empire” (Yale University, 7-8 November 2008), <https://glc.yale.edu/sites/default/files/files/indian-ocean/hopper.pdf>; and Bethwell A. Ogot, “Population movements between East Africa, the Horn of Africa and the neighbouring countries, *The African slave trade from the fifteenth to the nineteenth century*, UNESCO, 1979, available at: <https://constitutions.albasio.eu/wp-content/uploads/african-slave-trade.pdf>; and Klas Rönnbäck, “The Slave Trades out of Africa”, 2022, available at: [https://www.aehnwork.org/wp-content/uploads/2020/05/Ronnback\\_Slave\\_Trades\\_out\\_of\\_Africa01032022.pdf](https://www.aehnwork.org/wp-content/uploads/2020/05/Ronnback_Slave_Trades_out_of_Africa01032022.pdf); and Jerzy Zdanowski, “Slavery in the Gulf in the First Half of the 20th Century: A Study Based on Records from the British Archives”, pp. 15-16, available at: [https://www.academia.edu/115205285/Slavery\\_in\\_the\\_Gulf\\_in\\_the\\_First\\_of\\_the\\_20th\\_Century\\_a\\_study\\_based\\_on\\_records\\_from\\_the\\_British\\_Archives](https://www.academia.edu/115205285/Slavery_in_the_Gulf_in_the_First_of_the_20th_Century_a_study_based_on_records_from_the_British_Archives)

25 Sarah K. Croucher, “A Concubine is Still a Slave”: Sexual Relations and Omani Colonial Identities in 19th Century East Africa, *Intimate Encounters, Postcolonial Engagements: Archaeologies of Empire and Sexuality*, 2011, available at: [https://www.academia.edu/9121281/A\\_Concubine\\_is\\_Still\\_a\\_Slave\\_Sexual\\_Relations\\_and\\_Omani\\_Colonial\\_Identities\\_in\\_19th\\_Century\\_East\\_Africa](https://www.academia.edu/9121281/A_Concubine_is_Still_a_Slave_Sexual_Relations_and_Omani_Colonial_Identities_in_19th_Century_East_Africa)

26 Jerzy Zdanowski, “Slavery in the Gulf in the First Half of the 20th Century” (previously cited); and Jonathan Mirran, “Red Sea Slave Trade”, *Oxford Research Encyclopedia of African History*, 2022, available at: [https://www.academia.edu/77209288/Red\\_Sea\\_Slave\\_Trade\\_2022](https://www.academia.edu/77209288/Red_Sea_Slave_Trade_2022); and Nathan Nunn, “The long term effects of Africa’s slave trades”, *The Quarterly Journal of Economics*, February 2008, pp.141-142.

27 Matthew S. Hopper, “Slaves of One Master” (previously cited), pp. 8-9.

28 Matthew S. Hopper, “Slaves of One Master” (previously cited), pp. 19-20.





A woman works in a market in the Mathare slum of Nairobi, Kenya. © Anadolu via Getty Images

The slave trade persisted in the Gulf into the late 19th century and early 20<sup>th</sup> century.<sup>29</sup> Saudi Arabia itself only outlawed slavery – under increasing international pressure – in 1962.<sup>30</sup> The continuance of the trade for more than a millennium has left a profound and indelible mark on the Middle East and significantly shaped perceptions of Blackness in the region.<sup>31</sup>

Unfortunately, few studies to date have explored the specific and unique experiences, and societal perceptions, of the Black African women enslaved during the East African and other regional slave trades. However, it has been documented that some influential academics and intellectuals at the time promoted overtly anti-Black characterizations, including referring to African people as “excitable, emotional, dirty, morally unclean” – ultimately “savages” and “sub-human”.<sup>32</sup> According to Moses E. Ochonu, a professor of African history at Vanderbilt University, Nashville, Tennessee, these characterizations mirrored popular societal views of African people more generally. He observes that such biases provided necessary justifications for the continuation of enslavement in the region:

29 Matthew S. Hopper, “Imperialism and the Dilemma of Slavery in Eastern Arabia and the Gulf, 1873-1939.” ITINERARIO-LEIDEN-, 2006, available at: [https://www.academia.edu/1141795/Imperialism\\_and\\_the\\_Dilemma\\_of\\_Slavery\\_in\\_Eastern\\_Arabia\\_and\\_the\\_Gulf\\_1873\\_1939?nav\\_from=dc4b9b5-d695-4ef4-9fb6-8cf98810ad29](https://www.academia.edu/1141795/Imperialism_and_the_Dilemma_of_Slavery_in_Eastern_Arabia_and_the_Gulf_1873_1939?nav_from=dc4b9b5-d695-4ef4-9fb6-8cf98810ad29)

30 Suzanne Miers, *Slavery in the Twentieth Century: The Evolution of a Global Problem*, 2003, pp. 347-352.

31 Terence Walz and Kenneth M. Cuno, *Race and Slavery in the Middle East: Histories of TransSaharan Africans in Nineteenth-Century Egypt, Sudan, and the Ottoman Mediterranean*, (Cairo Press, 2010: 8); and John Hunwick, “Arab views of Black Africans and Slavery” presented at conference ‘Collective Degradation: Slavery and the Construction of Race’, Yale University, November 2003, available at: <https://glc.yale.edu/sites/default/files/files/events/race/Hunwick.pdf>

32 Moses E. Ochonu, “Slavery, Theology, and Anti-Blackness in the Arab World A Literature Review”, *Research Africa Reviews* Vol. 5 No. 1, April 2021, p.12, available at: <https://sites.duke.edu/researchafrica/files/2021/05/2-5-Slavery-Theology-and-Anti-Blackness-in-the-Arab-World-2021-.pdf>

***“Once the Saharan and Indian Ocean slave trades took root along with their economic benefits and complementing sociological norms, there was a persistent need not just for generating but also for reinforcing the racial justifications for them. This, as in the later Atlantic [slave trade] case, required the production of religious, sociological, and ethnological knowledge on a vast scale to bolster claims of Arab superiority and Black inferiority.”<sup>33</sup>***

Racial biases persist in the region today. For instance, contemporary scholars highlight the ongoing use of the term “Abed” (“slave” in Arabic) to refer to Black people, reflecting deeply entrenched perceptions of Black and dark-skinned people as inferior and suited only for servile roles.<sup>34</sup> These and other demeaning stereotypes of racialized people remain prevalent in popular culture and media, mirroring global patterns of racialization, including in relation to domestic labour, and the anti-Black characterizations that have been used to defend slavery around the world.<sup>35</sup>

These patterns are starkly evident in the experiences of Black African women domestic workers in the region, as detailed in this research (see chapter 4). For example, pervasive racist assumptions rooted in the legacies of slavery – such as the belief that Black women are sexually available, untrustworthy, uneducated, aggressive, inherently strong and physically suited for hard labour – were manifest in employers’ behaviour, meted out in the form of excessive overwork, extreme restrictions on their freedoms, and verbal and sexual harassment and assault.<sup>36</sup>

It is important to recognize that racial discrimination in the region extends beyond skin colour, encompassing ethnic and national origin too, as discussed below.<sup>37</sup> Nonetheless, skin colour remains “a persistent dimension along which marginalization occurs”,<sup>38</sup> and as the experiences of the Kenyan women interviewed for this report show, there continues to be “a particular form of xenophobia and prejudice against Black individuals of African origin and other dark-skinned populations with its roots in the slave trade”.<sup>39</sup>

33 Moses E. Ochonu, “Slavery, Theology, and Anti-Blackness in the Arab World A Literature Review”, p.11 (previously cited).

34 Ray Jureidini, “Migrant Workers and Xenophobia in the Middle East”, United Nations Research Institute for Social Development, 2003, p. 1, <https://cdn.unrisd.org/assets/library/papers/pdf-files/jureidin.pdf>; and John Hunwick, “Arab views of Black Africans and Slavery” (previously cited); and Mark Perry, “Perceptions of race in the Arab world”, <https://inhouse.lau.edu.lb/bima/papers/Perry.pdf>

35 The UN Committee on the Elimination of Racial Discrimination raised its concerns about the proliferation of racist hate speech and negative stereotypes, including against people of African descent in its 2024 concluding observations on Saudi Arabia. For further discussion, see: Al Jazeera English, “Blackface: The ugliness of racism in Arab media | The Listening Post (Feature)”, 21 October 2019, [https://www.youtube.com/watch?v=yp0ybc0\\_Q2A](https://www.youtube.com/watch?v=yp0ybc0_Q2A) and; Zarqa Parvez, “The contextualization of racism and discrimination in the Gulf”, 29 June 2020, Middle East Monitor, <https://www.middleeastmonitor.com/20200629-the-contextualization-of-racism-and-discrimination-in-the-gulf/> and; Joseph Fahim, “Racism in the Middle East: The Arab films and TV that promote hatred”, 25 June 2020, Middle East Eye, <https://www.middleeasteye.net/discover/racism-middle-east-arab-film-tv-opinion> and; Babiker Faisal Babiker, “عنصرية العرب تجاه أصحاب البشرة السوداء السوداء السودانيون مثالاً [Arab racism towards black people (Sudanese as an example)]”, 27 June 2018, Al Hurra, [https://www.alhurra.com/different-angle/2018/06/27/عنصرية-العرب-تجاه-أصحاب-البشرة-السوداء-السودانيون-مثالاً#:~:text=](https://www.alhurra.com/different-angle/2018/06/27/عنصرية-العرب-تجاه-أصحاب-البشرة-السوداء-السودانيون-مثالاً#:~:text=;); and Mansur Al-Hajj, “العنصرية في السعودية ما لا يقال عن العنصرية في السعودية [What is not said about racism in Saudi Arabia]”, Al-Hurra, 25 October 2017, <https://www.alhurra.com/different-angle/2017/10/25/العنصرية-في-السعودية-ما-لا-يقال-عن-العنصرية-في-السعودية>; and Migrant-Rights, “Sorcery and domestic workers – the abusive narrative persists in Saudi”, 18 September 2017, <https://www.migrant-rights.org/2017/09/the-stereotype-that-persists-sorcery-and-domestic-workers-in-saudi/>

36 For a discussion of the legacy of the transatlantic slave trade on women’s labour, see: Angela Y. Davis, *Women, race and class*, 1981, pp. 1-30.

37 Arabarometer, *Racial Discrimination and Anti-Blackness in the Middle East* (previously cited).

38 World Bank, *Examining Racism and Discrimination in the Middle East and North Africa Region* (previously cited), pp. 17-18.

39 Arabarometer, *Racial Discrimination and Anti-Blackness in the Middle East* (previously cited), p. 5.

# KAFALA AS INSTITUTIONAL RACISM

Systemic racism embedded in policies, institutions and practices results in discriminatory and disproportionate harm to racialized people. In the Gulf, the introduction of the kafala sponsorship system over the last century reinforced and institutionalized a racialized labour structure that disproportionately affects racialized migrant from Africa and Asia.<sup>40</sup>

Since the discovery of oil in the 1930s, Saudi Arabia has relied overwhelmingly on imported foreign labour. Widely cited as stemming from British imperial rule in neighbouring Gulf countries,<sup>41</sup> kafala was formalized as a labour governance system in Saudi Arabia in the 1950s. It provided a means of “policing empire”<sup>42</sup> by regulating the flux of migrant workers needed to build infrastructure, develop cities and support the oil industry.<sup>43</sup> As Migrant Forum Asia has explained, these workers served as *“temporary, rotating labour that could be rapidly brought into the country in economic boom and expelled during less affluent periods.”*<sup>44</sup>

Initially, this labour was performed by migrant workers from neighbouring Arab countries. However, by the oil boom of the 1970s, a growing drive for cheap labour combined with increasing fear amongst Gulf leaders of the political influence and “PanArabist, leftist and nationalist ideologies” of Arab workers saw them largely replaced with South and Southeast Asian workers. These workers were considered – in a reflection of racist assumptions of the time – “less threatening” politically, and easier to control.<sup>45</sup> As explained by anthropologists Zahra Babar and Neha Vora, they were seen as *“willing to remain acquiescent should their labour rights be eroded or denied, and less likely to demand family reunification or seek pathways towards formal inclusion”*.<sup>46</sup> As the living standards of Saudi nationals in the country rose in this period of swift economic growth, so too did the number of migrant domestic workers recruited to the country to service their households.<sup>47</sup>

Through the kafala system, governments delegate to private citizens or businesses responsibility for their foreign labour force, essentially providing legal cover for employers’ complete control of migrant workers (see chapter 5). While designed to manage the flow of foreign labour, the system also ensured that foreigners would not settle permanently and alter the country’s demography. It also institutionalized racism by effectively positioning foreign workers – overwhelmingly racialized people – as “second-class” and subordinate workers in relation to Saudi nationals who usually act as their “kafeel” (sponsors).

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- 40 For an insight into the history of the sponsorship system across the Gulf, see: Omar Hesham AlShehabi “Policing labour in empire: the modern origins of the Kafala sponsorship system in the Gulf Arab States”, 2019, British Journal of Middle Eastern Studies, 48:2, pp. 291-310, <https://www.tandfonline.com/doi/abs/10.1080/13530194.2019.1580183>
- 41 While Britain never formally colonized countries in the Gulf, it was the dominant ruling power in the region between 1820 and 1971. See: Louis Allday, Qatar Digital Library, “The British in the Gulf: An Overview”, 13 August 2014, <https://www.qdl.qa/en/british-gulf-overview>
- 42 Omar Hesham AlShehabi, “Policing labour in Empire: the modern origins of the Kafala sponsorship system in the Gulf Arab States” (previously cited).
- 43 Fairsquare, *Migrant Workers in Saudi Arabia*, Policy Brief No. 1, p. 9, <https://fairsq.org/wp-content/uploads/2020/11/FS-Policy-Brief-1-Saudi-Arabia-1020.pdf>.
- 44 Migrant Forum Asia, *Reform of the kafala (sponsorship) system*, Policy Brief No. 2, p. 1, <https://webapps.ilo.org/dyn/migpractice/docs/132/PB2.pdf>.
- 45 Zahra Babar and Neha Vora, “The 2022 World Cup and Migrants’ Rights in Qatar: Racialised Labour Hierarchies and the Influence of Racial Capitalism”, *The Political Quarterly*, Vol. 93, No. 3, July/September 2022, pp. 502-503, <https://onlinelibrary.wiley.com/doi/pdf/10.1111/1467-923X.13154>
- 46 Zahra Babar and Neha Vora, “The 2022 World Cup and Migrants’ Rights in Qatar” (previously cited). For further discussion of the racialization of South Asian labour migrants to the Gulf during British rule, see: Hessa Alnuaimi, “The Role of Colonial Knowledge in Building the Arab Gulf’s Migration Regime”, *Asian Journal of Middle Eastern and Islamic Studies*, 2022, <https://doi.org/10.1080/25765949.2022.2151079>
- 47 Romina Halabi, “Contract Enslavement of Female Migrant Domestic Workers in Saudi Arabia and the United Arab Emirates” *Human Rights & Human Welfare*: Vol. 8: Iss. 1, Article 31, 2008, p. 1. available at: <https://digitalcommons.du.edu/cgi/viewcontent.cgi?article=1384&context=hrhw>





Migrant workers are seen at a construction site near Riyadh, Saudi Arabia on 02 March, 2024. © Jaap Arriens/NurPhoto via Getty Images

***The introduction of the kafala sponsorship system over the last century reinforced and institutionalized a racialized labour structure that disproportionately affects racialized migrant workers.***

The system thus entrenched racial prejudices and exacerbated the social and economic marginalization of migrant workers.<sup>48</sup> For example, in the Gulf, a hierarchy based on race, national origin and class tends to see Gulf nationals at the top, enjoying the highest social status, economic opportunities, legal protections and state benefits, alongside white or “Western” people holding European or US passports, followed by non-Gulf Arab nationals in white-collar jobs. At the bottom of this manufactured racialized ladder are South and Southeast Asian people and Black Africans, who are overwhelmingly represented in low-paid, manual, “dirty, dangerous and difficult” jobs that nationals typically avoid,<sup>49</sup> and have limited social mobility opportunities given the near impossible paths to citizenship and restrictions on changing jobs.<sup>50</sup> The UN Special Rapporteur on contemporary forms of racism referred to this in Qatar as “in effect a quasi-caste system based on national origin”.<sup>51</sup>

48 General Authority for Statistics, “Saudi Census Statistics 2022”, breakdown by nationalities, (previously cited).

49 See, for example: Ray Jureidini, “Migrant Workers and Xenophobia in the Middle East” (previously cited), p. 3; and Amélie Le Renard, Centre Maurice Halbwachs, Paris & Neha Vora, “Interrogating Race in Gulf Studies”, <https://pomeps.org/interrogating-race-in-gulf-studies>; and Zahra Babar and Neha Vora, “The 2022 World Cup and Migrants’ Rights in Qatar: Racialised Labour Hierarchies and the Influence of Racial Capitalism” (previously cited); and Bina Fernandez, “Household Help? Ethiopian Women Domestic Workers’ Labor Migration to the Gulf Countries”, *Asia and Pacific Migration Journal*, Volume 20, Issue 3-4, 2011, p.451; and United Nations Special Rapporteur, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination xenophobia and related intolerance: Mission to the United Arab Emirates, 2009.

50 For discussion on routes to citizenship in the Gulf, see: Manara Magazine, “Citizenship, Nationalism, and Heritage in Gulf States”, 17 March 2022, [https://manaramagazine.org/2022/03/citizenship-nationalism-and-heritage-in-gulf-states/?elementor-preview=5845&ver=1702407827#\\_edn6](https://manaramagazine.org/2022/03/citizenship-nationalism-and-heritage-in-gulf-states/?elementor-preview=5845&ver=1702407827#_edn6) and; Bina Fernandez, “Racialised institutional humiliation through the Kafala”, *Journal of Ethnic and Migration Studies*, 2021, VOL. 47, NO. 19, p.4,352, <https://www.tandfonline.com/doi/epdf/10.1080/1369183X.2021.1876555?needAccess=true>

51 Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on her visit to Qatar, 2020, UN Doc. A/HRC/44/57/Add.1, para 17, [www.un.org/ga/search/view\\_doc.asp?symbol=A/HRC/44/57/Add.1](http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/44/57/Add.1)

The lack of disaggregated labour force data makes it difficult to assert precisely how such a labour structure manifests in Saudi Arabia. Nonetheless, data that is available shed some light on the high representation of foreign nationals in certain areas of occupation, particularly those which are usually amongst the lowest paid. For example, as of 2024, more than 4.2 million non-Saudis are employed in ‘elementary occupations’, – including cleaners, construction workers, farm workers – compared to just 119,000 Saudi nationals. Similarly, there are more than 2.3 million foreign nationals employed in ‘Craft and related trades workers’ – which includes roles such as builders, masons and mechanics, among others – and ‘Plant and machine operators, and assemblers’, compared to 130,000 Saudis.<sup>52</sup>

Starkly, jobs in domestic work are exclusively filled by foreign nationals: in 2024, of nearly 4 million domestic workers in the country, not a single position was held by a Saudi national.<sup>53</sup> Women domestic workers form one of the lowest stratum in the labour hierarchy, and enjoy the least protections due to their exclusion from the country’s Labour Law and the gendered nature of their role in private households. This is despite the essential nature of their work and the part they play in helping Saudi Arabia achieve its Vision 2030 – a plan to diversify the economy – which amongst others aims to increase Saudi women’s participation in the workforce, something that is enabled significantly by the domestic work provided by racialized migrant women in their households.<sup>54</sup>

Across the Middle East, migrant workers face different forms of racialization and are subjected to discriminatory stereotypes that reinforce racial hierarchies that extend across the region. ILO research in neighbouring Jordan and Kuwait shed light on how employer attitudes impact their behaviours.<sup>55</sup> For example, in Jordan, the ILO reported that employers and recruitment agents in the country repeatedly expressed a preference for Filipino domestic workers, based on gendered and racialized biases, because they were considered to be “more sophisticated, to look more presentable and to have superior English language skills.”<sup>56</sup> On the other hand, other racist stereotypes and objectification, particularly of Kenyan and Bangladeshi women, fed into employers’ dehumanization of their domestic workers and justification for their abusive treatment.<sup>57</sup> A 2020 report from the UN Special Rapporteur on contemporary forms of racism found similar attitudes and stereotyping in Qatar, where, for example, “*sub-Saharan African men are presumed to be unsanitary, sub-Saharan African women are presumed to be sexually available, and certain South Asian nationalities are presumed unintelligent.*” Conversely, the Special Rapporteur found that “*North Americans, Europeans and Australians are presumed superior, and whites in general are presumed to be inherently competent in various contexts, such as hiring and promotion decisions.*”<sup>58</sup>

Saudi Arabia’s racialized labour structure can also be seen, for example, in the differing amounts that the country’s recruitment agents can charge employers for the provision of domestic workers from overseas. While the Saudi government caps the cost of hiring Filipino domestic workers at SAR 14,700 (USD 3,914) followed by Sri Lankan workers at SAR 13,700 (USD 3,647), the cap for African workers is lower, with Kenyans capped at SAR 9,000 (USD 2,396), and Ethiopians at SAR 5,900 (USD 1,570). These charges had previously been revised downwards in January 2024, with the cost of

52 General Authority for Statistics, “Labor Market Statistics Q1/2024”, see Tab 3-5, (previously cited). For a detailed list of occupation categories, see: MHRSD, “Occupations”, <https://www.hrsd.gov.sa/en/skills-taxonomy/occupations>

53 General Authority for Statistics, “Labor Market Statistics Q1/2024”, see Tab 2-2, (previously cited).

54 Vision 2030, [https://www.vision2030.gov.sa/media/rc0b5oy1/saudi\\_vision203.pdf](https://www.vision2030.gov.sa/media/rc0b5oy1/saudi_vision203.pdf)

55 ILO, *Employers’ perspectives towards domestic workers in Kuwait: a qualitative study on attitudes, working conditions and the employment relationship*, <https://www.ilo.org/publications/employers-perspectives-towards-domestic-workers-kuwait-qualitative-study>; and ILO, *Employers’ perspectives towards domestic workers in Jordan: a qualitative study on attitudes, working conditions and the employment relationship*, <https://www.ilo.org/publications/employers-perspectives-towards-domestic-workers-jordan-qualitative-study>

56 ILO, *Employers’ perspectives in Jordan* (previously cited), p. 8; and Bina Fernandez, “Household Help?” (previously cited), p.451.

57 ILO, *Employers’ perspectives in Jordan* (previously cited), p. 12.

58 UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, “Visit to Qatar – Report” UN Doc. A/HRC/44/57/Add.1, 27 April 2020, para. 19, <https://digitallibrary.un.org/record/3865690?ln=en&v=pdf>

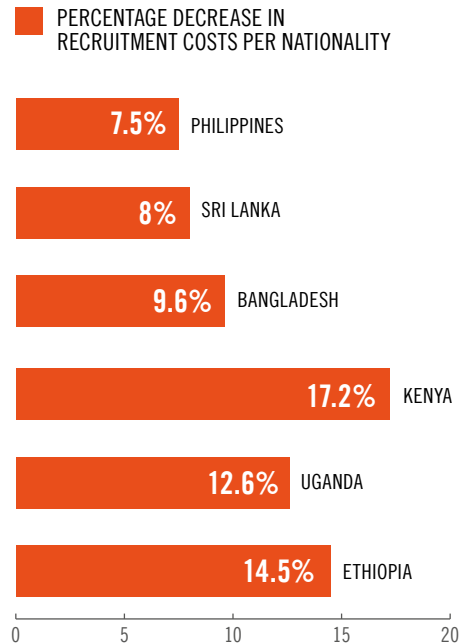
hiring African workers seeing the steepest reductions of between 12.6% and 17.2%. One African media outlet noted that, “only the African countries experienced a double-digit percentage cut” (see MHRSD table below).<sup>59</sup>

Regulation – by states of both migrant workers’ origin and destination – is crucial and costs of recruitment-related services do vary between migration corridors. However, these fee caps are influenced by the broader context of racialized labour, reinforcing assumptions about workers’ skills based on national origin and, by extension, race.<sup>60</sup>

Similarly, in addition to the country’s domestic worker regulations (see Chapters 4 and 5), guarantees on working conditions and minimum pay levels afforded to foreign nationals in Saudi Arabia are established through standard employment contracts negotiated via legally binding bilateral labour agreements with origin country governments – all of which have different levels of bargaining power and political will. This can lend itself to discriminatory outcomes, where some nationalities command better treatment and higher pay.<sup>61</sup> For example, the Philippines government has reportedly set a monthly minimum wage of SAR 1,500 (USD 400) for its nationals,<sup>62</sup> while Bangladesh’s bilateral agreement recommends just SAR 1,000 (USD 267),<sup>63</sup> and Ugandans just SAR 700 (USD 187).<sup>64</sup>

PREVIOUS UPPER CEILING	CURRENT UPPER CEILING	COUNTRY
<b>SR15,900</b>	SR14,700	Philippines
<b>SR15,000</b>	SR13,800	Sri Lanka
<b>SR13,000</b>	SR11,750	Bangladesh
<b>SR10,870</b>	SR9,000	Kenya
<b>SR9,500</b>	SR8,300	Uganda
<b>SR6,900</b>	SR5,900	Ethiopia

Table from MHRSD website showing current and previous caps on recruitment costs by nationality.



Bar chart showing the percentage decrease in recruitment costs per nationality.

59 MHRSD, “Reducing the maximum limits for costs of recruiting domestic labor services”, 21 January 2024, <https://www.hrsd.gov.sa/en/media-center/news/150120241>; and Business Insider Africa, “Saudi Arabia slashes the hiring fees of its African workers”, 17 January 2024, <https://africa.businessinsider.com/local/markets/saudi-arabia-slashes-the-hiring-fees-of-its-african-workers/b5dje61>

60 Migrant-Rights.org, “Qatar introduces nationality-based cap on recruitment fees for DWs”, 30 January 2022, <https://www.migrant-rights.org/2022/01/qatar-introduces-nationality-based-cap-on-recruitment-fees-for-dws/>

61 Bina Fernandez, “Racialised institutional humiliation through the Kafala”, p. 4,353 (previously cited).

62 Argam, “العمل” تدرس رفع رواتب العاملات المنزليات الفلبينيات إلى 1700 ريال... وفتح الاستقدام من “البوسنة والهرسك” [MHRSD is considering raising the salaries of Filipino domestic workers to 1,700 riyals... and opening recruitment from Bosnia and Herzegovina], 29 April 2018, <https://www.argam.com/ar/article/articledetail/id/545294>

63 The Business Standard, “Expat ministry proposes 1,000 riyal minimum wage for Bangladeshi workers in Saudi Arabia”, 16 April 2024, <https://www.tbsnews.net/bangladesh/migration/expat-ministry-proposes-1000-riyal-minimum-wage-bangladeshi-workers-saudi>

64 Migrant-Rights.org, “A Million Ugandans for Saudi Houses: What can we expect?”, 22 August 2015, <https://www.migrant-rights.org/2015/08/a-million-ugandans-for-saudi-houses-what-can-we-expect/>

# MIGRANT DOMESTIC WORKERS IN SAUDI ARABIA TODAY

According to the latest official Saudi census of 2022, there were 13.4 million foreign nationals in the country, with the majority coming from Bangladesh, India and Pakistan.<sup>65</sup> This figure accounts for all migrant workers, in all sectors.

In recent years, a growing number of people have migrated from East, North and West Africa to Arab states to take up low and medium-wage jobs in sectors such as construction, manufacturing, agriculture, food services, retail trade, and domestic and care work.<sup>66</sup>

Arab states are now home to 6.6 million men and women employed as domestic workers, with Saudi Arabia being the country with the world's highest number of domestic workers as a share of its workforce, according to the ILO.<sup>67</sup> The government's data shows that as of 2024, 3.9 million people are employed in this sector,<sup>68</sup> representing approximately 29% of the country's total foreign nationals.<sup>69</sup> In the last two years alone the country hired almost 500,000 new foreign domestic workers,<sup>70</sup> with the MHRSD stating that it now hires women domestic workers from 33 countries.<sup>71</sup>

In Saudi Arabia, domestic work covers many professions that are excluded from the Labour Law. According to the MHRSD, a domestic worker is defined as “any natural person who performs a domestic service, directly or indirectly, to [their] employer or any member of [the] family and during the performance of the service [they are] under the supervision and direction of the employer, or [their] representative.” As such, domestic worker jobs include that of driver, nanny, house nurse, house cook, house tailor, house waiter, butler, house manager, housekeeper, personal assistant, house farmer, physiotherapist, private speech specialist and hearing therapist specialist.<sup>72</sup>

ARAB STATES ARE NOW HOME TO

**6.6 MILLION**

MEN AND WOMEN EMPLOYED AS DOMESTIC WORKERS

SAUDI ARABIA HAS THE WORLD'S HIGHEST NUMBER OF DOMESTIC WORKERS AS A SHARE OF ITS WORKFORCE

**3.9 M**

PEOPLE ARE EMPLOYED IN THIS SECTOR

REPRESENTING APPROXIMATELY 29% OF THE COUNTRY'S TOTAL FOREIGN NATIONALS



**29%**

IN THE LAST TWO YEARS ALONE THE COUNTRY HIRED ALMOST

**500,000**

NEW FOREIGN DOMESTIC WORKERS

SAUDI ARABIA NOW HIRES WOMEN DOMESTIC WORKERS FROM 33 COUNTRIES



65 General Authority for Statistics, “Saudi Census Statistics 2022”, breakdown by nationalities (previously cited).

66 According to the ILO, the “Arab States” covers Bahrain, Iraq, Jordan, Kuwait, Lebanon, Occupied Palestinian Territory, Oman, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen. See: ILO, *Making decent work a reality for domestic workers in the Middle East: Progress and prospects ten years after the adoption of the ILO Domestic Workers Convention, 2011* (No. 189), 2021, p.1, <https://www.ilo.org/publications/making-decent-work-reality-domestic-workers-middle-east-progress-and>

67 ILO, “*Making decent work a reality for domestic workers in the Middle East*”, pp. 2-3 (previously cited).

68 General Authority for Statistics, “Labor Market Statistics Q1/2024”, see Tab 2-2, [https://www.stats.gov.sa/documents/20117/1400941/Register-based+Labour+Market+Statistics--+Q1+2024+En\\_0.xlsx/a8c99460-ec91-afb2-e159-b8c99e069bc4?t=1734052190943](https://www.stats.gov.sa/documents/20117/1400941/Register-based+Labour+Market+Statistics--+Q1+2024+En_0.xlsx/a8c99460-ec91-afb2-e159-b8c99e069bc4?t=1734052190943)

69 General Authority for Statistics, “Saudi Census Statistics 2022”, breakdown by nationalities (previously cited).

70 Saudi Gazette, “234000 domestic workers joined Saudi employment market in a year”, 7 January 2025, <https://www.saudigazette.com.sa/article/648417/SAUDI-ARABIA/234000-domestic-workers-joined-Saudi-employment-market-in-a-year>; and Gulf News, “Saudi Arabia: Rise in overseas house help”, 5 April 2024, <https://gulfnews.com/world/gulf/saudi/saudi-arabia-rise-in-overseas-house-help-1.1712308624160>

71 MHRSD, “More than two million contracts for recruitment of domestic workers from 33 countries through the Musaned platform until 2023”, 17 April 2024, <https://www.hrsd.gov.sa/media-center/news/170420244>

72 MHRSD, *Guide to the rights and obligations of domestic workers in the Kingdom of Saudi Arabia*, p. 3, <https://www.hrsd.gov.sa/sites/default/files/2024-03/Guide%20to%20the%20rights%20and%20obligations%20of%20domestic%20workers.pdf>

According to Saudi Arabia's data, three quarters of non-Saudi women working in Saudi Arabia are domestic workers.<sup>73</sup> However, the majority of domestic workers in Saudi Arabia are men<sup>74</sup> with 2.7 million men working in private homes, often as drivers, compared to 1.2 million women.<sup>75</sup> This gender disparity may be influenced by the historical ban on women driving, which was only lifted in 2018.<sup>76</sup> Many men are also subjected to demeaning, discriminatory and exploitative conditions like their women counterparts (see chapter 4). Nonetheless, women domestic workers face heightened vulnerabilities due to the combined effects of gender, race, and migration status<sup>77</sup>

## INCREASED MIGRATION FROM EAST AFRICA

Figures from 2022 published by the Saudi Arabian government reported over 91,000 Kenyans residing in the country, of whom 80,920 were women.<sup>78</sup> By mid-2023, a Kenyan official estimated that there were as many as 200,000 documented Kenyans in Saudi Arabia, including at least 151,000 employed as domestic workers.<sup>79</sup>

Most of the women interviewed for this report cited unemployment, economic hardship and the need to support their families as the primary motivators for their migration. Indeed, nearly 40% of the Kenyan population – more than 20 million people – lived below the Kenyan poverty line in 2022.<sup>80</sup> In recent years and in response to high unemployment levels, the Kenyan government has been increasingly encouraging the country's young people to travel abroad.<sup>81</sup> Most recently, this includes a push for Kenyans to take nursing jobs in Saudi Arabia.<sup>82</sup> Today, Saudi Arabia is one of the largest sources of remittances to Kenya. Remittances, which are Kenya's biggest source of foreign exchange and represent an increasing percentage of the country's GDP, more than doubled between 2020 and 2022 according to reports from the Central Bank of Kenya.<sup>83</sup>

73 See General Authority for Statistics, "Labor Market Statistics Q1/2024", see Tab 2-3 (previously cited).

74 ILO, "Domestic Workers in the Arab States", <https://www.ilo.org/regions-and-countries/ilo-arab-states/areas-work/domestic-workers-arab-states>

75 According to the country's General Authority of Statistics, in the first quarter of 2024, a total of 3,913,925 non-Saudis were employed in the domestic sector, of which 1,181,581 were women and 2,732,233 were men. See General Authority for Statistics, "Labor Market Statistics Q1/2024", see Tab 2-2, (previously cited). See also, ILO, *Making decent work a reality for domestic workers in the Middle East*, p. 4 (previously cited).

76 Amnesty International, "Saudi Arabia: Women now allowed to drive, but more reforms must follow", 21 June 2018, <https://www.amnesty.org/en/latest/news/2018/06/saudi-arabia-women-now-allowed-to-drive-but-more-reforms-must-follow/>

77 See ILO, *Making decent work a reality for domestic workers in the Middle East*, p. 4, (previously cited); and, for more information, see Migrant-Rights, "Driven to despair: Male domestic workers in Saudi", 9 July 2020, <https://www.migrant-rights.org/2020/07/driven-to-despair-male-domestic-workers-in-saudi/>

78 See General Authority for Statistics, "Saudi Census Statistics 2022", breakdown by nationalities, (previously cited).

79 KBC, "Kenya has over 151,000 immigrant domestic workers in Saudi Arabia", 3 August 2023, <https://www.kbc.co.ke/kenya-has-over-151000-immigrant-domestic-workers-in-saudi-arabia/>; see also, Parliament of Kenya, "Labour Cabinet Secretary appears before House for question time", <http://www.parliament.go.ke/index.php/node/20443>

80 Kenya National Bureau of Statistics, *The Kenya Poverty Report*, <https://www.knbs.or.ke/wp-content/uploads/2024/10/The-Kenya-Poverty-Report-2022.pdf>

81 See for example, Kenyans, "Ruto Lists 5 Countries Offering Jobs to 1 Million Kenyans; How to Apply", 18 June 2023, <https://www.kenyans.co.ke/news/90510-ruto-lists-5-countries-offering-jobs-1-million-kenyans-how-apply>; and The Eastleigh Voice, "State urges Kenyans to apply for jobs abroad, assures safety", 18 January 2024, <https://eastleighvoice.co.ke/shadrack-mwadime/11396>.

82 The Standard, "Kenya to send 2,500 nurses to Saudi Arabia", 18 December 2024, <https://www.standardmedia.co.ke/article/2001487757/kenya-to-send-2500-nurses-to-saudi-arabia>

83 Business Daily, "Saudi remittances double to Sh22bn amid maids abuse", 23 September 2022, <https://www.businessdailyafrica.com/bd/markets/capital-markets/saudi-remittances-double-to-sh22bn-amid-maids-abuse-3958662>





A woman walks through a street in Mombasa's old town in Kenya on 1 November 2023. © AFP via Getty Images

## KENYA'S ROLE IN PROTECTING MIGRANT WORKERS

Amid the increase in Kenyans migrating to Saudi Arabia, in 2022 the two governments signed a new bilateral labour agreement, in what the MHRSD stated was a bid to “open new avenues for recruiting well-trained and skilled domestic workers in order to appease the growing demands of them in Saudi Arabia”.<sup>84</sup> Amnesty International requested a copy of the new agreement from the Kenyan government, but this had not been provided at the time of writing, meaning it was not possible to assess the level of protection it provides to Kenyan women in the country and whether these meet international standards.

Further, in 2023, in recognition of its “piecemeal” approach to the challenges faced by Kenyan migrant workers and migration governance more broadly to date, the Kenyan Ministry of Labour and Social Protection published a National Policy on Labour Migration.<sup>85</sup> Amnesty International has not assessed the policy in detail nor its implementation to date, but among other initiatives, it commits the Kenyan government to strengthening protection of migrant workers, including through monitoring the situation of deployed workers; providing safe houses for workers in distress; improving recruitment practices, pre-departure training and data collection; negotiating bilateral agreements on social protection of migrant workers; and enhancing fair recruitment practices. Further, the policy addresses the need for justice and remediation for abuses, and states that the government will strengthen its handling of complaints and ensure access to redress mechanisms, including by establishing a Kenyan Migrant Workers Welfare Fund to provide financial and legal assistance to workers and their families, and support repatriation of workers who have died abroad.<sup>86</sup>

84 MHRSD, “Saudi minister of labor and social development, his Kenyan counterpart sign a bilateral agreement on domestic labor”, 21 September 2022, <https://www.hrsd.gov.sa/en/media-center/news/72060>

85 Ministry of Labour and Social Protection, *National Policy on Labour Migration*, 2023, [http://www.parliament.go.ke/sites/default/files/2024-10/Sessional%20paper%20no.5%20of%202023%20on%20the%20national%20policy%20on%20labour%20migration\\_0.pdf](http://www.parliament.go.ke/sites/default/files/2024-10/Sessional%20paper%20no.5%20of%202023%20on%20the%20national%20policy%20on%20labour%20migration_0.pdf)

86 Standing Committee on Labour and Social Welfare, *Report on labour migration, Senate study visit to the Middle East and policy implications*, 2 November 2021, <http://parliament.go.ke/sites/default/files/2022-08/Report%20on%20Labour%20Migration%20senate%20study%20visit%20to%20Middle%20East%20%26%20Policy%20Implications.pdf>; Send Us Home Kenya, “Kenya Labour Migration”, <https://sendushomekenya.org/what-we-do/labour-migration/>



## 4

# PATTERNS OF FORCED LABOUR AND HUMAN TRAFFICKING

*“I was locked up, going outside was not allowed. I never left the house and did not have a day off”*

Hope.<sup>87</sup>

*“Anyone can be a victim of forced labour. However, people who lack knowledge of the local language or laws, have few livelihood options, belong to a minority religious or ethnic group, have a disability or have other characteristics that set them apart from the majority population are especially vulnerable to abuse and more often found in forced labour... Forced labour is also more likely in cases of multiple dependency on the employer, such as when the worker depends on the employer not only for his or her job but also for housing, food and for work for his or her relatives.”*

ILO Indicators of Forced Labour.<sup>88</sup>

**The ILO Forced Labour Convention** – to which Saudi Arabia is a party – defines forced labour as *“all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”*<sup>89</sup> As a party to the convention, Saudi Arabia has committed itself to criminalize forced labour and to adequately penalize it, and take steps to prevent it.

<sup>87</sup> Interview conducted in Nairobi, 12 March 2024.

<sup>88</sup> ILO, *ILO Indicators of Forced Labour: Special Action Programme to Combat Forced Labour*, (hereafter ILO Indicators of Forced Labour), p.5, [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed\\_norm/@declaration/documents/publication/wcms\\_203832.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_203832.pdf)

<sup>89</sup> Article 2, ILO Forced Labour Convention (C29), 1930. Saudi Arabia is also a state party to the ILO'S Abolition of Forced Labour Convention, 1957 (C105).

Total dependency on their employers, coupled with overwork, a lack of rest and freedom of movement, physical abuse, restricted communication with the outside world, passport confiscation, unpaid wages, and poor living conditions characterize the daily lives of all 70 of the women interviewed by Amnesty International for this report. Indeed, collectively, the women interviewed reported 10 of the ILO's 11 indicators of forced labour, with the vast majority reporting being subjected to 8 to 9 indicators each:<sup>90</sup>

- |                                 |  |
|---------------------------------|--|
| 1. Abuse of vulnerability       | 6. Intimidation and threats              |
| 2. Deception                    | 7. Retention of identity documents       |
| 3. Restriction of movement      | 8. Withholding of wages                  |
| 4. Isolation                    | 9. Abusive working and living conditions |
| 5. Physical and sexual violence | 10. Excessive overtime <sup>91</sup>     |

Below are the voices of the Kenyan women interviewed by Amnesty International describing their experiences of being domestic workers in Saudi Arabia.

## ABUSE OF VULNERABILITY

***“...when an employer takes advantage of a worker's vulnerable position, for example, to impose excessive working hours or to withhold wages... a forced labour situation may arise.”***

ILO Indicators of Forced Labour.<sup>92</sup>

Migrant workers in Saudi Arabia are generally still heavily dependent on their employers due to the kafala sponsorship system that remains in place today. This dependency is most extreme for live-in workers, many of them women. Isolated in homes and away from the public gaze, these domestic workers depend on their employers in almost every aspect of their presence in the country. Their vulnerability to abuse is exacerbated by the failure of Saudi Arabia to provide domestic workers the same protections as those offered to other workers in the private sector, as well as the domestic work sector's exclusion from the most recent sponsorship reforms (see chapter 5).

The result is a system that not only enables abuse but leaves them dangerously exposed. While this report does not focus on deaths, a recent New York Times investigation has revealed that at least 274 Kenyan workers – mostly women – have died in the last five years, with autopsy reports being described as “vague and contradictory”. Such figures provide a sobering reminder of the ultimate price some are forced to pay in a system that systematically fails to protect them.<sup>93</sup>

90 ILO Indicators of Forced Labour (previously cited).

91 Debt bondage is the eleventh of the ILO's forced labour indicators. In this research, Amnesty International did not document this practice, however it has been widely documented amongst workers in other sectors. See for example: Human Rights Watch, “Die First, and I'll Pay You Later”: Saudi Arabia's 'Giga-Projects' Built on Widespread Labor Abuses, 4 December 2024, <https://www.hrw.org/report/2024/12/04/die-first-and-ill-pay-you-later/saudi-arabias-giga-projects-built-widespread>

92 ILO Indicators of Forced Labour, p.5 (previously cited).

93 New York Times, “Why Maids Keep Dying in Saudi Arabia”, 16 March 2025, <https://www.nytimes.com/2025/03/16/world/africa/saudi-arabia-kenya-uganda-maids-women.html>

# DECEPTION

***“When leaving they told me it would be housework... but they lied about the amount of work. You’re overworked... You’re told it’s a family of five but when you get there it’s a father and mother and 12 kids. So, the work ends up being a lot. I was alone. I did all the housework.”***

Peace.<sup>94</sup>

***“Deception relates to the failure to deliver what has been promised to the worker, either verbally or in writing. Victims of forced labour are often recruited with promises of decent, well-paid jobs. But once they begin working, the promised conditions of work do not materialize, and workers find themselves trapped in abusive conditions without the ability to escape... Had they known the reality, they would never have accepted the job offer.”***

ILO Indicators of Forced Labour.<sup>95</sup>

All the women interviewed by Amnesty International said that their need to build a better life was the main reason for migrating. Many said they were approached by local brokers at the behest of recruitment agents who were aware of their personal circumstances and their desperation for a steady income to support their families. The brokers described “success stories” of people who had migrated before and gave them false information about their prospective jobs in Saudi Arabia, including regarding the type of work they would be doing, working hours, rest time and days off, pay and living conditions. Once in Saudi Arabia, employers systematically breached the standard contracts that had promised them reasonable working hours and duties.

***“I was told I would have off days but when I got there, I did not have any off day. I was to be paid SAR 1,200 [USD 320] but I used to be paid SAR 900 [USD 240]. [The contract] further stated that I would work in a house with another worker, for eight hours only per day, but when I got there, I was the only one working in the house.”***

Jamila.<sup>96</sup>

***“I did sign a contract before going and it said when I got there I will be paid [my salary] ... For the first three months my money was taken away by the agent... I was told that I will be responsible for cleaning between 9am and 6pm, but I was working until 3am every day.”***

Ayana.<sup>97</sup>

94 Interview conducted in Nairobi, 13 March 2024.

95 ILO Indicators of Forced Labour, p. 6 (previously cited).

96 Interview conducted in Nairobi, 13 March 2024.

97 Interview conducted in Mombasa, 7 March 2024.

In a few cases, the women were promised administrative or teaching jobs, only to discover on arrival that they would be live-in domestic workers.

Muna, a single mother of four, decided to travel to Saudi Arabia to provide for her children. The recruitment agent told her she would work as an English teacher and be paid SAR 1,200 (USD 320). On arrival, she discovered she would be working as a domestic worker in addition to teaching the children and would be receiving a monthly salary of only SAR 800 (USD 213). She told Amnesty International:

***“I went there as a teacher of English for a private household. But to my surprise... the lady came and introduced me, and said, ‘I have four children. You are going to attend to the children, you will attend to the beds’... I was disappointed. But I said, as long as I am here, all the way from my country, what I came [for] is money – let me persevere. When the children go to school, I remain doing all the housework.”***

Once the women agreed to work in Saudi Arabia, the recruitment agencies appear to have taken the lead in processing all the paperwork needed, such as obtaining their passports and securing all the travel documents at no cost for most of those interviewed. However, a few of the women interviewed said they had to pay recruitment fees of between KES 7,000 (USD 55) and KES 45,000 (USD 348) to the agents for these services or to cover the cost of training.

After completing her pre-departure training, Lucia considered not travelling to work in Saudi Arabia, but the recruitment agency demanded reimbursement if she decided not to go:

***“I was also threatened and cautioned on changing my mind about travelling by refunding back KES 300,000 [USD 2,322] for their catering for my travel to Saudi. So, I decided to travel because I didn’t have money to pay back.”***

Worse was to follow:

***“I was informed that there will be two days off from work and that I would work as a company cleaner but when I got to Saudi, I worked as a domestic worker in four different houses. I was informed I would be paid SAR 1,000 [USD 270] but I was never paid...”<sup>98</sup>***

Many women said they signed a contract prior to their departure, broadly outlining their working conditions. However, almost all of them indicated that their experience in Saudi Arabia did not match the contracts they signed, or other promises received while in Kenya. Some complained that they were not even allowed to read their contracts but were instead rushed by the recruitment agencies or even shouted at to sign them quickly.

Katherine decided to travel to Saudi Arabia to cover the expenses for her mother’s medical treatment. She recalled her recruitment experience, which included being asked to sign her contract at the agency after attending the pre-departure training:

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98 Interview conducted in Nairobi, 13 March 2024.

***“We were like 30 [people], and 20 of us were from Mombasa but they could not even write their names. But even myself, I did not even go through the contract, because the office was rushing us: ‘can you sign quickly, we need the papers’. So, I signed where they asked me.”<sup>99</sup>***

Others said they were only shown and asked to sign their contracts at the airport, with agents handing their passports back at the departure gate, leaving them with little or no way to negotiate their work conditions or even change their minds. Janet said:

***“On your travel day you are finally given your documents. Since you applied for your passport and everything, you have never seen this document until the day you are travelling. You are given these papers at the airport, and it is only when you are waiting for your plane that you start checking for your documents and you are like WHAT? You were told that your [employer’s] family will have three people and on your contract you find that the family has over 20 members, but you have no choice because you are already there, you can’t go back.”<sup>100</sup>***

A few said that they never signed a contract. For instance, Cassandra told Amnesty International:

***“I was not given any contract, neither told what salary I was to be paid. All I was told was that I was going to work as a caregiver to an elderly woman, which changed upon arrival to a domestic worker... I was going to be a housekeeper of a household which had 16 people including eight children. I was surprised because I knew I was to be a nurse, but I persevered because I needed the money.”<sup>101</sup>***

Regardless of whether the women signed a contract, almost all of them seemed to some extent unaware of what they were committing to. Their consent was neither fully informed nor freely given.

In fact, once they became aware of their actual job conditions, some women no longer wished to travel. However, as described by Lucia above, recruitment agencies demanded reimbursements of the costs incurred in processing their paperwork, which they could not afford.<sup>102</sup> Katherine even reported that her friend was made to refund the recruitment agency KES 200,000 (USD 1,550) when she was found to be pregnant during a pre-departure medical assessment.<sup>103</sup>

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99 Interview conducted in Nairobi, 13 March 2024.

100 Interview conducted in Nairobi, 13 March 2024.

101 Interview conducted in Mombasa, 9 March 2024.

102 Interview conducted in Nairobi, 13 March 2024.

103 Interview conducted in Nairobi, 13 March 2024.

# RESTRICTION OF MOVEMENT AND ISOLATION

***“I have no freedoms, because once you are inside you never go out. You don’t go out and do not see out. This made me feel like it’s a prison.”***

Joy.<sup>104</sup>

***If workers are not free to enter and exit the work premises, subject to certain restrictions which are considered reasonable, this represents a strong indicator of forced labour... Victims of forced labour are often isolated in remote locations... But equally, workers may be isolated even within populated areas, by being kept behind closed doors or having their mobile phones or other means of communication confiscated, to prevent them from having contact with their families and seeking help.***

ILO Indicators of Forced Labour.<sup>105</sup>

All the women interviewed said they faced severe restrictions on their liberty, freedom of movement and privacy. Almost all said they were confined to their employers’ houses, never allowed to leave alone. When they did go outside, they were always with their employers, tasked with looking after the children or cleaning other relatives’ households.

***“The only times I’d go out was with [my employer] ... One time we even went to Mecca, but I was not allowed to go solo. I could only leave with them. I’d be sitting at the back of the car, and wherever they’d be, I’d be sitting somewhere else on a bench. So, if they were eating, they’d seat me somewhere else and then send me something. I’d watch the kids while I was there.”***

Philo.<sup>106</sup>

Sumaya, 27, travelled to Saudi Arabia with her sister. Despite both working in Jeddah for two years, Sumaya’s employer never allowed them to meet, and never allowed Sumaya out of the house alone.

***“They [her employers] kept telling me, ‘if your sister is in Jeddah we can take you’, but they never took me to see her... And I was not allowed to go alone. I was sad about this.”***<sup>107</sup>

Evelynne described the intense loneliness she felt, and the importance of tiny interactions with others in similar situations:

***“After three months’ probation, we went for a medical test and I met a Kenyan, but I was restricted to talk to her. How I wished we could exchange numbers, communicate just in case when we feel lonely. We could say... ‘How is your boss? How is work?’ You at least feel as if you’re in the same situation... you could get courage to move on, but we were just alone.”***<sup>108</sup>

104 Interview conducted in Mombasa, 8 March 2024.

105 ILO Indicators of Forced Labour, p. 11 (previously cited).

106 Interview conducted in Mombasa, 8 March 2024.

107 Interview conducted in Mombasa, 7 March 2024.

108 Interview conducted in Nairobi, 13 March 2024.



A few of the women said that they were never once allowed to leave the house during their time in Saudi Arabia, while others described how their employers would lock them inside when the family went away, leaving them trapped alone for days, with barely any food and no access to the outside world.

***“I was all the time in the house, only one time they took me out with them. One time they left me alone in the house for two weeks. They went on vacation to Turkey and locked all the doors, leaving me inside. They left some food for me in the house and told me to eat from it.”***

Ayana.<sup>109</sup>

Zahara said she never left her employer’s house during her two-year stay in Saudi Arabia:

***“We need to be free. When they go outside, they will lock the door any time and sometimes they are travelling for one week. They say, ‘you have food inside’, so they will lock the door. They are not going to trust you because they think you will run away. If maybe there is a fire in the house, what will happen to you? You will die. You feel you are a slave.”***<sup>110</sup>

Such practices breach international law, which grants everyone the right to personal liberty and protects them against its arbitrary deprivation.<sup>111</sup> This includes article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), to which Saudi Arabia is a party, which requires state parties to guarantee “the right to freedom of movement and residence within the border of the State.”<sup>112</sup> The ability of employers to restrict their domestic workers’ movements and prohibit them any form of private life is facilitated by the authorities’ failure to monitor and penalize abusive practices within private homes, such as the withholding of identity documents and denial of rest days, as well as more systemic issues such as the exit permit requirement under the kafala system – all of which normalize tight constraints on migrant workers’ freedoms.

Many of the women interviewed said their isolation was exacerbated by their employer confiscating their phone or controlling its use.

***“I hardly got an opportunity to talk with my family because I was working all the time and when I got the chance to, they would just come and ask for the phone abruptly and they return it to you after a week or more without a reason. The other way was to disconnect me from Wi-Fi and that is how I hardly communicated with my family.”***

Reema.<sup>113</sup>

***“You could only talk at night and not while you were working, which was all hours. Sometimes they would switch off the WiFi at night so that you couldn’t talk to your people.”***

Beverley.<sup>114</sup>

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109 Interview conducted in Mombasa, 7 March 2024.

110 Interview conducted in Mombasa, 8 March 2024.

111 See Articles 12 and 17 of the International Covenant on Civil and Political Rights (ICCPR), although Saudi is not a state party to the Covenant.

112 See Article 5 (d)(i) of ICERD.

113 Group discussion conducted in Mombasa, 7 March 2024.

114 Interview conducted in Mombasa, 8 March 2024.

Layla told Amnesty International that when she finally said ‘no’ to her employer who was taking her to work in different households, her employer cut her access to the Wi-Fi and started deducting SAR 100 (USD 27) from her salary each month to pay for her internet use.<sup>115</sup>

According to the women interviewed, some employers would give them their phone just a few hours a week or month, while others were allowed to use their devices only after “working hours”, late at night after finishing their chores - by which time they were too tired to speak to anyone and anyway their families would be asleep. Rania said:

***“When I arrived at the office [in Saudi Arabia], the agent asked for my phone. I thought it was just to check on it, but he took it and put in the envelope. And when my madam sponsor came to take me home, he gave her the envelope. I did not have my phone at all. If I feel like I’m missing my family, I have to ask her [the employer] to give me the phone. She will only give it to me if I ask maybe once in three months, and only if she wants. If not, she will tell me there is no call. So I stayed there with no communication.”<sup>116</sup>***

In a few cases, the women described how their phones were confiscated as a punishment following disagreement with their employer, leaving them for months without any contact with their families. Judy said this happened after she finally had the courage to tell her female employer that her husband had been sexually harassing her:

***“When I told the madam, she took my phone... I had no one to talk to. I couldn’t talk to my mum. Every time I mentioned talking to my family there was chaos in the house.”<sup>117</sup>***

A couple of the women said they managed to hide phones, which they used in secret to contact their families and children.

Restrictions on freedom of movement and communication lead to severe seclusion and are key indicators of forced labour. Already, the nature of their jobs means live-in domestic workers do not have easy access to the outside world or the peer support usually available in other workplaces. As a result, they are deprived of any emotional and psychological support, which is particularly vital when experiencing distress and abuse. This in turn can exacerbate cycles of exploitation and prevent the women from seeking help and reporting abuses.

The 2023 Regulations for Domestic Workers do oblige employers to “allow domestic workers to communicate with their relatives, embassies, recruitment agencies and relevant authorities”.<sup>118</sup> However, as with most provisions related to employers’ obligations, the regulation lacks mechanisms to ensure compliance.

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115 Interview conducted in Mombasa, 7 March 2024.

116 Interview conducted in Mombasa, 8 March 2024.

117 Interview conducted in Nairobi, 12 March 2024.

118 Article 15 of the 2023 Regulations for Domestic Workers (previously cited).

# PHYSICAL AND SEXUAL VIOLENCE

***“Forced labourers, their family members and close associates may be subjected to actual physical or sexual violence... Violence can also be used to force a worker to undertake tasks that were not part of the initial agreement, such as to have sex with the employer or a family member or, less extreme, to undertake obligatory domestic work in addition to their “normal” tasks...”***

ILO Indicators of Forced Labour.<sup>119</sup>

Many of the women interviewed spoke of physical abuse and gender-based violence ranging from sexual harassment to serious sexual assault in their workplace, including instances of rape – abuses and criminal acts for which they said no one was held accountable.

## PHYSICAL ABUSE

Most women interviewed said that their employers would verbally abuse them, and this was sometimes accompanied by physical violence, including spitting, poking, slapping and beating. Recalling when her employer hit her, Atieno – who in addition to managing all the housework and other responsibilities, was also caring for an elderly woman who relied on a wheelchair – said:

***“She used to call me bad names and abused me, so when I came down from the bathroom five minutes after she called me, she told me ‘look at my leg’, and when I bent down she hit me with her hand on my back, a very hard slap.”***<sup>120</sup>

Acts of violence often originated with the employers’ children, with the employers taking no action to stop it. In some instances, employers even encouraged such behaviour and unjustly blamed the women for provoking the children.

***“Another major issue is the children being very disrespectful and having their parents do nothing about it. In fact, they are the ones who send them to either spit at you, throw food, pour water on you and abuse you too. If you dared tell them what the children have done, they would call you ‘mushkila’ [problem], to say that you are the problem and not their children.”***<sup>121</sup>

***“Sometimes, they would send the children to come and beat me and spit on me. The employers never said anything because they would say that they are children, they cannot be beaten. One child even came and hit me on my head with a shoe in front of the parents. When I was resting, they would also come to spit at me and run away.”***

Hasnaa.<sup>122</sup>

119 ILO Indicators of Forced Labour, p. 11 (previously cited).

120 Interview conducted in Nairobi, 12 March 2024.

121 Group discussion conducted in Mombasa, 7 March 2024.

122 Interview conducted in Mombasa, 7 March 2024.

## SEXUAL ABUSE

For some of the women, the abuse involved sexual assault. Isolated within their employers' homes, male employers or male members of the household where they worked would make inappropriate advances, engage in unwanted touching, harassment and, in some cases, commit rape.<sup>123</sup> One woman described her employer's attempts to assault her when his wife was out of the house:

***"One time, the husband came at me making sexual advances wanting to rape me from behind. He tore my clothes and I fought so hard from him so that he doesn't do anything. Luckily, the wife just returned to the house and this really helped me. So anytime, he ever tried any advances, I used to threaten him with telling the wife because he had told me not to report and that he would not repeat."***<sup>124</sup>

Clara.

Eshe travelled to Saudi Arabia expecting to work as a cleaner only to discover that she would also be looking after six children. She was taken by surprise when her employer and his brother exploited their wives' absence to sexually assault her when she was left alone with the children. She said:

***"The employer and the brother used to really disturb me with making advances towards me sexually. It was hard for me because I used to live in fear of what they would do to me, and I had no one to share with so as to find a solution. There was a time when the employer came and harassed me from behind when I was wearing a dress, lifted it, and I really fought him and told him I was not interested, that only work brought me [here]. He tried to give me money which I refused."***<sup>125</sup>

Hope said she was sexually harassed by the son of her employer. She described how she was made to sleep in a laundry room which had no lock, meaning that the son could come in every night:

***"I would be sleeping at around 4am and you know when you feel someone watching you and you wake up. I could never sleep deeply. You are tired and you are not even sleeping on a bed. He will get into my room with his robe, and he will be naked. He was in his 20s, not married. It started from the beginning. I would beg him and make it seem that maybe one day it will happen, but just not now. That went on and on, and it was so bad when there was no one in the house, and he will make sure it happens often. He follows me everywhere; I would lock myself in the bathroom for hours until I hear the bell ring, which meant that someone was coming."***<sup>126</sup>

Judy, 27, a single mother of two, travelled to Saudi Arabia to escape her abusive husband. A month into her job, her male employer started to sexually harass her by walking naked in the house when his wife was absent. She decided to report him to his wife, Judy's female employer, who responded by confiscating her phone. Judy felt even more isolated. The assaults then escalated when her female employer left the house in the morning and would only return in the afternoon, during which time the male employer would enter Judy's room and rape her. She remembered:

***"He did rape me and even threatened me not to tell the wife. I kept quiet. It was like his daily routine... I tried [to tell him stop] but men are very strong. So eventually he did rape me, five times... I decided to talk to the wife. I told myself 'enough is enough', even if he kills me, I have to say something, I cannot endure the suffering."***

123 See also, Migrant-Rights.org, "'If my husband touches you I will kill you' Rape, abuse, neglect, and death threats: the lives of Kenyan women returning from Saudi", 8 August 2022, <https://www.migrant-rights.org/2022/08/if-my-husband-touches-you-i-will-kill-you/>

124 Group discussion conducted in Mombasa, 13 March 2024.

125 Group discussion conducted in Mombasa, 7 March 2024.

126 Interview conducted in Nairobi, 12 March 2024.

After finally telling the wife what happened, Judy was relieved when she saw police officers arriving at the house. To her surprise, she was the one who was escorted out of the house and taken to prison, without explanation. She told Amnesty International:

***“When we arrived at the station, I remember hearing the madam say ‘this girl, I took her in, I gave her everything, even the room she is sleeping in is a very good room, but she decided to steal from me’... I asked the madam ‘what have I stolen? If I have really stolen something, why have you not checked in my room to know that it is true’... But she didn’t listen. It is like she paid the policemen. I was locked up and stayed there for three months and was eventually accused of theft.”***

In the end, with the support of the Kenyan embassy, Judy managed to return home but has yet to see her abuser held to account for his actions. She added:

***“I came with nothing. The only good thing I saw was going on an aeroplane. I stayed in another country for five months for nothing, not a cent. My daughter was supposed to go to school, but she couldn’t join. I went back home and mum was happy to see me. I didn’t tell her what happened, I just told her I got tired and prefer to work here.”<sup>127</sup>***

Caro’s ordeal started almost immediately after she landed in Saudi Arabia. As a widow with two young children, she felt she had no option but to travel to Saudi Arabia for work after her husband died. Upon her arrival in Dammam, she was moved between different sponsors until she was forced to work for a family of eight. Soon after, the male employer started to enter her room at night, followed by his sons. She said:

***“The husband and kids want to come sleep with you and when you say ‘no’, they say they will tell madam you are the one who threw yourself at them. I found that very disturbing, when you close your door, you find the husband and kids are coming. How can I help myself? It continued like that. I didn’t have someone to tell. He [the husband] would say that if I tell the wife I will get killed here.”***

Caro added that she was constantly threatened by her abuser:

***“That was making me so mad and so angry... And then I was like ‘why are you doing this?’ and the husband said ‘you will do what I want’.”<sup>128</sup>***

Brenda, mother of a young child, said that her male employer started propositioning her, exploiting his wife’s absence from the house. She cried as she struggled through tears to describe her experience:

***“There was an instant when the man of the house threatened me with a gun. And he raped me [she is crying]. And sodomised me. It was a really hurtful experience, and I find it hard to talk about. I will talk to help others.”***

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127 Interview conducted in Nairobi, 12 March 2024.

128 Interview conducted in Nairobi, 12 March 2024.

When Brenda tried to confide in her female employer about the sexual harassment, she was not believed, exacerbating her trauma:

***“She would say ‘why are you telling me this, my husband would not do this?’ The first instance she slapped me and said, ‘this cannot be true’. I am not going to accept this and why are you concentrating on that rather than the work that brought you here. Go back to the sink, make sure it is clean’.”***<sup>129</sup>

For Atieno, it was the house driver who began sending her unsolicited nude photos and harassing her with phone messages and video calls. When she threatened to report him to their employer, he stopped calling her, but he continued to send her offensive images. Atieno said it was not possible for her to block his phone number because she needed to communicate with him to liaise about the kids drop off and pick up times.<sup>130</sup>

Ultimately, none of the women who shared their harrowing experiences with Amnesty International saw their abusers brought to justice. Many were too frightened to report the abuse in Saudi Arabia, to either the authorities in Saudi Arabia or the Kenyan embassy, and the few who did saw their complaint dismissed or were falsely accused of a crime. As Katherine told Amnesty, many felt abandoned by both the Saudi and Kenyan governments:

***“If I have a complaint I have nowhere to go. When I went [to Saudi] I was not given a police number, I did not know where the Kenyan embassy was, was not given direction or contact which I could reach out if I have any problem.”***<sup>131</sup>

#### **UNITED NATIONS CONVENTION AGAINST TORTURE** (TO WHICH SAUDI ARABIA IS A STATE PARTY)

**TORTURE INCLUDES ACTS OF VIOLENCE THAT ARE INTENTIONALLY INFLICTED TO PUNISH, INTIMIDATE, OR COERCE THE VICTIM, AND SEXUAL VIOLENCE IS RECOGNIZED AS A FORM OF TORTURE.**

The 2023 US Department of State’s country report on human rights in Saudi Arabia highlighted that while rape is a criminal offence under Shari’a law, the state frequently punished victims as well as perpetrators for unlawful “mixing of genders,” even in cases without a rape conviction. Victims were also required to prove the rape occurred, and a woman’s testimony in court was not always accepted. According to the report, few rape cases went to court and most incidents likely went unreported as survivors feared societal and familial backlash as well as criminal penalties, or accusations of adultery or extramarital relations, punishable under Shari’a law.<sup>132</sup>

129 Interview conducted in Mombasa, 7 March 2024.

130 Interview conducted in Nairobi, 12 March 2024.

131 Interview conducted in Nairobi, 13 March 2024.

132 US Department of State, *2023 Country Reports on Human Rights Practices: Saudi Arabia*, Section 6, <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/saudi-arabia/>



The acts of violence and insults described to Amnesty International were not isolated incidents but part of a pervasive pattern of abuse that underscores a culture of disregard and disrespect. This is drawn from racialized stereotypes which dehumanize and hypersexualize Black women and are enabled by the gendered and systemic racism inherent in the kafala system. For all the domestic workers interviewed, the workplace is also their home, making it impossible to escape from the abusive environment or even report it.

Both Saudi Arabian and international law and standards stress the importance of treating domestic workers with respect and protecting them from violence. According to international law, a state can be responsible for violations of rights by third parties and private actors if it failed to act with due diligence to prevent these violations or investigate and punish them.<sup>133</sup> The Committee on the Elimination of Discrimination against Women has emphasized the importance of due diligence obligations that require states to prevent violence or violations of human rights; protect victims and witnesses from violations; investigate and punish those responsible, including private actors; provide access to redress for human rights violations; and “ensure that private actors do not engage in discrimination against women and girls”.<sup>134</sup> The failure of the Saudi Arabian government to investigate and document such cases allows this form of violence against women to continue.

Further, rape, in the context of forced labour, can constitute torture under international law if the state fails to act with due diligence to prevent and address it. According to the United Nations Convention Against Torture, to which Saudi Arabia is a state party, torture includes acts of violence that are intentionally inflicted to punish, intimidate, or coerce the victim, and sexual violence is recognized as a form of torture. This principle underscores the gravity of sexual abuse faced by women domestic workers, as it is often used to maintain control and is part of a pattern of systemic abuse.

The ILO Domestic Workers Convention No. 189 calls on member states to “take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence”.<sup>135</sup> ILO No 201 Domestic Workers Recommendation urges member states to establish: “... accessible complaint mechanisms to report cases of abuse, harassment and violence; ensuring that all complaints of abuse, harassment and violence are investigated, and prosecuted, as appropriate; and establishing programmes for the relocation from the household and rehabilitation of domestic workers subjected to abuse, harassment and violence, including the provision of temporary accommodation and health care.”<sup>136</sup>

Although Saudi Arabia’s 2023 Regulations for Domestic Workers call on employers to “refrain from verbal and physical abuse” and prohibit sexual harassment, they fail to outline strict measures or guidelines to protect workers from such abuses as required by international law and standards.<sup>137</sup> Given the women’s testimonies and the widespread pattern of abuses they endure, coupled with the endemic impunity for abusive employers, the regulations as they stand are ineffective in protecting them in practice. Further, and more broadly, irrespective of migrant status women and girls face discrimination in law and practice in Saudi Arabia, and domestic legislation does not adequately protect them from gender-based violence.<sup>138</sup>

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133 See CEDAW Committee, General Recommendation No. 19 (11th session, 1992) on Violence against Women, para. 9, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/GEC/3731&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CEDAW/GEC/3731&Lang=en)

134 See Joint General Recommendation/General Comment No. 31 of the CEDAW Committee and No. 18 of the Committee on the Rights of the Child on harmful practices, para. 10.

135 Article 5 of the ILO C189 – Domestic Workers Convention, 2011 (No. 189) (previously cited).

136 Section 7 of the ILO Domestic Workers Recommendation No 201 (previously cited).

137 Article 16 of the 2023 Regulations for Domestic Workers (previously cited).

138 Amnesty International, *Manifesto for Repression: Saudi Arabia’s Forthcoming Penal Code Must Uphold Human Rights in Line with International Law and Standards* (AI Index: MDE 23/7783/2024), 19 March 2024, <https://www.amnesty.org/en/documents/mde23/7783/2024/en/> pp. 56-60.

# INTIMIDATION AND THREATS

Many of the women's stories are permeated with accounts of intimidation and threats, tactics employed by abusive employers to instil fear and ensure compliance. In addition to verbal and physical abuses described above, malicious accusations, such as of "absconding" or "theft", are often used to subjugate and control domestic workers, making them afraid to resist or seek help, or in retaliation to women fleeing abusive workplaces.

## 'ABSCONDING'

The charge of "absconding" (see chapter 5) remains a powerful tool for abusive employers to retaliate against domestic workers who flee abuse and is used with little oversight and near total impunity.

Some of the women interviewed said they were accused of "absconding" after leaving their abusive workplace. They reported having to wait weeks or months before they could return to their home countries, as domestic workers are usually unable to leave Saudi Arabia until these charges are resolved or they risk not being able to return to Saudi Arabia. During this time, they are in a legal limbo and their mobility is restricted, unable to work legally or support themselves. This punitive system intensifies the challenges faced by domestic workers who endure severe exploitation and other abuses. Many choose not to flee due to the risks involved, remaining trapped in abusive work environments.

***"My boss accused me of runaway case. But I did not attend any court sessions or hearings. No one explained to me why I was kept waiting."***

Daphne.<sup>139</sup>

## FALSE ACCUSATIONS OF THEFT

In a few cases, the women interviewed said they were falsely accused of theft, often as retaliation following disagreements with their employer. Theft is a serious offence under Saudi Arabian law punishable by sentences imposed at the discretion of the judges, including amputation in some cases.<sup>140</sup>

For instance, Rania said her employer falsely accused her of theft after she complained about her working conditions and unpaid wages:

***"For me things got worse. Now she started hiding her things and telling me I stole them... I wanted to finish the contract. She accused me of stealing a bracelet which she eventually found but she was so ashamed to say. Then she was telling me I took it, and she will send me to jail. I was very worried and scared; I do not have a phone to even tell my family that I am in jail there."***<sup>141</sup>

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139 Interview conducted in Nairobi, 12 March 2024.

140 Saudi Arabia does not have a penal code. Instead, judges use their interpretation of Islamic law (sharia) and jurisprudence to determine what constitutes a crime and to impose punishments. Such practices allow judges wide discretion in adjudicating cases, resulting in the arbitrary imposition of punishments that vary in severity across similar offences and cases. For more details see Amnesty International, *Manifesto for Repression: Saudi Arabia's Draft Penal Code Must Uphold Human Rights in Line with International Law and Standards*, pp.14 – 15 (previously cited).

141 Interview conducted in Mombasa, 8 March 2024.

The new Regulations for Domestic Workers state that all complaints between employers and domestic workers should be handled by the MHRSD, which will resolve them amicably and maintain a log of violations.<sup>142</sup> However, the provision lacks clarity on the types of complaints within the ministry's jurisdiction and offers no alternative avenues for recourse or independent oversight. Without independent scrutiny or access to legal support, domestic workers may feel powerless to challenge unfair treatment, allowing abuses to go unreported and unchecked, which undermines efforts to improve their conditions in Saudi Arabia.

## RETENTION OF IDENTITY DOCUMENTS

***“Of course we did not have our passports with us. How can you have it? This is very difficult.”***

Muna.<sup>143</sup>

***The retention by the employer of identity documents or other valuable personal possessions is an element of forced labour if workers are unable to access these items on demand and if they feel that they cannot leave the job without risking their loss. In many cases, without identity documents, the worker will not be able to obtain other jobs or access essential services, and may be afraid to ask for help from authorities or NGOs.***

ILO Indicators of Forced Labour<sup>144</sup>

The practice of confiscating the passport of domestic workers appears to be rampant in Saudi Arabia, with both recruitment agencies and employers apparently able to do this with impunity. Indeed, all the women interviewed by Amnesty International had their passports confiscated upon their arrival to Saudi Arabia.

In almost all cases, the passports were first taken – without consent – by the recruitment agencies either on the woman's arrival in Saudi Arabia or once they reached the recruitment office prior to deployment to their job posting or once they reached the posting itself. The documents were subsequently handed to their employers, never to be seen again during their stay in Saudi Arabia. In the few instances where one of the women dared to inquire about their passport, their employers told them it was a rule to stop them running away.

***“When I arrived to Arar, the first thing my boss did was to take my passport. If you ask, they will tell you ‘I have paid for everything for you, I paid money for you to come, paid the office in Kenya’, and you will not dare to say anything because you are in foreign country.”***

Eve.<sup>145</sup>

142 Article 32 of the 2023 Regulations for Domestic Workers (previously cited).

143 Interview conducted in Mombasa, 8 March 2024.

144 ILO Indicators of Forced Labour, p.17 (previously cited).

145 Interview conducted in Nairobi, 11 March 2024.

***“You are not allowed to ever touch your passport. The point is he [recruitment agent] had my passport and he could give it to someone else and tells you this is your employer. So, this stranger will take you and your passport to wherever.”***

Hope.<sup>146</sup>

A few of the women described how their employer refused to hand their passport back to punish them further after they fled their abusive workplace to the safety of their embassy, further complicating and delaying their return to Kenya.

Such practices breach both national and international law and standards yet continue with impunity. None of the women interviewed was aware of her employer facing any consequences for refusing to return her passport, even when the authorities knew this had happened. This failure to penalize employers who withheld passports was recently noted with concern by the UN Committee for the Elimination of Discrimination Against Women in its review of Saudi Arabia.<sup>147</sup>

According to the ILO, retention of identity documents is an indicator of forced labour if workers cannot gain access to them on demand and if they believe that leaving their job could risk them losing the documents.<sup>148</sup> The Convention on Domestic Workers clearly states that they are entitled “to keep in their possession their travel and identity documents.”<sup>149</sup> Similarly, Article 15 of Saudi Arabia’s Regulations for Domestic Workers prohibits employers from retaining workers’ passports or other identification documents. Despite this important provision, the regulation lacks any mechanism to ensure it is respected in practice, particularly regarding passport confiscation, rendering the promise of protection hollow for those who need it most.

## WITHHOLDING OF WAGES

***“Workers may be obliged to remain with an abusive employer while waiting for the wages that are owed to them. The fact of irregular or delayed payment of wages does not automatically imply a forced labour situation. But when wages are systematically and deliberately withheld as a means to compel the worker to remain, and deny him or her of the opportunity to change employer, this points to forced labour.”***

Indicators of Forced Labour.<sup>150</sup>

Most of the workers interviewed described being subject to wage theft, including delayed payment, salary deductions or in extreme cases not being paid at all, all of which are potentially indicators of forms of forced labour and constitute economic exploitation violating both national and international laws and standards.

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146 Interview conducted in Nairobi, 12 March 2024.

147 Committee on the Elimination of Discrimination against Women, Concluding observations on the fifth periodic report of Saudi Arabia, (CEDAW/C/SAU/CO/5), 29 October 2024, p. 12.

148 ILO Indicators of Forced Labour (previously cited).

149 Article 9 of the ILO Convention on Domestic Workers, 2011 (No 189), (previously cited).

150 ILO Indicators of Forced Labour, p. 19 (previously cited).

Rosaline travelled to Saudi Arabia expecting to work as a carer but ended up as a live-in domestic worker. Despite being misled about her job conditions, she persevered and completed her two-year contract, returning to Kenya in 2022. She recalled how her employer withheld her wages:

***“When it reaches end of month, they [the employers] really change because they don't want to give you money. Sometimes we will stay over three months without our salary.”<sup>151</sup>***

Many women described the erratic and unreliable nature of their salary payments, and the constant struggle of reminding their employers to pay the wages they desperately needed to support their families.

***“They never send it on time. One time they did not pay me for two months, so I started crying because I needed to send money to my family. They used to skip months and not pay on an exact day. I will only be paid if I ask for my money and I tell her [employer], ‘I have problem with my family and I need my money’.”***

Ayana.<sup>152</sup>

***“At times she [the employer] would refuse to pay on time. I would tell her my baby doesn't have food. And then she would give me. She'd pay me SAR 900 (USD 240).”***

Evelynne.<sup>153</sup>

Several other women said they too faced wage deductions, including ostensibly to cover the employer's administrative costs or to repair or replace household items that the employer blamed the worker for damaging.

***“I used to be paid SAR 850 [USD 227] and they gave the reason that the SAR 50 [that was deducted] was to cater for my iqama [residence permit] and my medical expenses whenever they arose.”***

Janice.<sup>154</sup>

***“Our salary was SAR 900 [USD 240], but sometimes small things they will make into big issues, so they [employers] will tell you, we want to cut your salary. If you accidentally break something, she will take from your salary... One time she cut SAR 700 [USD 187]. But even when you ask her to send your money to your family because they are suffering, she will tell you: ‘not now, maybe next week’. She delays sending the money, so maybe you have your money, and your people have emergency, but you need to wait for the boss, in her free time she will do it. It is my money, and my family needs me.”***

Rania.<sup>155</sup>

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151 Interview conducted in Mombasa, 9 March 2024.

152 Interview conducted in Mombasa, 7 March 2024.

153 Interview conducted in Nairobi, 13 March 2024.

154 Interview conducted in Nairobi, 13 March 2024.

155 Interview conducted in Mombasa, 8 March 2024.

In some cases, the women interviewed said their employers simply refused to pay them, citing lack of funds for that month, which sometimes led the women to stop working in protest.

When Eve's employer did not pay her on time, she was looking after his elderly mother and had to stop working every month to force him to pay her. She told Amnesty International:

***"I was not paid on time. Sometimes I had to stop working before he will come and pay me... It was like that every month! My kids have been sent home because of school fees, and I am asking for my salary for a week, one month and this man does not want to pay me. So, the minute I stop working, the dishes are everywhere. The mother will call him, and he will become very angry: 'Eve, why you are not working?' And I will tell him 'because you have not paid me'. He will say: 'wake up, go and do the work, I will send money for you tomorrow'. And I will tell him: 'no, tomorrow when you send my money, I will work'. After five minutes he will come: 'yalla [let's go], wake up, let's go send the money'."***<sup>156</sup>

Niah used the same strategy:

***"I would lock myself in the room and not work for the whole day, if [the employer] delayed [payment] for more than two days. So, this made them not delay my payment."***<sup>157</sup>

Other employers promised to combine several months' payments or suggested keeping the women's salaries to pay the total amount upon their return home. The women said they felt compelled to accept these conditions in the absence of viable alternatives.

***"When I was about to go [home to Kenya], there was four-month salary that they were supposed to send me by Western Union, but they wouldn't send. They withheld the money. They said, 'if you come back, we're going to send you your money but if you don't, we'll keep it'. So, they just kept my four-month salary."***

Evelynne.<sup>158</sup>

Tragically, in a few cases, the women interviewed said they returned to Kenya without receiving any of their wages, despite their employers' promises to pay them before their departure. This left them financially devastated and feeling profoundly betrayed.

Hadija arrived in Saudi Arabia in 2018 but was never taken to her intended employer. Instead, she was made to work for over two years in a different household without any official documentation. She said that she never received any salary, only minimal expenses, with her employers citing her lack of visa as the reason. She only managed to secure her flight back to Kenya because someone helped her:

***"I was only given SAR 1,500 [USD 399] for the period I stayed there to cater for my soap or personal hygiene. So my friend's employer took me to the airport after she assisted me to acquire my ticket and I came back home without any salary."***<sup>159</sup>

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156 Interview conducted in Nairobi, 11 March 2024.

157 Group discussion conducted in Mombasa, 9 March 2024.

158 Interview conducted in Nairobi, 13 March 2024.

159 Group discussion conducted in Mombasa, 8 March 2024.



Some of the women said they were not paid at all for the first three to four months of their employment. Employers justified this by claiming it was a way to recoup the money spent on recruitment-related fees to hire the domestic worker. This practice is illegal and prohibited under Saudi Arabia's new Regulations for Domestic Workers.<sup>160</sup>

***"I did sign a contract before going and it said when I got there, I will be paid. However, for the first three months my money was taken away by the [recruitment] agent. I asked my employer and they said they already paid everything to the agent so they will not pay me. So, for the first three months I did not receive any salary."***

Ayana.<sup>161</sup>

Almost all the women interviewed explained that they chose to migrate for economic reasons. When they were not paid, the repercussions extended beyond them, severely affecting the well-being of their families who were depending on them. The failure of employers to pay them consistently in full and on time undermined the very purpose of their migration, diminished their sense of self-worth, and exacerbated the stress and anxiety they endured when working in Saudi Arabia.

***"It was hard to receive my salary which always came after insistent inquiries and being told to wait. I always had to mention the family back home waiting to receive money for their help... I was able to send money home after six months and after one year."***

Asha.<sup>162</sup>

In a few cases, employers refused to provide domestic workers with return tickets despite the women completing their two-year contracts and the employers being legally obligated to do so according to the new regulations.<sup>163</sup> This left them stranded, forcing them to either pay for their own tickets from their meagre savings or rely on the assistance of relatives, or in a few cases the Kenyan embassy in Saudi Arabia.

Finally, almost all the women interviewed voiced their frustration and disappointment over their low wages, passionately urging the Kenyan government to negotiate better agreements with the governments of destination countries like Saudi Arabia. The women interviewed were paid on average SAR 900 (USD 240) per month. Considering that the women interviewed worked at least 16 hours a day, this translates to an average of just USD 0.53 per hour, fuelling a unanimous sense of injustice and exploitation amongst them.

***"Everyone wants to live a good life, and money is what takes us there. We look for green pastures to educate our kids. The salary is not enough. I came back with nothing. It feels like I just went there for suffering."***

Rosaline<sup>164</sup>

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160 Article 15 of the 2023 Regulations for Domestic Workers (previously cited).

161 Interview conducted in Mombasa, 7 March 2024.

162 Interview conducted in Nairobi, 13 March 2024.

163 Article 12 of the 2023 Regulations for Domestic Workers (previously cited).

164 Interview conducted in Mombasa, 9 March 2024.

## MALE DOMESTIC WORKERS

Male workers make up nearly 70% of Saudi Arabia's total domestic workforce, predominantly employed as personal drivers in private households, as well as security guards, gardeners and cooks.<sup>165</sup> While often overlooked, they, too face serious vulnerabilities, including serious abuse and exploitation without protection of the country's Labour Law.<sup>166</sup>

Amnesty International spoke to four Kenyan men who had worked as domestic workers in Saudi Arabia between 2021 and 2022. Like their female counterparts, they spoke of extreme overwork and underpayment, confiscation of their identity documents, isolation from colleagues and the outside world, and racist verbal abuse.



Hamad, 36 and a father of two, worked as a driver for a family in Saudi Arabia from February 2021 to March 2022. Unlike most of the women Amnesty interviewed, Hamad and the other men paid hefty fees to recruitment agents to secure their jobs abroad. Hamad was only able to get a loan to pay half of the KES 150,000 (USD 1,160) requested by his agent before he left Kenya, and so to this day still owes him KES 70,000 (USD 542).

Once in Saudi Arabia, Hamad said he was not paid for the first two months because his employers considered him to be 'on probation'. This was despite him working from 4 or 5 am every day of the week, driving the family of five to school, work and social activities, and on call throughout the night, with barely any sleep as he catered to their constant demands.

***"Sometimes you can sleep like two hours, this is the maximum I slept", he said.***

***"Maybe sometimes they have this craving for ice cream, chocolate, so they will wake you: 'ok go and pick something from the supermarket!' It is your time to sleep, but they will wake you up and tell you go to this place, then say, 'no it is not this one, go back' and you have to go back again! ... If they order something at night online and it is not delivered on time, you have to go and pick it. Ice cream for the small boy was also very common."***<sup>167</sup>

Hamad reported that when he did eventually start being paid, his monthly salary was only half of what his agent had promised him when he accepted the job, and it was often delayed. His employer would sometimes deduct his salary even more if he made a mistake, he said, but his phone calls went unanswered when he tried to complain to his agent. On top of the arduous daily exploitation, Hamad described feeling demeaned and discriminated against by the family members:

<sup>165</sup> General Authority for Statistics, "Labor Market Statistics Q1/2024", Tab 2-2 (previously cited).

<sup>166</sup> See for example, Migrant Rights, "Driven to despair: Male domestic workers in Saudi", 19 July 2020, <https://www.migrant-rights.org/2020/07/driven-to-despair-male-domestic-workers-in-saudi/>

<sup>167</sup> Interview conducted in Mombasa, 8 March 2024.

**Although my name is Arabic, in Saudi they do not care - because of the skin tone they will treat you differently. Being Muslim does not make any difference, because of my skin tone, because I am African and do not speak Arabic. If you stay there for three months you will start to understand some of the language, you will hear someone call you “kalb” (dog). ... Like you are doing your work they pass by you, those small boys aged 18, they are very harsh, they do not have manners. “Mokh ma fi” they will tell you, “You do not have a brain”.<sup>168</sup>**

Just over halfway through his two-year contract, Hamad decided to return home, despite having just USD 200 to his name and still being in debt. His treatment **“made me feel angry”**, he said, **“because you cannot fight them, the laws there favour them 100%. You came there to work yet you are always wrong.”<sup>169</sup>**

According to the new Regulations for Domestic Workers, workers should receive their full monthly wages in Saudi riyals, using the payment methods designated by the MHRSD.<sup>170</sup> However, domestic workers, like all migrant workers in Saudi Arabia, continue to be excluded from the minimum wage, which is set to SAR 4,000 (USD 1,065) and only applies to Saudi nationals.<sup>171</sup> Instead of extending minimum wage protections to domestic workers and introducing measures to ensure full payment of their salaries, the new regulations have taken a regressive step by permitting employers to deduct salaries for hours or days when workers are “absent from work,” a vague and undefined concept that can be easily abused.<sup>172</sup>

Further, the new regulations stipulate that “if the contract is terminated [by an employee or employer] without a valid reason, the other party is entitled to compensation at the rate of two months’ salary.”<sup>173</sup> However, this provision, as written, raises several significant concerns. Firstly, the term “valid reason” lacks clear definition, which could lead to differing interpretations and potential abuse by employers. Additionally, offering compensation of two months’ salary for workers for abrupt termination may not adequately address the financial losses and hardships experienced by the worker. Conversely, given low pay, withheld wages, and the significant share of a workers’ salary that often goes to meeting essential needs for themselves or family members back home, having to pay two months’ salary to their employer may be impossible for many domestic workers.

The regulations lack clarity on how this compensation will be enforced or guaranteed, especially in situations where employers refuse to pay or where workers lack the means to pursue legal recourse. This ambiguity may benefit employers who enjoy greater resources and legal access, while leaving workers uncertain about their rights and protections.

Furthermore, the regulations are unclear how workers can seek redress if compensation is delayed or denied altogether, and the significant power imbalance between employers and workers may discourage them from contesting terminations out of fear of retaliation.

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168 Interview conducted in Mombasa, 8 March 2024.

169 Interview conducted in Mombasa, 8 March 2024.

170 See Articles 17 and 18 of the 2023 Regulations for Domestic Workers (previously cited).

171 Gulf News, “Saudi Arabia raises minimum wage for nationals in private sector to SR4,000”, 4 September 2023, <https://gulfnews.com/world/gulf/saudi/saudi-arabia-raises-minimum-wage-for-nationals-in-private-sector-to-sr4000-1.97911088>

172 Article 19 of the 2023 Regulations for Domestic Workers (previously cited).

173 Article 25 of the 2023 Regulations for Domestic Workers (previously cited).

# ABUSIVE LIVING AND WORKING CONDITIONS

***“We only eat leftovers, especially in months of Ramadan it was always leftovers. They will eat first and give you whatever is left, even if you are also fasting, they do not care. The fact that we were Muslim did not help, because we were Black.”***

Rania<sup>174</sup>

***“Forced labour victims are likely to endure living and working conditions that workers would never freely accept. Work may be performed under conditions that are degrading (humiliating or dirty) or hazardous (difficult or dangerous without adequate protective gear), and in severe breach of labour law. Forced labourers may also be subjected to substandard living conditions, made to live in overcrowded and unhealthy conditions without any privacy.”***

ILO Indicators of Forced Labour.<sup>175</sup>

In addition to the abuses outlined above, many of the women interviewed said they had endured appalling living conditions, which included being deprived of adequate food, forced to live in deplorable and demeaning conditions, and denied essential healthcare. They also faced excessively long working hours and dangerous working conditions that put their health and lives at risk, compounded by daily degradation in the form of racist and dehumanizing verbal abuse. Terrified and powerless, many felt unable to voice their complaints or concerns, silenced by fear and trapped in their suffering.

## INSUFFICIENT FOOD

Almost all the women complained that their employer failed to provide them with sufficient food, so they had to survive on very little despite their heavy workload. Many spoke of being forced to eat leftovers, sometimes the scrapings left after their employers had finished eating.

***“I started having problems getting food after three months. They limited the food they used to give me and I would not eat well... sometimes I would work without eating.”***

Maryam.<sup>176</sup>

***“Some people were lucky because they could eat three meals a day. For me it was only khobz [bread] and black tea, and this was my meal for the day.”***

Atieno.<sup>177</sup>

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174 Interview conducted in Mombasa, 8 March 2024.

175 ILO Indicators of Forced Labour, p. 23 (previously cited).

176 Group discussion conducted in Nairobi, 11 March 2024.

177 Interview conducted in Nairobi, 12 March 2024.

In a desperate attempt to cope with the lack of food, some women resorted to eating instant noodles, only to be scolded by their employers when they discovered their meagre efforts to stave off hunger. Many said they had to survive on one meal a day while others complained that long working hours and lack of proper breaks meant that they could not find the time to eat properly.

***“The problem started with my salary, then the food. She [her employer] used to lock the kitchen, keeping me for two days without food. I used to use my salary to buy food, but even boiling Indomie [dried noodles] became a problem. She will call her son to say that I am using up the gas, because I am cooking.”***

Eve.<sup>178</sup>

The Regulations for Domestic Workers state that “employers should provide food”,<sup>179</sup> but fail to indicate what is considered to be adequate food or what measures should be taken to ensure that this is provided. The ILO Domestic Workers Recommendation No 201 stipulates that, taking account of national conditions, food should include “meals of good quality and sufficient quantity, adapted to the extent reasonable to the cultural and religious requirements, if any, of the domestic worker concerned.”<sup>180</sup>

## DANGEROUS AND DEGRADING WORKING CONDITIONS

Despite the new regulations explicitly prohibiting employers “from requesting dangerous work”, some of the women interviewed described how their health, safety and well-being were jeopardized by their working conditions in Saudi Arabia.<sup>181</sup> Several spoke about hazardous environments and being forced to undertake perilous tasks without protective equipment. Many described how their employers made them clean using harsh chemicals and bleaches that irritate the skin and cause discomfort when inhaling the fumes without giving them gloves or masks.

***“The woman [employer] took the Clorox [bleach] and poured it on my hands and burned my hands, but she was still telling me to work in that condition.”***

Brenda.<sup>182</sup>

***“They mixed for me about four chemicals on Ramadan and said I need to wash the walls... When I started washing with these chemicals I lost my breath. I told them I am not breathing; they gave me no mask or gloves. So, I told them I am feeling dizzy, I am not able to breathe. They told me: ‘mafi’ [‘no’] ‘continue work’. So that day I fainted and found myself in the hospital being given oxygen.”***

Faith.<sup>183</sup>

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178 Interview conducted in Nairobi, 11 March 2024.

179 Article 15/8 of the 2023 Regulations for Domestic Workers (previously cited).

180 Section 17 of the ILO Domestic Workers Recommendation, 2011 (No. 201) (previously cited).

181 Article 16 of the 2023 Regulations for Domestic Workers (previously cited).

182 Interview conducted in Mombasa, 7 March 2024.

183 Interview conducted in Nairobi, 11 March 2024.

Two women described having to clean the windows of the house without any safety measures, a task they found not only gruelling but terrifying. One of them, Rania, explained:

***“The madam... asks you to climb on the window, sit on the edge and clean them. You sit on the window, one leg inside and one outside and you clean the glass. I was scared of falling.”<sup>184</sup>***

Article 28 of the Regulations for Domestic Workers stresses that both parties “must comply with occupational safety and health standards as established by the Ministry”. It also stipulates that compensation for work-related injuries and occupational diseases should align with provisions outlined in an “insurance document.”<sup>185</sup> While this represents progress compared to previous regulations concerning domestic workers, the reference to the “insurance document” is ambiguous and lacks specific details.

International human rights law and standards recognize the right of everyone to “the enjoyment of just and favourable conditions of work”, including safe and healthy working conditions,<sup>186</sup> and considers this a key part of the fundamental right to the highest attainable standard of physical and mental health.<sup>187</sup> The ILO has also recognized that a safe and healthy working environment is a fundamental right, and in 2022 designated the its two occupational safety and health conventions (C185 and 187) as fundamental ILO conventions.<sup>188</sup>

The ILO Domestic Workers Recommendation No 201 urges members, in consultation with organizations representing both employers and workers, to take measures to protect domestic workers by, among other things, minimizing work-related risks, ensuring appropriate inspections and penalties, offering safety advice and protective equipment and developing training programmes and guidelines on occupational safety and health specific to domestic work.<sup>189</sup>

## **VERBAL ABUSE, RACISM AND DEHUMANIZATION**

Nearly all the women interviewed described facing some form of verbal abuse during their work in Saudi Arabia. This frequently entailed deeply humiliating treatment, including being subjected to demeaning and racist behaviour by their employer.

***“Sometimes they could abuse you. Sometimes they could say bad things. Sometimes someone says ‘you useless bitch!’, call you ‘bastard’. Talk to you very harshly.”***

Rosaline<sup>190</sup>

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184 Interview conducted in Mombasa, 8 March 2024.

185 Article 28 of the 2023 Regulations for Domestic Workers (previously cited).

186 Article 7(b) of the International Covenant on Economic Social and Cultural Rights (ICESCR); also article 13 of the ILO Domestic Workers Convention (C189).

187 CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health, para. 4.

188 ILO, “A safe and healthy working environment is a fundamental principle and right at work”, June 2022, <https://www.ilo.org/topics-and-sectors/safety-and-health-work/safe-and-healthy-working-environment-fundamental-principle-and-right-work>. On 5 June 2024, Saudi Arabia ratified the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), which will enter into force for the country on 5 June 2025, <https://www.ilo.org/resource/news/ilc/112/saudi-arabia-ratifies-promotional-framework-occupational-safety-and-health>

189 Section 19 of the ILO Domestic Workers Recommendation No 201 (previously cited).

190 Interview conducted in Mombasa, 9 March 2024.



Many recounted being called highly derogatory and dehumanizing names that reflect deeply rooted racism amongst some employers and agents, including ‘kalba’ (dog), ‘hayawana’ (animal), ‘khaddama’ (servant), ‘majnun’ (mad), ‘sharmouta’ (prostitute) as well as overtly racist slurs about the colour of their skin. The women also said employers made derogatory references to their nationality or called them “Africans”, in an intentionally pejorative manner carrying negative and racist connotations.

Despite speaking little or no Arabic, most of the women painfully remembered these specific insults. Even when they did not understand the words being used, they described how the tone, body language and context clearly communicated disrespect and hostility.

***“The madam yells at you – there is no respect. So, the kids also do not respect you. She will yell at anything, if you clean, she will say ‘you did not clean well’. She will scream at you: ‘I pay you for nothing!’, she will tell you this but you are really working hard. A lot of insults of course: ‘kalba’, ‘hayawana’... These were the harsh words, no respect.”***

Rania<sup>191</sup>

***“The children, or the wife, they called us monkeys or baboons... ‘You baboon!’, because we are Black, we are different from them... I feel very bad. Yeah... Imagine being called a baboon.”***

Rosaline<sup>192</sup>

***“Because of my dark complexion, I was always called a Black animal. The children would also come to my face to point and laugh saying how I am a monkey.”***

Niah.<sup>193</sup>

***“One day the big son said, ‘you are Black, you are Black!’. I said, of course I am Black, even the first person [on earth] was Black, so what’s wrong with being Black?... They don’t like Black people. They think Black people are like animals, that’s why they are calling us ‘hayawan’.”***

Muna.<sup>194</sup>

Many of the women interviewed said their employers did not allow them to use the same cutlery or kitchenware as the family, something the interviewees described as being “segregated”, because they were from Africa.

***“I was told to never wash my clothes with the washing machine or even use the dryer because I can never mix their clothes, for I am a maid and an African, a dirty person. They bought separate basins and buckets specifically for washing my own clothes and for me to use. They bought separate sets of dinner utensils for me only to use, not to mix with theirs in any way.”***

Blessing.<sup>195</sup>

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191 Interview conducted in Mombasa, 8 March 2024.

192 Interview conducted in Mombasa, 9 March 2024.

193 Group discussion conducted in Mombasa, 9 March 2024.

194 Interview conducted in Mombasa, 8 March 2024.

195 Group discussion conducted in Mombasa, 8 March 2024.

***"I was given segregated utensils which were labelled with my name, and after washing them I was given a separate place to keep them to dry and store as well, so that they don't mix with anyone else's."***

Niah.<sup>196</sup>

Others said their employer commented on their body odour, accusing them of poor hygiene and sometimes citing their skin colour as the reason for this.

***"They will tell you that Black people are smelly... When you pass by, they will say 'there is a bad smell'... It pains you in your heart."***

Rania<sup>197</sup>

***"They will tell me that I am smelly. Even when I am in the bathroom, they will pass by me and close their nose. Sometimes they look under your armpit and tell you to go and shave. They buy you the shavers, and every week you have to shave, and they have to look. The madam will inspect."***

Faith.<sup>198</sup>

A few of the women who worked alongside other staff in households said that their employer would treat them as Black women differently to employees of other races, being more verbally abusive, giving them more taxing work, or paying them less.

***"This makes you feel very bad. They are not like this with everyone. They treat Filipina good and people from the same colour [as them] ... It is more harsh with us."***

Rania<sup>199</sup>

Amnesty International did not examine the working conditions of women of different racial identities or nationalities for this report. Previous research by other organizations has found that domestic workers of all nationalities are at risk of serious human rights abuses in Saudi Arabia, facing different forms of racialization and discrimination. However, pervasive and entrenched anti-Black racism within the country means abuse towards Black African women manifests in specific forms.

In 2021, the Saudi Ministry of Commerce issued a directive banning use of the word 'khaddama' ['servant'] in job advertisements, stating that they "prejudice the dignity of foreign workers".<sup>200</sup>

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196 Group discussion conducted in Mombasa, 9 March 2024.

197 Interview conducted in Mombasa, 8 March 2024.

198 Interview conducted in Nairobi, 11 March 2024.

199 Interview conducted in Mombasa, 8 March 2024.

200 Saudi Gazette, "Ban on use of word 'maid' for domestic worker in ads", 30 January 2021, <https://saudigazette.com.sa/article/604985>; See also: Migrant-Rights, "Correct terminology doesn't erase systemic injustices", 18 April 2021, <https://www.migrant-rights.org/2021/04/correct-terminology-doesnt-erase-systemic-injustices/>

## DENIAL OF HEALTH CARE AND SICK LEAVE

Many of the women interviewed expressed a profound sense of frustration and despair as they recounted their experiences of being denied proper access to healthcare and not being allowed to rest when sick. They described their employers forcing them to continue working despite feeling unwell and meeting their pleas for medical attention with callous dismissal.

***“There was no sick leave or being taken to hospital. All we ever got was some tablets of Panadol and continue with work”.***

Wangari.<sup>201</sup>

***“I was sick there and told madam that I was not feeling well, but she told me: ‘you are not sick, you come here for work, you should work, do not tell me you are sick’. I was never allowed to take a sick day.”***

Ayana.<sup>202</sup>

Instead of being allowed to see a doctor, employers would often simply give their domestic workers painkillers and order them to continue their work, exacerbating their physical and emotional suffering.

***“I used to have stomach issues because of the rotten food I was given. If I ask madam to take me to hospital, she will give me Fevadol. This is the common painkiller tablet in Saudi Arabia ... At times she will go to the kitchen and prepare the cardamon tea and give it to me to drink. I drink it and I am OK at that moment, then after that my stomach was upset again, so I used to survive without eating.”***

Katherine.<sup>203</sup>

Most women interviewed said they were not given health insurance cards required for private sector workers to access healthcare services in Saudi Arabia, leading some employers to withhold access to medical care altogether to avoid the costs associated with any treatment (see more on health insurance cards requirement in Chapter 5). In some instances, women revealed that they had to pay for their own treatment out of their meagre salaries.

When Eve's tooth started aching, she said her employer ignored her complaints until she could no longer tolerate the pain. It was only when she informed her employer that she was willing to pay for her treatment that her employer's son agreed to take her to the dentist:

***“He took me and I had to remove my teeth, and that time he took SAR 400 (USD 106) from my salary. You know when my teeth were aching, I needed to rest, but when you do so the mother will come shouting at you: ‘you want to sleep, I am paying you!’ I told her: ‘mama’ – this is how you call old women there – ‘I am sick, I am tired I can’t work’. She will go and bring for me Panadol. Only the day we came from hospital after removing my teeth was when I rested. But in the evening, I was called to cook.”<sup>204</sup>***

Some women believed that their health deteriorated because of their heavy workload and lack of adequate rest and sleep. Instead of addressing these concerns, their employers simply instructed them to continue working.

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201 Group discussion conducted in Mombasa, 9 March 2024.

202 Interview conducted in Mombasa, 7 March 2024.

203 Interview conducted in Nairobi, 13 March 2024.

204 Interview conducted in Nairobi, 11 March 2024.

***“They never allowed me to get any medical treatment. They would give me Panadol and when I got worse, they would not allow me to rest but to work while sick. They would make sure I am away from them, and they would say that they were waiting for me to die.”***

Hasnaa.<sup>205</sup>

The cumulative impact of these experiences left a lasting scar on the women, some of whom struggled with chronic health issues and a deep-seated fear of further mistreatment if they were to work in Saudi Arabia again.

Faith told Amnesty,

***“When I asked them to take me to the office [of the recruitment agency] and said that I will not work while I am sick, this is when my real problems start. They stopped giving me food. For three days I did not eat, I was drinking the toilet water. I was crawling to go to the toilet, to drink that water for my life to survive. And now they wanted to beat me, it was a difficult time for me.”***<sup>206</sup>

Article 13 of the Regulations for Domestic Workers provides 30 days of sick leave, based on a medical report, with full salary for the first 15 days and half pay for the next 15. If sick leave exceeds 30 days, employers can terminate the contract but must cover the worker's return flight and other contractual benefits. Employers cannot dismiss workers due to illness before the 30-day sick leave period unless requested by the worker.<sup>207</sup>

Similar provisions were included in the 2013 domestic workers regulations though they were rarely enforced, as confirmed by the women's testimonies. It remains unclear if and to what extent Article 13 provisions of the new 2023 Regulations will be respected in practice, especially given the lack of enforcement mechanism to ensure compliance. They are also less favourable than those outlined in the Labour Law, which entitles workers covered to full pay for the first 30 days of sick leave, half pay for up to 60 days, and unpaid leave for up to a year. This discrepancy underscores the systemic inequality faced by domestic workers, despite their significant vulnerabilities and marginalization.

International law, including ICERD and ICESCR, guarantees the right of everyone to the highest attainable standard of mental and physical health, and equal access to healthcare, without discrimination, including on the grounds of race, national origin, or migration status.<sup>208</sup>

## WHOLLY INADEQUATE ACCOMMODATION

Many women also spoke about their inadequate living conditions, where their most basic needs for dignity, privacy and comfort were disregarded. Some women described how their employer gave them only a couple of blankets to serve as their mattress, providing them with no bed and often forcing them to sleep on the floor in the living room, or in tiny rooms akin to storage cupboards. Some, who were tasked with looking after children at night, said they had to sleep in the children's room on the floor without a bed.

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205 Interview conducted in Mombasa, 7 March 2024.

206 Interview conducted in Nairobi, 11 March 2024.

207 Article 13 of the 2023 Regulations for Domestic Workers (previously cited).

208 Article 5(e)(iv) of ICERD, and Article 12 of ICESCR. See also CERD's General Recommendation 37 on Racial discrimination in the enjoyment of the right to health (CERD/C/GC/37), <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-37-2024-racial>

***“I used to sleep in the store [room] that was more like an attic with a water tank, where they had put a bed.”***

Imani.<sup>209</sup>

Many women also revealed that they had no air conditioning in their rooms, or it remained broken for long periods, despite the often-unbearable heat of Saudi Arabia.

***“I had a small mattress which I would use to sleep on the floor in a small storeroom with faulty AC which they would take time repairing.”***

Marianne.<sup>210</sup>

***“My room had no AC. I could not sleep because the heat was too much. The house was three floors and bad AC, so I used to sneak out to the gym next to my room which had a fan and AC. But I was not allowed to take it.”***

Atieno.<sup>211</sup>

According to Article 15 of the Regulations for Domestic Workers, the employer is responsible for providing “decent accommodation inside or outside the workplace”. The ILO Convention on Domestic Workers urges member states to ensure that live-in domestic workers are provided with “decent living conditions that respect their privacy”.<sup>212</sup> ILO Recommendation No. 201 specifies that domestic workers’ accommodation should include: “(a) a separate, private room that is suitably furnished, adequately ventilated and equipped with a lock, the key to which should be provided to the domestic worker; (b) access to suitable sanitary facilities, shared or private; (c) adequate lighting and, as appropriate, heating and air conditioning in keeping with prevailing conditions within the household.”<sup>213</sup>

## EXCESSIVE OVERTIME

***“She [the employer] didn’t think that I could get tired. There was no chance to rest. And that was the reason I wouldn’t want to go back. I would work for her the whole day and then even at night, I would still be working. I felt like a donkey and even donkeys find rest.”***

Rashida.<sup>214</sup>

***“Forced labourers may be obliged to work excessive hours or days beyond the limits prescribed by national law or collective agreement. They can be denied breaks and days off, having to take over the shifts and working hours of colleagues who are absent, or by being on call 24 hours a day, 7 days a week.”***

ILO Indicators of Forced Labour.<sup>215</sup>

209 Group discussion conducted in Mombasa, 7 March 2024.

210 Interview conducted in Nairobi, 13 March 2024.

211 Interview conducted in Nairobi, 12 March 2024.

212 Article 6 of the ILO Convention on Domestic Workers, 2011 (No 189) (previously cited).

213 Section 17 of the ILO Domestic Workers Recommendation, 2011 (No. 201) (previously cited).

214 Interview conducted in Mombasa, 9 March 2024.

215 ILO Indicators of Forced Labour, p. 25 (previously cited).

The women's accounts detail a chronic pattern of excessive working hours without rest, in breach of both international and Saudi laws and regulations. Overtime work, denial of days off, and a lack of sleep were the main concerns cited by almost all the women interviewed by Amnesty International and the primary reason cited by those who decided to flee their workplace. The extreme working hours that employers expected from the women were not only unreasonable but also left them with little to no time to rest or sit during the day, even when eating. Their workload nearly always exceeded their contractual hours, with employers always finding ways to prevent them from resting.

***"There was no rest day, even when we were sick. They get to have their weekends, we don't, we work throughout."***

Beverley.<sup>216</sup>

***"If the kids go to school you have to wake up earlier to prepare them. You start your duties and try to keep up with your duties, try to finish quickly so I can find time to rest. Little did I know, the more you finish your work earlier is the more you create opportunity for more work! Like, work will just come from nowhere: 'come do this, come do that!' [the employer says]"***

Janet.<sup>217</sup>

## LONG WORKING HOURS, LACK OF REST

The majority of those interviewed said they worked a minimum of 16 hours a day, with many regularly working more than 18 hours. None worked less than 12 hours, seven days per week. They said their employers never consulted them about their working arrangement or paid them overtime. Contracts seen by Amnesty International do not appear to indicate the working hours expected, leaving them open to abuse, but women reported that they were promised to work eight hours a day.

Most said they catered for large families often including numerous children and in some cases grandchildren. They were often the sole person working in the house, leaving them with an extremely high workload. The nocturnal patterns of many of the family members meant employers frequently expected their domestic workers to be on call day and night. Some even reported being required to work in two different households – one during the week and another over the weekend.

Aria, aged 39, who worked in Saudi Arabia for seven months before deciding to leave due to her overwhelming workload, told Amnesty International: explained,

***"I had a family of nine members – father and mother and seven kids, the youngest was seven years old. The house was huge, like a palace, and I was the only one helping them. I had to cater for all their needs."***<sup>218</sup>

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<sup>216</sup> Interview conducted in Mombasa, 8 March 2024.

<sup>217</sup> Interview conducted in Nairobi, 13 March 2024.

<sup>218</sup> Interview conducted in Mombasa, 7 March 2024.



## LACK OF SLEEP

Most of the women said they were told they would be only doing housekeeping, but ended up having to clean, cook and care for the children or elderly relatives, amongst other arduous tasks, for which they were often not trained or prepared.

***“They [recruitment agency] told me it is a husband and wife and one kid and that my work will only be in the kitchen, washing dishes and there is a nanny for the kid. But I was all of it – a nanny, a cook, a cleaner, all of it and even the car wash person.”***

Rania<sup>219</sup>

Those who took on additional care responsibilities said sleep deprivation and the lack of rest made their jobs even more challenging. Deanna, who was promised an English tutor job in Saudi Arabia but ended up looking after an elderly lady without having had any appropriate training, said:

***“I sleep on the mattress on the floor, and she is on her bed. She told me to stay awake and watch the TV with her and she didn’t want me to sleep at all. She used me as her TV remote, so she always kept me awake. I only slept one hour that night and then she woke me up to work in the house.”***<sup>220</sup>

A few said their employer made them sleep in the children's room to look after them when they woke up, whilst continuing to report to work in the morning as usual.

Janet often had sole responsibility for looking after her employer's newborn baby and four children aged between nine and three years old. She told Amnesty International:

***“My employer will not sleep with her kids, so I had to sleep with them to check on them at night... I used to wake up at night after I was working the whole day and with the kids crying. At that time, the first born was the only one going to school, the four others were at home. The mother was not looking after them... I have to cook and feed them while cleaning, washing dishes, clothes. I was doing everything.”***<sup>221</sup>

Times of celebration and family get-togethers, especially during the month of Ramadan, are usually the most gruelling time of the year for domestic workers.<sup>222</sup> Many of those interviewed by Amnesty International mentioned the increased hours their employers forced them to do in these periods, yet none paid them overtime or offered them time off in lieu.

***“I would work for over 16 hours without resting at all. During Ramadan, I used to work and cook for around 30 people of the family members without resting and no one to help me every day... The house had 12 rooms which I would clean daily, and also massaging the employer every day. I would also be taken to other relatives’ houses to also clean their houses.”***

Asha.<sup>223</sup>

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<sup>219</sup> Interview conducted in Mombasa, 8 March 2024.

<sup>220</sup> Group discussion conducted in Mombasa, 8 March 2024.

<sup>221</sup> Interview conducted in Nairobi, 13 March 2024.

<sup>222</sup> Migrant-Rights, “Domestic workers face harsher working conditions as Ramadan begins”, 14 March 2024, <https://www.migrant-rights.org/2024/03/domestic-workers-face-harsher-working-conditions-as-ramadan-begins/>

<sup>223</sup> Interview conducted in Nairobi, 13 March 2024.

## DENIAL OF DAYS OFF

On top of the often hugely excessive daily work pattern, virtually all of the women revealed that their employer consistently denied them a weekly day off, despite many saying they had been promised one in their employment contracts. Most said they had never had a day off throughout the entirety of their employment, meaning that some had worked for months or years without a single rest day.

***"I did not have a single day off during my whole year there, not even for Eid. For Eid they took me with them to another family who has two housemaids, and we were asked to cook the food for everyone."***

Ayana.<sup>224</sup>

***"They [the employers] say they don't give offs. You work every day, 16 hours. I said I need to rest, they just said 'we don't offer'."***

Muna.<sup>225</sup>

The denial of days off and the lack of rest during working hours breaches both Saudi Arabia's Regulations and international law and standards.

Article 10 of the ILO Convention on Domestic Workers stresses the importance of treating domestic workers equally to other workers regarding working hours, overtime pay, periods of daily and weekly rest, and paid annual leave. Weekly rest should be at least 24 consecutive hours, according to the Convention, which further clarifies that: "... periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work" ('standby hours').<sup>226</sup> Further, standby hours should be regulated and remunerated,<sup>227</sup> and accurately reported.<sup>228</sup>

The ILO's 2017 White Paper, 'Domestic Workers and Employers in the Arab States', similarly found that domestic workers in the region are often denied adequate rest and face lengthy 'standby hours'. It notes that while employers may consider such time as 'a break' for their workers, "studies show that stand-by hours, particularly at night, are mentally exerting and different from an actual rest period."<sup>229</sup>



### SAUDI ARABIA'S NEW REGULATIONS FOR DOMESTIC WORKERS



**WORKING HOURS  
SHOULD NOT EXCEED**

**10 HOURS  
A DAY**

**WORKERS ARE  
ENTITLED TO**

**8 HOURS OF CONTINUOUS  
REST EACH DAY**

224 Interview conducted in Mombasa, 7 March 2024.

225 Interview conducted in Mombasa, 8 March 2024.

226 Article 10 of the ILO C189 – Domestic Workers Convention, 2011 (No. 189).

227 Article 10 of the ILO C189 – Domestic Workers Convention, 2011 (No. 189).

228 Section 8 of the ILO Domestic Workers Recommendation, 2011 (No 201).

229 See ILO, White Paper, "Domestic Workers and Employers in the Arab States: Promising practices and innovative models for a productive working relationship", 2017, p.p. 15, [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/documents/publication/wcms\\_619661.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/documents/publication/wcms_619661.pdf)



*People strolling along the seaside Corniche in Saudi Arabia while many domestic workers behind the scenes often work tirelessly without getting a day off. © GIUSEPPE CACACE/AFP via Getty Images*

Additionally, article 5 of ICERD, guarantees without discrimination “(i) the rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration.”<sup>230</sup>

Saudi Arabia’s new Regulations for Domestic Workers state that working hours should not exceed 10 hours a day, that workers are entitled to eight hours of continuous rest each day,<sup>231</sup> and that they have the right to one full day off per week.<sup>232</sup> Nonetheless, they leave open the possibility of employers considering their staff on ‘standby’ for longer hours and do not account for the reality of domestic workers who often end up working on average 16 hours per day with no additional pay.

Further, the Regulations also still allow for the possibility of domestic staff working on the designated day off if another day is granted off in lieu and the worker is compensated in accordance with the agreement between the two parties. The regulations do not clearly state that domestic workers should not be asked to work if they stay in the employer’s home on their rest day. Finally, they include no mechanism to ensure the enforcement of these provisions.

In addition to the weekly day off, the Regulations offer domestic workers an annual leave of 30 days every two years on completing their contract, effectively expecting them to toil for 24 months without a holiday.<sup>233</sup>

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<sup>230</sup> Article 5 (e)(i) of ICERD.

<sup>231</sup> Article 9 of 2023 Regulations for Domestic Workers (previously cited).

<sup>232</sup> Article 10 of the 2023 Regulations for Domestic Workers (previously cited).

<sup>233</sup> Article 13 of the 2023 Regulations for Domestic Workers (previously cited).

Ultimately, the regulations do not secure equal treatment for domestic workers compared to other workers covered by the Labour Law, which sets a maximum eight-hour working day, with a maximum of one hour of paid overtime per day.<sup>234</sup> The Labour Law also grants other workers 21 days of fully paid leave per year, emphasizing the importance of this time off and stipulating that it should not be postponed for more than 90 days unless absolutely necessary due to working conditions and only with the employee's approval.

As described in the Background, the legacies of slavery and colonialism continue to fuel systemic racism and racial hierarchies, in Saudi Arabia. Indeed, Black African women who spoke with Amnesty International faced daily mistreatment and degradation while working as domestic workers in Saudi Arabia. Racist assumptions—portraying them as untrustworthy, promiscuous, in need of constant supervision, and “naturally” suited to hard labour, among others - translated into extreme control, highly restricted movement, excessive workloads, inadequate food, and verbal, physical and sexual abuse, reinforcing their perceived inferiority and subordinate status.

## COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

In its Concluding observations on the fifth periodic report of Saudi Arabia published in October 2024, the UN Committee on the Elimination of Discrimination against Women noted “with concern the limited progress made in addressing the situation of disadvantaged and marginalized groups of women and girls, who are facing historical and intersecting forms of discrimination, namely women migrant domestic workers”.

It also highlighted the “lack of effective procedures for early identification of victims of trafficking, case management and victim protection, limited awareness among police and other law enforcement officers about trafficking indicators, including signs of coercion, such as passport retention, debt bondage, non-payment of wages, and forced confinement, as well as the lack of gender-sensitive protocols for dealing with victims of trafficking”. Further, it noted the inaccessibility of anti-trafficking hotlines which are available only in as well as a shortage of shelters and tailored support services, and limited collaboration with civil society organizations.

In relation to women migrant workers, the Committee noted its particular concern on “their exclusion from Labor Law protections” as well as the lack of penalties for abuse and mechanisms for filing confidential complaints.<sup>235</sup>

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<sup>234</sup> Article 98-99 of Saudi Arabia Labour Law (previously cited).

<sup>235</sup> Committee on the Elimination of Discrimination against Women, “Concluding observations on the fifth periodic report of Saudi Arabia”, UN Doc. CEDAW/C/SAU/CO/5, 29 October 2024, p.8 and 12, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FSAU%2FCO%2F5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FSAU%2FCO%2F5&Lang=en)

# TREATED AS PROPERTY: TRAFFICKING AND POTENTIAL SLAVERY

A few of the women described their employers treating them as if they were a commodity they had purchased. Such treatment reflects a troubling mindset amongst some employers, who frequently dehumanize their staff and regard them as possessions rather than people.

Some women reported being called “slave” by their employers or members of the household.

***“My boss called me ‘slave’. My job is to work because she bought me and paid everything for me, so she owns me and there is nothing I could do other than work, work and work.”***

Daphne.<sup>236</sup>

Others said they were “loaned” out to different households, or even “sold” by their employer. A BBC investigation in 2019 found foreign domestic workers being bought and sold via social media sites and online marketplaces in the Gulf, including in Saudi Arabia.<sup>237</sup>

Lucia said that soon after she arrived, her employer took her to a different city and **“sold” her “without my consent or knowledge”** to another family. When she told her recruitment agent what had happened, they told her to work wherever she was taken.<sup>238</sup>

Caro described a similar experience:

***“When I arrived in Saudi Arabia in the airport, the kafeel (sponsor) came and took me, and after two days he sold me to another person. He sold me! ... He said, ‘I brought you here because I needed to sell you to another person’. I told him ‘how’? He said, ‘that’s my work – I bring someone and then I sell.’”***<sup>239</sup>

In 2021, the Saudi Ministry of Commerce issued an order prohibiting the inclusion in job advertisements of the terms “to sell, to buy, to dispose of...”, any mention of payment in exchange for the transfer of a domestic worker’s services, or personal photographs or other data about a foreign worker, and clarified that a workers’ consent must be obtained before their services are transferred to another employer.<sup>240</sup> Saudi Arabia’s 2023 Regulations for Domestic Workers also state that employers should “refrain from allowing domestic workers to work elsewhere or in a different job to the one recruited for.”<sup>241</sup>

Hope said:

***“The truth is, I felt like I was sold... When you are in a country like Saudi Arabia, you have no money, you are alone so you are helpless, and it dawned me that this is slavery because you cannot leave. I felt this way because I was locked up, going outside was not allowed. I never left the house and did not have a day off and the fact that they have to control your exit, your entry, your movement - this is slavery. What else would you call it?”***<sup>242</sup>

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<sup>236</sup> Interview conducted in Nairobi, 12 March 2024.

<sup>237</sup> BBC, “Slave markets found on Instagram and other apps”, 31 October 2019, <https://www.bbc.co.uk/news/technology-50228549>

<sup>238</sup> Interview conducted in Nairobi, 13 March 2024.

<sup>239</sup> Interview conducted in Nairobi, 12 March 2024.

<sup>240</sup> Saudi Gazette, “Ban on use of word ‘maid’ for domestic worker in ads”, 30 January 2021, <https://saudigazette.com.sa/article/604985>; See also: Migrant-Rights.org, “Correct terminology doesn’t erase systemic injustices”, 18 April 2021, <https://www.migrant-rights.org/2021/04/correct-terminology-doesnt-erase-systemic-injustices/>

<sup>241</sup> Article 15 of the 2023 Regulations for Domestic Workers (previously cited).

<sup>242</sup> Interview conducted in Nairobi, 13 March 2024.

## TRAFFICKING IN PERSONS

The UN Palermo Protocol defines human trafficking as:

*... the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, or the removal of organs.<sup>243</sup>*

The ILO breaks down this definition into three key elements:

- **Activities:** recruitment, transportation, transfer, harbouring or receipt of a person.
- **Means:** force, deception, abduction, coercion, fraud, threats, abuse of power or a position of vulnerability.
- **Purpose:** exploitation, including forced labour, or removal of organs.<sup>244</sup>

The movement or transportation of an individual using force, deception or fraud for the purpose of labour exploitation amounts to the crime of human trafficking, as defined by the UN Palermo Protocol, which Saudi Arabia has ratified. Trafficking is an inherently gendered issue, with women and girls disproportionately affected globally.<sup>245</sup> According to the CEDAW Committee: “Women and girls face an increased risk of being trafficked at all stages of the migration cycle – in transit, in reception and accommodation facilities, at borders and in destination countries. Upon return, they may experience reprisals and revictimization.”<sup>246</sup>

As the testimonies of the women in this report reveal, many were deceived during recruitment about the terms and conditions of their job. This deception, when combined with the severe exploitation that these women faced on arrival in Saudi Arabia, indicates that they are likely to have been subjected to human trafficking.

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243 Article 3(a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol), 15 November 2000.

244 ILO, *Forced labour and human trafficking: A handbook for inspectors*, 2008, p. 5, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_097835.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_097835.pdf). The ILO has also published a series of operational indicators for characterizing the various elements of trafficking for labour, which include deception during recruitment, transfer and transportation; coercion during recruitment, transfer and transportation: recruitment by abuse of vulnerability; exploitative conditions of work; coercion at destination and abuse of vulnerability at destination. See ILO, *Operational indicators of trafficking in human beings*, 2009, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_105023.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_105023.pdf)

245 According to Article 6 the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), “States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”.

246 See UN Committee on the Elimination of Discrimination Against Women, General Recommendation No. 38 on trafficking in women and girls in the context of global migration, UN Doc. CEDAW/C/GC/38, p. 2, 20 November 2020, <https://digitallibrary.un.org/record/3899165?v=pdf&ln=>



Trafficking, as criminalized in Saudi Arabia, includes trafficking for the purpose of sexual exploitation, forced labour, slavery or slavery-like practices, servitude, forced begging, removal of organs, or for conducting medical experiments thereon, and is punishable by up to 15 years in prison and a fine of SAR 1 million (USD 266,000).<sup>247</sup> The US State Department's 2024 Trafficking in Persons report has noted that these penalties are sufficiently stringent, and there had been an increase in convictions for all trafficking offences in Saudi Arabia in 2023 (141, up from 60 in 2022). Of the 141, 53 convictions were for labour trafficking. However, it also highlights that the majority of labour trafficking sentences handed down in Saudi Arabia resulted in less than a year in prison. The US State Department described these as "lenient" penalties that "did not adequately reflect the nature of the crime, undercut efforts to hold labor traffickers accountable, weakened deterrence, and increased potential security and safety concerns for victims."<sup>248</sup>

The 1926 Slavery Convention, to which Saudi Arabia is a party, defines slavery as "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised."<sup>249</sup> The UN Special Rapporteur on contemporary forms of slavery has elaborated on this in the context of contemporary practice, stating that the definition "*relates not only to the de jure status of slavery, but the de facto condition of slavery; it is not restricted to legal ownership — a status that has been abolished worldwide — but to a lived condition in which one individual exercises over another powers that are similar to or attach themselves to the right of ownership.*"<sup>250</sup> In a new policy published in December 2024 discussing enslavement as a crime against humanity, the International Criminal Court reiterates the broad ways in which the powers of the right of ownership might be manifest, and includes a non-exhaustive list of indicators: "*control or restrictions of movement; measures to deter or prevent escape; control of physical environment; psychological control or pressure; force, threat of force or coercion; control of sexuality and reproductive autonomy; assertions of exclusivity; control over breeding; forced administration of contraception, forced gestation, control of breastfeeding, starvation; forced labour; torture; subjugation to medical experimentation; removal of organs; menstrual verification; impregnation; and cruel treatment and abuse.*"<sup>251</sup>

Cumulatively, and when situated within the highly restrictive and discriminatory kafala system, the immense control that some employers exerted over women domestic workers in their homes – to the extent that said control can be considered tantamount to ownership - may amount to slavery under the 1926 convention.

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247 2009 Anti-Trafficking in Persons Law, available at: <https://laws.boe.gov.sa/Files/Download/?attId=6b2e41e2-baf7-4274-83da-adbb010e882f>

248 US Department of State, 2024 Trafficking in Persons Report: Saudi Arabia, <https://www.state.gov/reports/2024-trafficking-in-persons-report/saudi-arabia/>

249 Article 1 of the 1926 Convention to Suppress the Slave Trade and Slavery.

250 Report of the UN Special Rapporteur on contemporary forms of slavery, including its causes and consequences, UN Doc. A/HRC/36/43, 2 August 2017, para.9, <https://documents.un.org/doc/undoc/gen/g17/229/76/pdf/g1722976.pdf>

251 International Criminal Court, Office of the Prosecutor, *Policy on slavery crimes*, December 2024, para 68, <https://www.icc-cpi.int/sites/default/files/2024-12/policy-slavery-web-eng.pdf>

# SAUDI ARABIA'S LEGAL FRAMEWORK

This chapter explores the legal framework governing domestic workers in Saudi Arabia, beginning with an examination of the kafala sponsorship system, a key mechanism perpetuating the exploitation of this marginalized group. It then looks at a series of initiatives, including the Regulations for Domestic Workers, introduced by the Ministry of Human Resources and Social Development (MHRSD) in recent years, which claim to enhance protections but fall short of achieving meaningful change.

In January 2025, the Saudi Arabian government became the first Arab country to introduce a National Policy for the Elimination of Forced Labour. The policy aims to incorporate prevention and protection measures and enhance victim protections, and commits to strengthening national, regional, and international coordination to combat forced labour more effectively.<sup>252</sup> The MHRSD is responsible for implementing this policy, however it lacks clear guidelines or mechanisms to enable enforcement, monitor compliance, or hold violators accountable.

## KAFALA SPONSORSHIP SYSTEM

There are more than 13.4 million foreign nationals in Saudi Arabia making up nearly 42% of the country's population,<sup>253</sup> the majority of who work in the private sector.<sup>254</sup> Like all foreign workers, domestic workers are governed by the Residency Regulations which form the basis of the kafala sponsorship system operating in the country.<sup>255</sup> The key elements of this abusive system have included the dependence of a worker on their sponsor to enter the country, obtain their visa and renew their residence permit, as well as the requirements for an employer to give permission before a worker may leave the country or change jobs.

The system effectively grants enormous power to employers and leaves migrant workers acutely at risk of abuse, exploitation and discrimination. It essentially absolves the government from exercising its proper role in regulating employment and ensuring the protection of migrant workers, while creating a deeply imbalanced relationship between workers and employers.<sup>256</sup> By enabling employers to exercise significant control over the life of the worker, the system directly enables forced labour and other serious human rights abuses.<sup>257</sup> The kafala system results in discriminatory and disproportionate impacts on racialized

252 MHRSD, “Saudi Arabia Introduces National Policy for the Elimination of Forced Labor”. 21 January 2025, <https://www.hrsd.gov.sa/en/media-center/news/السياسة-الوطنية-للغاء-العمل-الجبري>; صدر قرار-مجلس-الوزراء-ب اعتماد-السياسة-الوطنية-للغاء-العمل-الجبري; for more details about the policy see, MHRSD, *The National Policy for the Elimination of Forced Labor in the Kingdom of Saudi Arabia*, 20 February 2025, <https://www.hrsd.gov.sa/en/knowledge-centre/decisions-and-regulations/regulation-and-procedures/السياسة-الوطنية-للغاء-العمل-الجبري>

253 See General Authority for Statistics, “Saudi Census Statistics 2022”, breakdown by nationalities, (previously cited).

254 General Authority for Statistics, “Labor Market Statistics Q1/2024”, see Tab 2-3.

255 See, “The Residency Regulations and their amendments” issued by the Supreme Royal Order No. 17/2/25/1337 dated 11/9/1371, <https://nshr.org.sa/wp-content/uploads/2013/10/1عليه-الاقامة-والتعديلات-المصادرة.pdf>

256 For more details about the sponsorship system in Saudi Arabia with an overview of its historic roots, see Fairsquare, Policy Brief, *Migrant Workers in Saudi Arabia*, October 2020, <https://fairsq.org/wp-content/uploads/2020/11/FS-Policy-Brief-1- Saudi-Arabia-1020.pdf>

257 Amnesty International, “Don’t worry it’s a branch of Amazon”: Exploitation of migrant workers contracted to Amazon in Saudi Arabia, 10 October 2023, (AI Index: MDE 23/7229/2023), <https://www.amnesty.org/en/documents/mde23/7229/2023/en/> ; see also Amnesty International, “I would fear going to work”: Labour exploitation at Carrefour sites in Saudi Arabia, 21 October 2024, (AI Index: MDE 23/8586/2024), <https://www.amnesty.org/en/documents/mde23/8586/2024/en/>



people, constituting a form of indirect discrimination.<sup>258</sup> Black women are particularly at risk of abuse and exploitation in the kafala system, as it gives such a significant degree of power to employers, who then act on racialized and gendered stereotypes that devalue Black women's labour, and characterizes them as servile. Operating in a context of institutionalized racism, these women have fewer financial and other resources at their disposal, and little opportunity for remedy. Since 2021 the government has started to introduce some changes to the system through its 'Labour Reform Initiative' (LRI).<sup>259</sup> However, the LRI does not extend to domestic workers, who are excluded from the Labour Law's provisions and are not afforded the same level of protection as other workers. This exclusion is particularly gendered given that three-quarters of women foreign workers are employed in domestic work.<sup>260</sup>

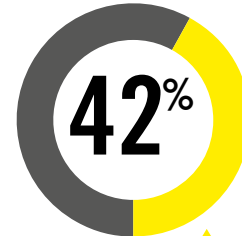
Alongside the LRI, the government introduced a series of changes specific to domestic workers that relate to three core elements of the wider kafala system: the exit permit requirement, restrictions on changing jobs, and the charge of "absconding". These changes, however, detailed below, brought only minimal improvement to the realities faced by migrant domestic workers, and in all cases were more restrictive than the changes introduced for other foreign workers through the LRI. Furthermore, the new system is overly complex and heavily reliant on domestic workers having access to smartphones and the ability to navigate the online platform in Arabic.

## EXIT PERMIT

On 14 March 2021 the MHRSD introduced a reform allowing migrant workers covered by the Labour Law to leave the country, temporarily or permanently, after requesting their own exit permit.<sup>261</sup> Migrant domestic workers did not benefit from this reform. Instead, in June 2022 the MHRSD amended the 2013 domestic workers' regulations to "enable domestic workers to leave the country indefinitely at the end of the contractual relationship".<sup>262</sup> This vague amendment was reaffirmed in 2024 following the

**13.4 MILLION**

**FOREIGN NATIONALS  
IN SAUDI ARABIA  
MAKE UP NEARLY**



**OF THE COUNTRY'S  
POPULATION**

**THE MAJORITY OF WHO WORK  
IN THE PRIVATE SECTOR**

<sup>258</sup> Article 1 of the Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance, states that indirect discrimination occurs "when a seemingly neutral provision, criterion, or practice has the capacity to entail a particular disadvantage for persons belonging to a specific group" based on a prohibited ground "or puts them at a disadvantage, unless said provision, criterion, or practice has some reasonable and legitimate objective or justification under international human rights law." It is encompassed in systemic racism in institutions, legislation, policies, and practices perpetuating racism even where such policies and practice appear neutral. At the 43rd session of the Human Rights Council in 2020, UN High Commissioner for Human Rights, said that "systemic racial discrimination extends beyond any expression of individual hatred" and "results from bias in multiple systems and institutions of public policy, which separately and together perpetuate and reinforce barriers to equality." See: <https://www.ohchr.org/en/news/2020/06/43rd-session-human-rights-councilurgent-debate-current-racially-inspired-human-rights>

<sup>259</sup> MHRSD, "Ministry of Human Resources and Social Development Launches Labor Reforms for Private Sector Workers", 4 November 2020, <https://www.hrsd.gov.sa/en/media-center/news/770957>

<sup>260</sup> General Authority for Statistics, "Labor Market Statistics Q1/2024", see Tab 2-3, (previously cited).

<sup>261</sup> These include instances where the workers would have completing one year of their contract, or if their contract has expired, or if their work permit has not been issued within 90 days of entering Saudi Arabia or has not been renewed, or if the worker has not been paid for three consecutive months. For more details, see MHRSD, User Guide, pp. 5-6. Also, the Labour Law, which is applicable to all nationals and most foreign workers, stipulates that all workers can leave their job without serving their notice in various circumstances, including "if the employer fails to fulfil his essential contractual or statutory obligations towards the worker". However, other regulations applicable to foreign workers, including the Labour Reform Initiative, continue to restrict migrant workers' ability to change jobs without their employer's permission.

<sup>262</sup> MHRSD, "MHRSD updates the decision to transfer domestic workers' services between employers without the employer's consent and adds new cases", 29 June 2022, <https://hrs.gov.sa/ar/node/1133595>, <https://www.hrsd.gov.sa/knowledge-centre/decisions-and-regulations/regulation-and-procedures/الدليل-الإرشادي-لحقوق-والالتزامات-العمالة-المنزلية-في>



Daily life in the port city of Jeddah, Saudi Arabia, on 14 January 2025. © Anadolu via Getty Images

introduction of the new Regulations for Domestic Workers, which added the clause “unless both parties agree otherwise”, leaving as such open the possibility of employers – with all the power they hold within the kafala system – restricting their workers' ability to exit the country, even after their contract has ended.<sup>263</sup> Additionally, the provision does not specify how migrant workers can leave, or whether or not the employer's permission is still required, nor does it grant them the right to leave the country without the employer's consent *before* the contract ends.

Amnesty International wrote to the Saudi Arabian authorities to ask whether they plan to allow domestic workers to leave the country at any time, without the permission of their employers, but had not received a response by the time of writing.

## CHANGING JOBS

As part of the LRI, the MHRSD began to allow migrant workers covered by the Labour Law to switch jobs without the permission of their employer, under certain conditions.<sup>264</sup> Implementation of this remains patchy for the migrant workers that are covered<sup>265</sup> and does not even extend to domestic workers, who are who are excluded from the Labour Law.

As such, domestic workers still cannot change jobs without their employer's permission except in very limited circumstances. These include among others, non-payment of wages, unsafe conditions, failure of the employer to obtain a residency permit for the worker, and other forms of mistreatment or

<sup>263</sup> MHRSD, *Guide to the Rights and Obligations of Domestic Workers in the Kingdom of Saudi Arabia*, 17 March 2024, <https://www.hrsd.gov.sa/sites/default/files/2024-03/Guide%20to%20the%20rights%20and%20obligations%20of%20domestic%20workers.pdf>

<sup>264</sup> These include, instances where the workers would have completing one year of their contract, or if their contract has expired, or if their work permit has not been issued within 90 days of entering Saudi Arabia or has not been renewed, or if the worker has not been paid for three consecutive months. For more details, see MHRSD, User Guide, pp. 5-6. Also, the Labour Law, which is applicable to all nationals and most foreign workers, stipulates that all workers can leave their job without serving their notice in various circumstances, including “if the employer fails to fulfil his essential contractual or statutory obligations towards the worker”. However, other regulations applicable to foreign workers, including the Labour Reform Initiative, continue to restrict migrant workers' ability to change jobs without their employer's permission.

<sup>265</sup> See for example, Human Rights Watch, “*Die First, and I'll Pay You Later*”: Saudi Arabia's ‘Giga-Projects’ Built on Widespread Labor Abuses, 4 December 2024, pp. 35-40, (previously cited).

In fact, the 2023 Regulations for Domestic Workers represent a further setback by removing two conditions that previously allowed domestic workers to transfer jobs without their employer's approval, namely in cases where they are "assigned to work for individuals who are not relatives of the employer up to the second degree", and "if the employer submitted an incorrect notification of absence against the worker."<sup>268</sup>

Equally, domestic workers can be eligible to transfer jobs if: their residence permit is valid, their employment contract is registered on the Musaned platform, their contractual relationship with the current employer has ended, and they have no active lawsuit against them before the Committees for the Settlement of Domestic Worker Disputes.<sup>270</sup> It is crucial to note, however, that some of these conditions - such as the renewal of residency permits and the registration of contracts - must be completed by current employers, providing them greater control over the workers' eligibility to change jobs.

**THE 'LABOUR REFORM INITIATIVE' (LRI)  
DOES NOT EXTEND TO DOMESTIC WORKERS**

WHO ARE EXCLUDED FROM THE LABOUR LAW'S PROVISIONS AND ARE NOT AFFORDED THE SAME LEVEL OF PROTECTION AS OTHER WORKERS.



271 Article 7 of of MHRSD regulations “Controls to Improve the Contractual Relationship of Domestic Workers and their Equivalents”,  
March 2024. (previously cited).

## THE SEVERE ISOLATION DOMESTIC WORKERS FACE AND THEIR LACK OF ACCESS TO SOCIAL NETWORKS AND LEGAL ASSISTANCE



**MAKES IT NEARLY IMPOSSIBLE FOR MANY TO NAVIGATE THE SYSTEM AND EXERCISE THEIR RIGHT TO CHANGE JOBS, EVEN WHEN THEY ARE LEGALLY ENTITLED TO DO SO.**

A domestic workers' employment can also be transferred from one employer to another, with the worker's consent. According to MHRSD, in the first half of 2024, this service benefited 61,358 employers, though it does not specify the number of employees who benefited from it.<sup>272</sup>

Ultimately, the severe isolation domestic workers face and their lack of access to social networks and legal assistance makes it nearly impossible for many to navigate the system and exercise their right to change jobs, even when they are legally entitled to do so.

While welcoming changes the state had made in recent years, in December 2024, the Committee on the Elimination of Racial Discrimination noted with concern that "The labour legal framework still does not provide sufficient protection for migrant workers, in relation to their ability to change jobs and leave the State party", adding that "particularly domestic workers, face discrimination and exclusion under the legislative framework".<sup>273</sup> Indeed, none of the women interviewed by Amnesty International during this research was aware of their right to change employers, despite having experienced conditions that would legally permit them to switch jobs.

Amnesty International requested additional details from the government to evaluate how these changes impact domestic workers but had not received a response at the time of writing.

## 'ABSCONDING'

Another key element of the kafala system which persists in various forms in Saudi Arabia and across the Gulf is the charge of "absconding", which allows employers to unilaterally report foreign workers as being absent from their workplace without permission, effectively stripping them of their legal right to stay in the country and leaving them extremely vulnerable to arrest and deportation.<sup>274</sup> While other states and regions operate tied-visa systems for foreign workers, the absconding charge is unique to the kafala system and exacerbates power disparities between employer and employee. It also poses significant challenges for domestic workers, who, when fleeing abuse in their workplaces, often end up as the accused, forced to endure legal battles before they can leave the country. Meanwhile, abusive employers frequently escape investigation and accountability.

<sup>272</sup> MHRSD, "Ministry of Human Resources and Social Development Achieves Several Milestones in the Recruitment Sector During the First Half of 2024", 12 August 2024, <https://www.hrsd.gov.sa/media-center/news/120820243>

<sup>273</sup> Committee on the Elimination of Racial Discrimination, Concluding observations on the combined tenth and eleventh periodic reports of Saudi Arabia, CERD/C/SAU/CO/10-11, 24 December 2024, para 39(a) and (b), [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSAU%2FCO%2F10-11&Lang=fr](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CERD%2FC%2FSAU%2FCO%2F10-11&Lang=fr).

<sup>274</sup> See ILO, White Paper, *Employer-Migrant Worker Relationship in the Middle East: Exploring scope for internal labour market mobility and fair migration*, March 2017, [https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/documents/publication/wcms\\_552697.pdf](https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@arabstates/@ro-beirut/documents/publication/wcms_552697.pdf); see also Migrant-Rights.org, "Huroob, Runaway, Absconding: Trapping migrants in extreme abuse", 30 September 2020, <https://www.migrant-rights.org/2020/09/huroob-runaway-absconding-trapping-migrants-in-extreme-abuse/>

Absconding charges have long been used by employers in retaliation for workers requesting a job change, obtaining a final exit visa, or bringing a labour complaint against them, sometimes enabling the employer to avoid paying overdue salaries or benefits.<sup>275</sup> The government's system usually defaults to punishing the worker without investigating whether workers are escaping abusive conditions or if the charges are retaliatory in nature.

There have been limited reforms in recent years. In 2022, the Saudi government issued a new regulation removing the ability of employers to file "absconding" cases against migrant workers in the private sector – but not domestic workers – instead giving employers the option to request to terminate an employee and mark them as "discontinued from work".<sup>276</sup> Under this new system, these workers are not immediately criminally liable, but instead have 60 days to change employer or leave the country. After this period however, they would nonetheless risk becoming irregular and at risk of arrest and deportation.<sup>277</sup>

In March 2024, the MHRSD introduced a similar – albeit complicated, confusing and more restrictive – regulation for domestic workers. Under the revised system, the term "absconding" was rebranded, and employers are now allowed to instead file an "absence from work" report against domestic workers. What the domestic worker is then permitted to do depends on the length of time spent in the country. A domestic worker who has already completed a two-year contract in Saudi Arabia has 60 days to legally change employers or to exit the country. A domestic worker who is under a new contract, however, is not allowed to change employers and must request an exit permit. After 60 days, in both cases, the domestic worker would be deemed to have violated residency laws and may face arrest and deportation if these actions are not taken.

Employers can file such a report if the worker has a valid residence permit, is no longer working at the employers' household, has a valid contract registered on the Musaned platform and has no pending lawsuit against them before the Committees for the Settlement of Domestic Workers' Disputes. Employers have a 15-day window to withdraw an absence from work report after submission, after which the report becomes final.<sup>278</sup> However, reports cannot be withdrawn if filed within the first 90 days of the worker's arrival in the country. Additionally, the domestic worker is automatically removed from the employer's sponsorship 60 days after the report is submitted.

To enable employers to report their domestic workers as "absent", the Saudi Ministry of Interior has launched a simplified process on Absher – its electronic platform that provides a wide range of services to citizens, residents and visitors – advertised with the hashtag #Easier\_Quicker.<sup>279</sup>

Overall, while the reforms may somewhat ease the impact of absconding charges against migrant workers, the regulations are complex and confusing and remain more restrictive for domestic workers than other workers. Because the changes are so new, it remains unclear how they are implemented in practice.

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275 US Department of State, 2024 Trafficking in Persons Report: Saudi Arabia (previously cited).

276 This status does not confer criminal liability on private sector foreign workers but grants them a 60-day period to change employer or leave the country. After this period however, they would nonetheless risk becoming irregular and at risk of arrest and deportation. See MHRSD, "Ministry of Human Resources and Social Development Updates Controls and Procedures for Worker Absence from Work in Private Sector Establishments", 23 October 2023, <https://www.hrsd.gov.sa/media-center/news/1170537>; see also US Department of State, 2024 Trafficking in Persons Report: Saudi Arabia (previously cited).

277 For more information on the assessment of this change, see Migrant-Rights.org, "Saudi's Labour Reform Initiative: An Overview", 3 November 2024, <https://www.migrant-rights.org/2024/11/saudis-labour-reform-initiative-an-overview/>

278 Article 3 of MHRSD's regulation "Controls to Improve the Contractual Relationship of Domestic Workers and their Equivalents", March 2024, (previously cited).

279 See for example Ministry of Interior post on X (previously Twitter), 19 August 2024, <https://x.com/Absher/status/1825500484158783592>



Amnesty International wrote to the Saudi authorities asking for information on the number of absence from work reports filed, measures to inform workers about reports made against them, the steps taken to prevent malicious reports and the number of employers facing investigation and prosecution for doing so. The government had not responded by the time of writing.

## NEW DOMESTIC WORKERS REGULATION AND OTHER INITIATIVES

### REGULATIONS FOR DOMESTIC WORKERS

In October 2023, the government issued new ‘Regulations for Domestic Workers and the Like’ (hereinafter 2023 Regulations for Domestic Workers), effective from October 2024, aiming to protect the rights of both domestic workers and employers.

The new regulations replaced Decision No. 310, 7/9/1434 (15/07/2013), introduced in July 2013, which also aimed to regulate working practices but fell far short in several critical areas.<sup>280</sup> Notably, the 2013 law did not set a maximum working hour limit and only granted a day off based on mutual agreement.<sup>281</sup> Additionally, it allowed salaries to be paid in cash or by cheque at the end of the month, unless alternative arrangements were made, placing the responsibility on workers to negotiate their basic rights and failing to address the inherent power imbalances.<sup>282</sup>

On this basis, the introduction of the new regulations was an important step. These regulations introduced some safeguards related to working hours, break time, rest hours and a weekly day off, and recommended the monthly electronic payment of wages. Of course, whether they are effective will depend on the degree to which they are respected and enforced.

The new regulations also introduced stricter penalties for employers who breach its provisions.<sup>283</sup> On 3 October 2024, the MHRSD announced the implementation of regulatory penalties against 222 employers for violating the domestic workers’ regulations. According to the statement: “These violations included providing their domestic workers’ services to a third-party or allowing domestic workers to work for their own account, as well as assigning them work that was not previously agreed upon, which resulted in the imposition of financial fines and depriving violators of the right to recruit.” The ministry also suspended 25 recruitment offices and withdrew the licences of 11 others for failing to comply with the recruitment regulations in place.<sup>284</sup>

**OCTOBER 2023**

**THE GOVERNMENT ISSUED NEW  
‘REGULATIONS FOR DOMESTIC  
WORKERS AND THE LIKE’**

**EFFECTIVE FROM OCTOBER 2024,  
AIMING TO PROTECT THE RIGHTS OF BOTH  
DOMESTIC WORKERS AND EMPLOYERS**

280 List of Domestic Workers and Those in Similar Positions, Decision No. 310 on 7/9/1434 (15/07/2013), <https://www.hrsd.gov.sa/sites/default/files/2024-01/17091434.pdf>

281 Article 8 of Decision No. 310, 7/9/1434 (15/07/2013).

282 Article 7 of Decision No. 310, 7/9/1434 ((15/07/2013).

283 Article 29 of Decision No. 310, 7/9/1434 (15/07/2013). For more details about the previous penalties of the 2019 Domestic Workers Regulations, see MHRSD, “Penalties for employers violating the regulations for domestic workers and those in similar positions”, 13 November 2019, <https://www.hrsd.gov.sa/knowledge-centre/articles/305>

284 MHRDS, News, “The Ministry imposes penalties for violating the domestic workers regulations”, 3 October 2024, <https://www.hrsd.gov.sa/media-center/news/labour/1031020241>

## MUSANED

In January 2016, the MHRSD introduced Musaned (“support” in Arabic),<sup>285</sup> which was promoted as the national platform for domestic recruitment. It essentially facilitates the hiring process for employers by streamlining and managing various aspects of the recruitment and employment process.<sup>286</sup> The system also enables employers to select from a list of licensed and vetted recruitment agencies, in an effort to prevent exploitation by unregulated ones, increase transparency and reduce the risks of trafficking for labour purposes.<sup>287</sup>

In August 2024, the ministry reported that 412,399 domestic labour recruitment contracts had been processed through the platform. Additionally, new recruitment markets were introduced, including Gambia, Burundi, Sierra Leone and Tanzania, bringing the total number of countries from which domestic workers can be recruited to 33. The platform also facilitated the transfer of labour services between individuals, benefiting over 61,358 employers through this service.<sup>288</sup>

While the US Department of State’s 2024 Trafficking in Persons report says that “diplomats from multiple labour-source countries reported Musaned enhanced the ability of embassies to monitor newly arrived nationals”, it also highlights that “other diplomats expressed the platform did not provide sufficient transparency on the recruitment process for foreign governments whose nationals used the system.”<sup>289</sup>

Although Musaned claims its mission is to “preserve the rights of all parties, including employers and domestic workers,” a review of the services it offers as well as its social media presence reveals a stronger focus on assisting employers in streamlining their recruitment process.<sup>290</sup> For example, a review of Musaned’s posts on X (formerly Twitter) shows that the platform predominantly targets employers in its communications and is often used by them to air grievances and seek support related to recruitment challenges, technical issues or problems with the domestic workers they employ.<sup>291</sup> Language is also an issue. The Musaned platform is only available in Arabic and English, while almost all its social media content – including complaints and responses from platform moderators – is exclusively in Arabic, a language rarely spoken by domestic workers, and there are hardly any complaints or concerns voiced by domestic workers on its social media platform.

Occasionally, the platform does offer useful content aimed at educating employers on proper treatment of domestic workers and the value of their work.<sup>292</sup> However, it falls short of emphasizing employers’ legal and ethical obligations towards their workers, as well as the fundamental rights of domestic workers. Critical issues such as passport confiscation, excessive working hours, lack of rest days, and instances of racism or verbal abuse are notably absent from the platform’s discussions.

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285 See Musaned, <https://www.musaned.com.sa/home>

286 For more details on Musaned portal see Migrants-Rights.org, “The What and How of Saudi’s Musaned System”, 15 September 2019, <https://www.migrant-rights.org/2019/09/the-what-and-how-of-saudis-musaned-system/>

287 See for example MHRSD post on X, 29 February 2024, [https://x.com/Musaned\\_DL/status/1763079524411920667](https://x.com/Musaned_DL/status/1763079524411920667)

288 MHRSD, “The Ministry of Human Resources and Social Development achieves several achievements in the recruitment sector during the first half of 2024”, 12 August 2024 (previously cited).

289 US Department of State, 2024 Trafficking in Persons Report: Saudi Arabia (previously cited).

290 MHSD, “The Ministry of Human Resources and Social Development achieves several achievements in the recruitment sector during the first half of 2024”, 12 August 2024 (previously cited).

291 See Musaned’s account on X (formerly Twitter), [https://x.com/Musaned\\_DL](https://x.com/Musaned_DL)

292 See for example Musaned’s post on X (formerly Twitter), 12 March 2024, [https://x.com/Musaned\\_DL/status/1767475129787785296](https://x.com/Musaned_DL/status/1767475129787785296); and Musaned’s post on 4 April 2024, [https://x.com/Musaned\\_DL/status/1643330153102049280](https://x.com/Musaned_DL/status/1643330153102049280); and Musaned’s post on 20 April 2023, [https://x.com/Musaned\\_DL/status/1648833858266181639](https://x.com/Musaned_DL/status/1648833858266181639)

## WAGE PROTECTION SYSTEM

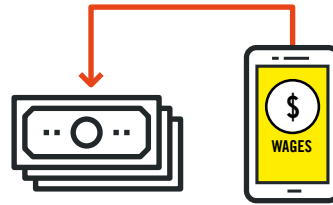
Building on an optional initiative introduced in April 2022, the MHRSD launched the mandatory Wage Protection System for domestic workers' salaries in May 2024.<sup>293</sup> This system requires employers to use digital payment methods for domestic workers' wages, with the aim of enhancing transparency and reliability, and providing documented proof of payments. Since 2023, the MHRSD has been launching social media awareness campaigns to encourage employers to transition to digital payment methods.<sup>294</sup>

The gradual roll-out from 1 July 2024 has begun with domestic workers under new contracts. For existing contracts, implementation will occur in phases, depending on the number of domestic workers employed by each household.<sup>295</sup> While a positive step, it is too early to assess the impact of this measure, while the issue of phone confiscation may continue to be an enduring barrier for the verification of wages.

At the time of writing the government had not responded to Amnesty International's request for information, leaving key details about the initiative's implementation unclear, including the penalties employers may face for non-compliance and how it ensures accurate payment of overtime, among other contractual rights.

### THE WAGE PROTECTION SYSTEM

**REQUIRES EMPLOYERS TO USE DIGITAL PAYMENT METHODS FOR DOMESTIC WORKERS' WAGES,** WITH THE AIM OF ENHANCING TRANSPARENCY AND RELIABILITY, AND PROVIDING DOCUMENTED PROOF OF PAYMENTS.



## CONTRACT INSURANCE

In February 2024, the government launched an “Insurance on Domestic Worker Contracts”, designed to provide compensation for both employers and domestic workers in a variety of situations. The service compensates employers for recruitment expenses if their domestic worker is absent, unable to work, or in the event of their death. It also covers the costs of repatriating a worker's body and personal belongings in the case of death.<sup>296</sup>

Additionally, the service is supposed to ensure that domestic workers' rights are protected, such as by guaranteeing the payment of their salaries in limited cases, for example in the event of the employer's death or permanent disability.

<sup>293</sup> MHRSD, “Ministry of Human Resources and Social Development launches ‘Wage Protection Service’ for domestic workers’ salaries”, 13 May 2024, <https://www.hrsd.gov.sa/media-center/news/130520241>

<sup>294</sup> See for example Musaned's post on X (formerly Twitter), 20 August 2023, [https://x.com/Musaned\\_DL/status/1693223856805179672](https://x.com/Musaned_DL/status/1693223856805179672) ; and Musaned's post on 27 August 2023, [https://x.com/Musaned\\_DL/status/1695740398550085881](https://x.com/Musaned_DL/status/1695740398550085881); and Musaned's post on 10 September 2023, [https://x.com/Musaned\\_DL/status/1700879535225409647](https://x.com/Musaned_DL/status/1700879535225409647) ; and Musaned's post on 26 June 2024, [https://x.com/Musaned\\_DL/status/1805954352982462641](https://x.com/Musaned_DL/status/1805954352982462641)

<sup>295</sup> According to the MHRSD, the roll-out will happen as follows: employers with more than four domestic workers will be required to comply by 1 January 2025; those with three workers by 1 July 2025; and those with two workers by 1 October 2025. The service will cover all domestic workers by 1 January 2026. See, MHRSD, “Ministry of Human Resources and Social Development launches ‘Wage Protection System’ for domestic workers’ salaries”, 13 May 2024, (previously cited).

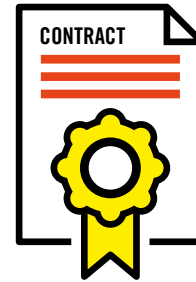
<sup>296</sup> MHRSD, “The Ministry of Human Resources and Social Development launches the “Insurance Service” for domestic labor contracts for the first two years for new domestic workers via the Musaned platform”, 25 December 2023, <https://www.hrsd.gov.sa/media-center/news/251220231>



The scheme is mandatory for employers of newly recruited domestic workers for the first two years of their contract, and optional thereafter. According to the MHRSD, since its introduction, the service benefited “358,980 individuals in the first half of the year”.<sup>297</sup> However, it is unclear how many of these individuals are employers or domestic workers. The government had not responded to Amnesty International’s request for clarification by the time of writing.

## CONTRACT REGISTRATION

In November 2022, the MHRSD introduced phase two of an optional service for employers of domestic workers, aimed at encouraging the electronic registration of contracts on the Musaned platform to protect the rights of both parties. This phase applies to domestic workers who have completed their two-year contract and wish to extend their stay in the country. Employers can upload the new contract to the platform, after which the domestic worker will receive a link to either accept or decline the contract. Once accepted, the contract becomes legally binding.<sup>298</sup>



According to the MHRSD, the service aims to enhance transparency and ensure that both parties are fully informed of their rights and obligations as outlined in the contract, particularly regarding salaries and job responsibilities.<sup>299</sup>

Amnesty International sought additional information about this initiative to properly assess its effectiveness in protecting domestic workers’ rights and ensuring they are informed of and agree to their working conditions. However, by the time of writing the government had not provided the organization with the requested details.

For this initiative to be truly effective, contract registration should be made mandatory rather than optional for all employers of domestic workers. It should take place before domestic workers leave their home countries for employment in Saudi Arabia, ensuring they are fully informed of their working conditions upon arrival. Once in the country, it should also refrain from relying exclusively on domestic workers’ access to phones for validating their contracts, especially when many of them face barriers to accessing or using digital devices. Finally, it must be accompanied with robust enforcement mechanisms to ensure that employers consistently register contracts on the platform. This includes implementing penalties for non-compliance and establishing a system for monitoring and auditing contract registrations as well as the need to provide support and training for both employers and domestic workers to enable them to navigate the system effectively and enhance the initiative success.

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<sup>297</sup> MHRSD, “Ministry of Human Resources and Social Development Achieves Several Milestones in the Recruitment Sector During the First Half of 2024”, 12 August 2024, <https://www.hrsd.gov.sa/en/media-center/news/120820243>

<sup>298</sup> See MHRSD services, “Electronic Documentation”, <https://www.hrsd.gov.sa/en/ministry-services/services/833342>

<sup>299</sup> Saudi Press Agency, “Musaned platform launches domestic workers contracts documentation service”, 15 November 2022, <https://www.spa.gov.sa/2401425>

## UNIFIED EMPLOYMENT CONTRACT

According to the MHRSD's "Guide to the Rights and Obligations of Domestic Workers in the Kingdom of Saudi Arabia," a standard employment contract for domestic workers' service must be signed between employers and foreign domestic workers.<sup>300</sup> This contract should outline key terms such as the type of work they committed to, the duration of employment, the monthly salary, mandatory wage transfers via bank, and provisions for daily and weekly rest periods. It should also detail the responsibilities and obligations of both employers and workers, in accordance with the Regulations for Domestic Workers. Such requirements are broadly in line with the provisions of Article 7 of the ILO Domestic Workers Convention aiming at ensuring that workers are informed of their terms and conditions of employment.<sup>301</sup> These unified contracts are to be tailored to the country of origin of each worker, with the MHRSD certifying a specific contract for each nation.<sup>302</sup>

Despite requesting copies of such contracts from the governments of Saudi Arabia and Kenya, Amnesty International had not received any at the time of writing. Nevertheless, the organization found one such contract online between Niger and Saudi Arabia, though it remains unclear whether this contract was implemented before or after the new regulation. Regardless, "the Standard Employment Contract for Niger Domestic Service Workers (DSV) and the Kingdom of Saudi Arabia" contained several clerical errors and did not fully comply with either the provisions of the Regulations for Domestic Workers or the requirements outlined in the ILO Domestic Workers Convention. This includes, for instance, informing workers about the terms and conditions of their employment, such as the type of work to be performed and the daily rest period.<sup>303</sup> Allowing the conditions contained within unified employment contracts to differ according to country of origin puts some workers at greater risk abuse, exploitation and discrimination, either because their government has less bargaining power with Saudi Arabia or are deemed less 'desirable' on the basis of racist assumptions.

## HEALTH INSURANCE SERVICE

On 1 July 2024, the Health Insurance Council and the Insurance Authority began enforcing the decision to make insurance mandatory for employers with more than four domestic workers registered under their name. The exclusion of smaller households risks leaving many domestic workers without coverage. Indeed, almost all of the workers interviewed for this report either worked alone or with one other domestic worker, meaning they would all be effectively excluded from this scheme. There is also a risk that the provision might incentivise families with larger households to only hire one or two domestic workers, exacerbating their labour conditions.

It may be too early to fully assess the policy's effectiveness, but in addition to making it mandatory for all domestic workers, awareness raising and effective mechanisms for enforcement will be required. Amnesty International requested details about the government's plans to this effect, but had received no response by the time of writing.



300 MHRSD, *Guide to the Rights and Obligations of Domestic Workers in the Kingdom of Saudi Arabia* (previously cited).

301 See Article 7 of the ILO Convention on Domestic Workers (previously cited).

302 See for example the *Standard Employment Contract for Niger Domestic Service Workers bound for the Kingdom of Saudi Arabia*, [https://visa.musaned.com.sa/attachments/المملكة العربية السعودية/عقد عمل موحد للعمال المنزلية التجارية المتوجهة للعمل في المملكة العربية السعودية.pdf](https://visa.musaned.com.sa/attachments/المملكة%20العربية%20السعودية/عقد%20عمل%20موحد%20للعمال%20المنزلية%20التجارية%20المتوجهة%20للعمل%20في%20المملكة%20العربية%20السعودية.pdf)

303 Article 7 of the ILO Convention on Domestic Workers (previously cited).

## MAAROUFA

Maaroufa (“known” in Arabic) is an additional service introduced through the Musaned platform. It allows employers to recruit domestic workers of their own choosing, with the help of recruitment agencies. The system aims to streamline the recruitment process, making it faster and more cost-effective for employers, and enabling them to hire workers they personally know or who have been recommended by friends or family and get their visa sorted via recruitment agents.<sup>304</sup>

## UNIFIED RECRUITMENT CONTRACT AND REDUCING RECRUITMENT COSTS

As part of its efforts to regulate the recruitment process and curb illegal practices, the MHRSD introduced the ‘unified recruitment contract’ in 2022. This contract, which must be completed and signed by employers when utilizing recruitment agencies to hire domestic workers, aims to formalize the relationship between employers and recruitment agencies. It requires employers to specify key details such as the worker’s tasks, responsibilities, salary, and the duration of employment.<sup>305</sup>

To further support employers and reduce the recruitment costs they bear, the MHRSD conducted a review in 2023 to set a cap on recruitment fees for domestic workers from the most sought-after countries. In January 2024, the ministry revised the maximum amount that recruitment agents in Saudi Arabia can charge employers to recruit domestic workers, determining these ceilings on the basis of nationality, with those from African nations ‘costing’ the least.<sup>306</sup> As described in the background section, while regulation is crucial and may not have a discriminatory intent, the differing caps may nonetheless be influenced by the broader context of racialized labour, perpetuating assumptions about workers’ skills based on race and national origin, effectively assigning different “values” to workers of varying backgrounds.

Despite these efforts, no initiatives appear to have been introduced to ensure that domestic workers arriving in Saudi Arabia are not burdened with recruitment fees to secure their employment. This practice greatly increases their susceptibility to debt bondage, wage theft and exploitation.



304 See Maaroufa Service on Musaned platform, <https://musaned.com.sa/maaroufa-services>; and also MHRSD’s post on X (previously Twitter), 13 March 2023, [https://x.com/Musaned\\_DL/status/1635333190410989568](https://x.com/Musaned_DL/status/1635333190410989568)

305 MHRSD, “Decision to adopt the unified electronic mediation contract for recruiting domestic workers and adopt the Musaned platform to document the relationship between recruitment companies and offices and employers and oblige them to receive and house domestic workers during the contract period”, 12 July 2021, <https://www.hrsd.gov.sa/knowledge-centre/decisions-and-regulations/ministerial-decisions/845692>; for a copy of the unified recruitment contract see, <https://www.hrsd.gov.sa/sites/default/files/2021-07/172489.pdf>

306 According to the MHRSD announcement, the new recruitment costs for domestic workers have been set as following: Philippines: SAR 14,700, Uganda SAR 8,300, Kenya SAR 9,000, Sri Lanka SAR 13,800, Bangladesh SAR 11,750, Ethiopia SAR 5,900. For more information see, MHRSD, “Reducing the maximum cost of recruiting domestic workers”, 15 January 2024, <https://www.hrsd.gov.sa/media-center/news/150120241>

## SAKAN CENTRES

Sakan Centres were established following Ministerial Decision No. 172489, issued on 19 May 2019, which mandated recruitment agencies to offer shelter for domestic workers they recruited on behalf of private employers, and who then “abscond” or refuse to work for their employers.

On 28 February 2021, MHRSD announced that Sakan (“housing” in Arabic) shelters – run by the private Sakan Limited Company<sup>307</sup> – were beginning to offer refuge for domestic workers,<sup>308</sup> and would provide them services from the moment they arrive at the shelter until they leave, even during employment disputes. However, there is limited public information about the shelters’ operations, including the intake process, the number of domestic workers each shelter can accommodate, the nature of the services provided, and the length of workers’ stays. Furthermore, there is little transparency regarding the procedures followed when handling disputes, the support offered for the women during mediation, or the resources available while they are being housed.<sup>309</sup>

In January 2023, following her visit to several shelters in Riyadh, Kenya's Principal Secretary of the State Department for Diaspora Affairs, spoke positively about the care provided to women at these facilities. She encouraged Kenyan domestic workers in need to seek refuge in them and confirmed that approximately 288 Kenyan domestic workers were staying in the shelters during her visit.<sup>310</sup>

In contrast, during its research, Amnesty International spoke to one woman, Daphne, who stayed in a shelter in Saudi Arabia in 2022. Daphne had fled her employer after she started abusing and beating her when Daphne requested to return to Kenya before her contract ended. After fleeing, Daphne reported herself to the police who returned her to her recruitment agency, which in turn placed her in a shelter for two months while her paperwork was processed. Her employer had filed absconding charges against her. It remains unclear whether this shelter was part of the Sakan network or managed directly by her recruitment agency.

Daphne reported that the shelter housed many women of different nationalities, all linked to the same recruitment agency. Some were waiting to be reassigned to new households, while others, like her, were seeking to return home. She said life in the shelter was difficult, with only one meal provided every 24 hours, and the food was inadequate. Phones were confiscated and returned briefly once a week “depending on the mood of the supervisor,” while Wi-Fi access was restricted to 30 minutes for three women at a time.<sup>311</sup>



## SAKAN CENTRES

**MANDATED RECRUITMENT AGENCIES TO OFFER SHELTER FOR DOMESTIC WORKERS THEY RECRUITED ON BEHALF OF PRIVATE EMPLOYERS, AND WHO THEN “ABSCOND” OR REFUSE TO WORK FOR THEIR EMPLOYERS.**

307 MHRSD, “Sakan company to provide accommodation service for domestic workers”, 5 October 2021, <https://www.hrsd.gov.sa/media-center/announcements/901071>

308 MHRSD, *Procedural Guide for Domestic Workers Accommodation Requirements*, p. 5, <https://www.hrsd.gov.sa/sites/default/files/2021-11/7112021.pdf>

<sup>309</sup> See statement from Sakan management, <https://www.hrsd.gov.sa/sites/default/files/2021-10/%D8%AD%D8%A7%D8%B1%D8%A7%D8%A8%D8%A7%D8%A8%D8%A7.pdf>

310 Capital FM, “MFA: Saudi shelters domestic workers in distress except those who stray into the black market”, 14 January 2023, <https://www.capitalfm.co.ke/news/2023/01/mfa-saudi-shelters-domestic-workers-in-distress-except-those-who-stray-into-the-black-market/>

311 Interview conducted in Nairobi, 12 March 2024.

Amnesty International made several requests to the Saudi Arabian government for more detailed information about the condition and operations of these shelters, and requested to visit. No response was received.

Providing safe shelter for women fleeing abuse, particularly in foreign countries where they often lack proficiency in the local language, is crucial regardless of their legal status in the country. It is equally essential that these women also have access to legal and language support, and emotional and psychological counselling, among other things. Additionally, while domestic workers represent one of the most at risk groups of migrant workers in Saudi Arabia, all women migrant workers in the country face similar risks and must also be granted access to shelters and necessary support services. Further, given that the majority of domestic workers in Saudi Arabia are men, it is vital that shelters are also available for men who have experienced abuse. Their exclusion reflects the perception of domestic work as a feminized sector, leaves men without the help they need and upholds harmful ideas about masculinity, where men are expected to endure hardship without seeking assistance.

## CONFLICT RESOLUTION

Both employers and domestic workers can file disputes with the MHRSD, including through an electronic platform.<sup>312</sup> In August 2024, the ministry said that it had launched a "unified complaint channel" designed to "facilitate the submission and processing of complaints effectively and transparently, enhancing trust between beneficiaries and relevant authorities."<sup>313</sup> The ministry aims to resolve these cases amicably within five working days of receiving the complaint, or refer it to a competent committee if a resolution is not reached for resolution within 10 days.<sup>314</sup>

Amnesty International was unable to assess the complaint process introduced by the MHRSD, as none of the women interviewed for this research had tried to access justice or redress mechanisms while in the country. Nonetheless, it is clear that the initiatives outlined by the MHRSD face significant challenges, largely due to domestic workers' isolation, their heavy dependence on their employers, at the stark power imbalances between the two. Confiscation of phones, language barriers and the lack of legal support are all further barriers to justice.



### THE MINISTRY AIMS TO RESOLVE THESE CASES AMICABLY

**WITHIN FIVE WORKING DAYS OF RECEIVING THE COMPLAINT, OR REFER IT TO A COMPETENT COMMITTEE IF A RESOLUTION IS NOT REACHED FOR RESOLUTION WITHIN 10 DAYS**

<sup>312</sup> MHRSD, *Guide to the Rights and Obligations of Domestic Workers in the Kingdom of Saudi Arabia*, p. 4 (previously cited).

<sup>313</sup> MHRSD, "Ministry of Human Resources and Social Development Achieves Several Milestones in the Recruitment Sector During the First Half of 2024", 12 August 2024 (previously cited); see also MHRSD, "Settling Disputes Involving Domestic Workers and Those in Similar Situations Through Labour Courts", 2 October 2024, <https://www.hrsd.gov.sa/media-center/news/021020241>

<sup>314</sup> MHRSD, *Guide to the Rights and Obligations of Domestic Workers in the Kingdom of Saudi Arabia*, p. 8 (previously cited).

# SAUDI ARABIA'S INTERNATIONAL LEGAL OBLIGATIONS

Saudi Arabia is not a state party to several of the core international human rights treaties, notably the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.



However, Saudi Arabia is a party to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention to Suppress the Slave Trade and Slavery, and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (referred to as the Palermo Protocol), which are all relevant with respect to the many of violations and abuses documented in this report.<sup>315</sup>

Saudi Arabia has made general reservations to nearly all the international conventions it is a party to, arguing in most cases that it is not bound by the Conventions to the extent to which they contradict Islamic law (except for the Convention on the Rights of Persons with Disabilities and its Optional Protocol).

Regardless, as a member of the UN, Saudi Arabia is expected to “uphold the highest standards in the promotion and protection of human rights”<sup>316</sup> and, is bound to take notice of the relevant provisions of the Universal Declaration of Human Rights (UDHR) that sets out a range of civil, economic and social rights that apply to the violations and abuses documented in this report and is widely viewed as having customary international law status.<sup>317</sup> Additionally, Saudi Arabia is a state party to the Arab Charter on Human Rights, which upholds and reaffirms fundamental human rights principles as enshrined in the UDHR.

According to Article 6 of CEDAW, Saudi Arabia “should take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.”<sup>318</sup> This obligation was further elaborated in General Recommendation No 38 in which the Committee in the Elimination of all Forms of Discrimination Against Women “affirms that it is a priority duty of States, both individually and collectively, to prevent women and girls from exposure to the risk of being trafficked. States are also obliged to discourage the demand that fosters exploitation and leads to trafficking”.<sup>319</sup>

Saudi Arabia is also member of the ILO and has ratified 16 ILO Conventions, including seven of the eight that set out core international labour law and standards including the Forced Labour Convention, the Abolition of Forced Labour Convention, and the Discrimination (Occupation and Employment) Convention.<sup>320</sup>

Saudi Arabia has not ratified the Domestic Workers Convention, however, nor the Freedom of Association, Collective Bargaining and Equal Remuneration Conventions, or the Minimum Wage-Fixing Machinery Convention. Nonetheless, by virtue of its membership of the ILO, it must uphold fundamental labour principles and rights, including freedom of association and collective bargaining.<sup>321</sup>

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<sup>315</sup> Saudi Arabia is also a state party to the Convention on the Rights of the Child.

<sup>316</sup> UN General Assembly Resolution 60/251, UN Doc. A/RES/60/251, para, 9, adopted on 3 April 2006, [https://digitallibrary.un.org/record/571575/files/A\\_RES\\_60\\_251-EN.pdf](https://digitallibrary.un.org/record/571575/files/A_RES_60_251-EN.pdf)

<sup>317</sup> See for example, William A. Schabas, *The Customary International Law of Human Rights*, Chapter 9, Oxford Academic, June 2021, <https://academic.oup.com/book/39904/chapter-abstract/340150337/redirectedFrom=fulltext>

<sup>318</sup> Article 6 of the CEDAW.

<sup>319</sup> Committee on the Elimination of Discrimination against Women, General recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, 20 November 2020, <https://www.refworld.org/legal/general/cedaw/2020/en/123433>

<sup>320</sup> ILO, “The ILO in Saudi Arabia”, <https://www.ilo.org/beirut/countries/saudi-arabia/lang--en/index.htm> Saudi Arabia ratified the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) ILO Convention 187 on 4 June 2024 and this will come into force on 4 June 2025.

<sup>321</sup> ILO Declaration on Fundamental Rights and Principles at Work and its Follow up, 1998, ILO Constitution, 1919 and Declaration of Philadelphia annexed to the ILO Constitution, 1944.

## AS A MEMBER OF THE UN

### SAUDI ARABIA IS EXPECTED TO “UPHOLD THE HIGHEST STANDARDS IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS”

Additionally, as a party to various international treaties prohibiting forced labour and other human rights abuses, Saudi Arabia is bound to protect people’s rights from being exploited while working and living in its territory. This requires the government to take appropriate measures to prevent human rights abuses by private employers and proactively monitor and respond to these abuses when they occur, investigate them, hold perpetrators to account and ensure effective remedy for harm caused. The right to remedy, as well as being widely recognized as a customary rule of law, is guaranteed by various international human rights treaties, some of which have been ratified by Saudi Arabia – and it encompasses the victim’s right to equal and effective access to justice, and adequate, effective, and prompt reparation for the harm suffered.<sup>322</sup>

SAUDI ARABIA: ratification status of core human rights treaties	SIGNED /RATIFIED	RATIFIED WITH RESERVATIONS	NOT SIGNED OR RATIFIED
International Covenant on Civil and Political Rights (ICCPR)			✓
International Covenant on Economic, Social and Cultural Rights (ICESCR)			✓
UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)		✓	
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC)			✓
International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)		✓	
International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)		✓	
International Convention on the Rights of the Child (CRC)		✓	
International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)		✓	
Convention on the Rights of Persons with Disabilities (CRPD)	✓		

322 See ICERD, Article 6; UDHR, Article 8; Arab Charter, Articles 13, 12 and 23. The right to remedy is also guaranteed by Article 23 of the UDHR.

## SAUDI ARABIA'S OBLIGATIONS TO PROTECT PEOPLE FROM RACIAL DISCRIMINATION

***“Racial discrimination” shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”***

(ICERD Article 1.1)

Under international law, including ICERD, Saudi Arabia is obligated “to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law”.<sup>323</sup> This includes an obligation to protect people from both direct and indirect racial discrimination, including by third parties, and to take all appropriate legislative, judicial, administrative and other measures to eliminate racial discrimination in all its forms.

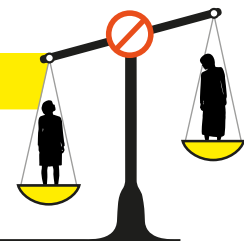
Indirect discrimination occurs when there is a seemingly race-neutral policy or a practice that applies to everyone but which particularly disadvantages people with a protected characteristic, such as race or national origin, unless there exists “some reasonable and legitimate objective or justification under international human rights law” for the policy or practice.<sup>324</sup> Immigration policy is one domain where indirect discrimination can manifest, as policies that do not explicitly mention race can in fact have very differential impacts on potential immigrants of different racial backgrounds. The Committee on the Elimination of Racial Discrimination has urged states parties to ensure that neither legislation nor immigration policies have a discriminatory effect on non-citizens, including on the basis of race or national origin.<sup>325</sup>

By ratifying ICERD, Saudi Arabia has also committed itself to guaranteeing the enjoyment of rights without discrimination including “(d) (i) The right to freedom of movement and residence within the border of the State”, and “(e) Economic, social and cultural rights, in particular: (i) The rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration; (ii) The right to form and join trade unions”.<sup>326</sup>

### SAUDI ARABIA IS OBLIGATED

#### **“TO PROHIBIT AND TO ELIMINATE RACIAL DISCRIMINATION**

**IN ALL ITS FORMS AND TO GUARANTEE THE RIGHT OF EVERYONE, WITHOUT DISTINCTION AS TO RACE, COLOUR, OR NATIONAL OR ETHNIC ORIGIN, TO EQUALITY BEFORE THE LAW”.**



<sup>323</sup> Article 5a of the ICERD.

<sup>324</sup> Article 1 of the Inter-American Convention Against Racism, Racial Discrimination and Related Forms of Intolerance.

<sup>325</sup> CERD General Recommendation 30.

<sup>326</sup> Article 5 of the ICERD.



***Indirect discrimination occurs when there is a seemingly race-neutral policy or a practice that applies to everyone but which particularly disadvantages people with a protected characteristic, such as race or national origin.***

Furthermore, in its General Recommendation No. 30, the Committee on the Elimination of Racial Discrimination reiterates the obligation of states party “to take measures to eliminate discrimination against non-citizens in relation to working conditions and work requirements, including employment rules and practices with discriminatory purposes or effects”.<sup>327</sup> The Committee gave special attention to domestic workers, urging states to “take effective measures to prevent and redress the serious problems commonly faced by non-citizen workers, in particular by non-citizen domestic workers, including debt bondage, passport retention, illegal confinement, rape and physical assault”.<sup>328</sup>

Saudi Arabia is obliged to ensure that all people including foreign workers working on its territory are treated equally without any discrimination and receive fair remuneration requiring regular, timely and full payment of fair wages,<sup>329</sup> and that they are provided with decent living conditions including, among other things, “an adequate standard of living, including food, water and sanitation, housing, clothing and additional expenses such as commuting costs”.<sup>330</sup>

The Saudi authorities have stated that racial discrimination is prohibited in Saudi Arabia and that it is considered an aggravated circumstance for crimes.<sup>331</sup> However, the UN Committee for the Elimination of Racial Discrimination notes that there remains no comprehensive legislation criminalizing discrimination containing an explicit definition of racial discrimination and “expressly prohibiting structural, direct, indirect and intersecting forms of discrimination in the public and private spheres”.<sup>332</sup>

The Committee has also noted its concern on the lack of information available on any “special measures taken to address structural inequalities and intersecting forms of discrimination... which disproportionately impede their enjoyment” of human rights in Saudi Arabia,<sup>333</sup> and the lack of comprehensive disaggregated data on the demographic make-up of the country and the socio-economic situation of particular groups, including people of African descent.<sup>334</sup> Further, while the Committee welcomed the adoption of the Domestic Workers Regulation in 2024, and the extension of the wage protection system to domestic workers, it nonetheless highlights that domestic workers, “who are predominantly women, do not enjoy the same standards of labour protection as other migrant workers according to the legislative framework and continue to be subjected to abusive working conditions”.<sup>335</sup>

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327 Committee on the Elimination of Racial Discrimination, General Recommendation No. 30 on discrimination against non-citizens (2005), para 33, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FGEC%2F7502&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FGEC%2F7502&Lang=en)

328 Committee on the Elimination of Racial Discrimination, General Recommendation No 30. on discrimination against non-citizens, (2005), (previously cited), para 34,

329 Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to just and favourable conditions of work (article 7 of the International Covenant on Economic, Social and Cultural Rights), UN Doc. E/C.12/GC/23, 10 p. 4

330 Committee on Economic, Social and Cultural Rights, General Comment No. 23 (previously cited), p. 5.

331 UN Office Geneva, “Experts of the Committee on the Elimination of Racial Discrimination Welcome Steps Taken by Saudi Arabia to Protect Domestic Workers, Ask Questions about the Disproportionate Use of the Death Penalty on Minorities and Discriminatory HIV Testing”, 28 November 2024, <https://www.ungeneva.org/en/news-media/meeting-summary/2024/11/examen-de-larabie-saoudite-au-cerd-la-situation-des-non-citoyens#:~:text=The%20Kingdom's%20laws%20prohibited%20any,the%20Convention%20before%20the%20law.>

332 CERD, Concluding observations

333 CERD Concluding observations, para. 13.

334 CERD Concluding observations, para. 5(a).

335 CERD Concluding observations, para. 5(b).

# KENYA'S INTERNATIONAL LEGAL OBLIGATIONS

Under international law, states have obligations to protect their nationals, both inside and outside their territories, from abuse and to ensure that their fundamental rights are upheld. As a party to various international treaties and conventions, Kenya has an obligation to safeguard its nationals from human trafficking, forced labour, and other forms of labour exploitation, both within its borders and abroad.



As a state party to the Palermo Protocol, Kenya is obligated to “prevent and combat trafficking in persons,” “protect and assist victims,” particularly women and children, and “promote cooperation between states” to achieve these objectives<sup>336</sup>. This means that Kenya must adopt measures and legislation to ensure that among other things its nationals are not exploited or deceived by unscrupulous recruitment agencies and should implement legislative and other measures to criminalize such offences<sup>337</sup> and provide support to victims of trafficking.<sup>338</sup>

Although Kenya has ratified 52 ILO conventions since becoming a member in 1964, it has not ratified key conventions related to the situation of domestic workers, such as ILO Convention No. 189 on Domestic Workers and ILO Convention No. 190 on Violence and Harassment.<sup>339</sup> These conventions are vital for ensuring greater protection for domestic workers and addressing violence and harassment in the workplace, guaranteeing the right of everyone to a work environment free from such behaviours. In this regard, the Kenya National Commission on Human Rights strongly recommends that the government ratify both conventions to enhance protection for domestic workers both at home and abroad.<sup>340</sup>

While Kenya has ratified the ILO Migration for Employment Convention (No. 97, 1949), it entered reservations excluding annexes I and II.<sup>341</sup> However, according to article 2, Kenya “undertakes to maintain, or satisfy itself that there is maintained, an adequate and free service to assist migrants for employment, and in particular to provide them with accurate information”.<sup>342</sup>

Finally, in its report on the Systemic Investigation into the Plight of Kenyan Migrant Domestic Workers in the Kingdom of Saudi Arabia, the Commission on Administrative Justice (CAJ) made recommendations to the government “to enhance inter-agency collaboration among stakeholders, professionalize the industry, and promote and protect the rights of Kenyan migrant workers.”<sup>343</sup>

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336 Article 2 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, General Assembly resolution 55/25, 15 November 2000, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>

337 Article 5 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, (previously cited).

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339 ILO, Ratifications by Country, [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:11001:0::NO::](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:11001:0::NO::)

340 Kenya National Commission on Human Rights, “Advisory on ratification of ILO Convention No. 189 concerning decent work for domestic workers; and ILO Convention No. 190 concerning the elimination of violence and harassment in the world of work”, 7 March 2024, p.19, [https://www.knchr.org/Portals/0/07\\_03\\_2024%20KNCHR%20Advisory%20on%20Ratification%20of%20ILO%20Conventions%20189%20%26%20190%20fnl.pdf](https://www.knchr.org/Portals/0/07_03_2024%20KNCHR%20Advisory%20on%20Ratification%20of%20ILO%20Conventions%20189%20%26%20190%20fnl.pdf)

341 ILO, Ratifications of C097 - Migration for Employment Convention (Revised), 1949 (No. 97), [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300\\_INSTRUMENT\\_ID:312242:NO](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312242:NO)

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343 The Commission on the Administrative Justice (Office of the Ombudsman), “A report on systemic investigation into the plight of Kenyan migrant domestic workers in the Kingdom of Saudi Arabia”, p.60, September 2022, <https://ombudsman.go.ke/sites/default/files/2023-10/A%20Report%20on%20Systemic%20Investigation%20into%20the%20Plight%20of%20Kenyan%20Migrant%20Domestic%20Workers%20in%20the%20Kingdom%20of%20Saudi%20Arabia%20-%20SEPT%202022.pdf>



## KENYA HAS AN OBLIGATION TO SAFEGUARD ITS NATIONALS FROM

**HUMAN  
TRAFFICKING**

**FORCED  
LABOUR**

**OTHER FORMS OF  
LABOUR EXPLOITATION**

**BOTH WITHIN ITS BORDERS AND ABROAD**

**Kenya is obligated to “prevent and combat trafficking in persons,” “protect and assist victims,” particularly women and children, and “promote cooperation between states” to achieve these objectives**

Among these recommendations is the call to ratify the ILO Private Employment Agencies Convention, 1997 (No. 181), which emphasizes the need to protect workers from abuses, including by prohibiting private employment agencies from charging recruitment fees<sup>344</sup>, and taking appropriate measures to provide adequate protection for migrant workers recruited or placed in the country by, including penalize employment agencies prohibiting agencies “that engage in fraudulent practices and abuses”.<sup>345</sup>

It also urged the Ministry of Labour to “deploy additional labour attaché in Saudi Arabia and sufficiently fund their offices to cater for the needs of distressed migrant workers who are spread in the expansive size of the Kingdom of Saudi Arabia”;<sup>346</sup> and called on the Ministry to work with the Ministry of Foreign Affairs “to facilitate the establishment of safe houses for accommodating those in distress awaiting repatriation.”<sup>347</sup>

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344 Article 7 of the ILO Private Employment Agencies Convention, 1997 (No. 181), [https://normlex.ilo.org/dyn/nrmlx\\_en/f?p=NORMLEX\\_PUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312326](https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEX_PUB:12100:0::NO::P12100_INSTRUMENT_ID:312326)

345 Article 8 of the ILO Private Employment Agencies Convention, 1997 (No. 181), (previously cited).

346 The Commission on the Administrative Justice (Office of the Ombudsman), “A report on systemic investigation into the plight of Kenyan migrant domestic workers in the Kingdom of Saudi Arabia”, p.61, (previously cited).

347 The Commission on the Administrative Justice (Office of the Ombudsman), “A report on systemic investigation into the plight of Kenyan migrant domestic workers in the Kingdom of Saudi Arabia”, p.64, (previously cited).

## 6

# CONCLUSION AND RECOMMENDATIONS

All the women interviewed by Amnesty International are survivors of forced labour, and some are also highly likely to be victims of human trafficking. Their testimonies reveal a systemic disregard for their safety, rights, and well-being, leading to health issues and a profound sense of despair. While in Saudi Arabia, they suffered gruelling working conditions, often enduring a minimum of 16 working hours with little rest and rarely, if ever, receiving a day off in addition to appalling living conditions. They were subjected to inhuman and degrading treatment, frequently insulted, shouted at, and, in some cases, physically assaulted or sexually abused. Many experienced delayed or withheld wages and had their passport taken away from them making it impossible to flee their abusive conditions. Additionally, employers frequent use of racially charged language and discriminatory treatment, strip these women of their dignity and reinforce perceptions of inferiority. As a result, nearly all the women interviewed expressed that they would never return to Saudi Arabia under any circumstances.

The situation of women domestic workers in Saudi Arabia illustrates the complex intersections of race, gender, and an exploitative labour system, with many forms of abuse having roots in the legacies of slavery. Although these workers are essential to the functioning of many households – and, by extension, the economy – they are often treated as disposable and inferior due to their race, skin colour, national origin, and gender. The kafala system, coupled with entrenched societal attitudes, perpetuates exploitation and abuse, creating significant risks of discrimination and vulnerability. Its structural racial and gender biases disproportionately harm racialized women domestic workers, resulting in indirect discrimination prohibited under international law.

This stark reality highlights the urgent need for systemic reforms to protect marginalized workers and ensure dignity and respect for all. As a first step, the government – as the primary duty bearer – should ensure that domestic workers are treated no differently from any other workers in the country by including them under the remit of labour law and any other relevant protection initiatives. This will send a strong message to employers that domestic workers are entitled to the same level of protection and that any violations of their rights will be dealt with firmly.

Saudi Arabia must address forced labour within its borders and take serious steps to fully dismantle the kafala system and other exploitative and discriminatory practices linked to it.

The 2023 Regulations for Domestic Workers and other recent initiatives, while representing a slight improvement, remain insufficient to break the entrenched cycle of abuse. At the very least, they must be effectively enforced to hold abusive employers accountable.

The government must also take urgent steps to acknowledge and address the systems and structures which uphold hierarchies and perpetuate racism within its labour and immigration policies and foster a societal shift in how Black women and other racialized workers are treated and domestic work is valued.

Only through comprehensive reforms and a genuine commitment to human rights can Saudi Arabia begin to dismantle the systemic racism and gender discrimination that underpin the exploitation of women domestic workers in the country.

Lastly, the Saudi government's refusal to respond to Amnesty International's inquiries or repeated requests to visit the country severely limits the ability to assess the true impact of the reforms intended to protect domestic workers. Without access to key data or permission to conduct independent assessments and field visits, it remains difficult to determine whether these reforms are genuinely safeguarding the rights and improving the conditions of those they are meant to help. It also casts doubt on the sincerity of the government's attempts to tackle exploitation and abuse within its borders and conflicts with the image of reform and modernization that Saudi Arabia seeks to project globally. To this end, Amnesty International is calling on both the Saudi Arabian and Kenyan governments to urgently implement the following recommendations – some of which were proposed by the women interviewed for this report – to ensure that women migrant domestic workers have fair and decent working conditions and are protected from forced labour and human trafficking.

## RECOMMENDATIONS FROM THE WOMEN INTERVIEWED



### TO THE GOVERNMENT OF KENYA:

*"They should form an agency that can look out for Kenyan people. This agency should know exactly who is going to Saudi Arabia, where she is staying. They should take [the new recruit] to the house, sit with the employer and make an agreement with the employer. Say: "Her passport is her property. Wifi should always be on. In case of emergency, call us. Give us time to talk to her".*

*"Share emergency contacts with the workers in case of a problem, so that the workers may be able to reach out without delay."*

*"Mental rehabilitation is key to the returnees after they return back to Kenya."*

### TO THE GOVERNMENT OF SAUDI ARABIA:

*"Have the employers respect rest time, have adequate food, assist with medical treatment."*

*"They should have laws that have a standard amount of salary not less than 1,500 SAR (USD 373) because the work is a lot."*

*"The government should follow up with random inspections to these houses to ensure the foreigners are well kept, their human rights are respected."*

*"They should have tollfree hotline numbers for reaching out for instant assistance"*

*"The rights of human beings should apply to both, white, Black or whatever colour you are, you are just a human being... you know, at the end of the day, we all eat food and go to the toilet, and we will all be buried"*

# TO THE GOVERNMENT OF SAUDI ARABIA

## LEGAL PROTECTION FOR DOMESTIC WORKERS

**Ratify key international human rights treaties and ILO conventions, and offer domestic workers equal legal protection, including by bringing them under the provisions of the Labour Law, establishing a mandatory minimum wage for all migrant workers, and integrating them into the Wage Protection System.**

- Ratify the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, without any reservations.
- Review all reservations and declarations that limit the enjoyment of rights enshrined in the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), with a view to lifting the reservations, especially those that are contrary to the object and purpose of the treaties.
- Ratify ILO Convention 189 on Domestic Workers and incorporate its provisions into domestic law, and implement them in law, policy and practice.
- Repeal or amend Article 7 of the Labour Law to ensure that all workers – including domestic workers and other excluded categories – are included in the Labour Law; meanwhile bring the 2023 Regulations for Domestic Workers in line with international standards, including ILO Convention 189 on Domestic Workers.
- Amend the Labour Law to allow all migrant workers, including domestic workers, to form or join trade unions.
- Establish a legally mandated minimum wage for all migrant workers, including domestic workers, in accordance with international labour standards, ensuring it reflects the cost of living and is regularly reviewed and adjusted.
- Integrate domestic workers into the Wage Protection System to enable electronic monitoring of salary payments and prompt action in cases of non-payment.
- Guarantee that all domestic workers receive their full salaries and end-of-service benefits before leaving the country.

## KAFALA SYSTEM

**Fully dismantle the kafala system and allow all migrant workers to change jobs and leave the country without employer permission, fully decriminalize absconding and prevent its misuse and enforce the ban on passport confiscation.**

- Fully dismantle the kafala system in policy and practice and remove all requirements imposed on foreign nationals to obtain their current employer's permission before changing jobs or leaving the country; in the meantime, include domestic workers - and other excluded categories of worker - in the Labour Reforms Initiative
- Decriminalize "absconding" and refrain from detaining migrant workers for having "discontinued from work" and always prioritize alternatives to detention.
- Properly vet of absconding reports to prevent their misuse by abusive employers and penalize those who file them as a retaliatory measure against workers.
- Ban employers from arbitrarily cancelling migrant workers' resident permits, ensuring proper vetting of all such requests from employers; Build on the Labour Reform Initiative to create a system where migrant workers' legal presence in the country is no longer tied to a specific employer and allow them to independently renew their residence permits.
- Enforce the ban on the confiscation of workers' passports, thoroughly investigating any alleged breaches and effectively penalizing abusive employers.

## RECRUITMENT PROCESS

**Work with origin countries to tackle abusive recruitment practices, including by enforcing zero-cost recruitment processes and penalizing exploitative recruitment agencies.**

- Sign robust rights-based bilateral agreements with workers' origin countries to impose safeguards on the recruitment of domestic workers, including commitments to zero-cost recruitment processes and elimination of contract deception.
- Identify and investigate abusive Saudi-based recruitment agencies, prosecuting and enforcing appropriate penalties on those that violate the law.
- Take prompt action against agencies that fail to address cases where employers mislead women about the terms and conditions of their employment, breach employment contracts, or otherwise violate domestic workers' rights.
- Hold regular training and orientation sessions for recruitment agencies on human rights law and standards.
- Support countries of origin to better regulate recruitment agencies and promote ethical recruitment practices.
- Take robust action against employers who provide false information, including about the nature of work and size of families.

## ANTI-TRAFFICKING AND FORCED LABOUR

**Enhance enforcement of law on labour trafficking, improve training on victim-identification, and ensure proper support for victims.**

- Fully operationalize the 2025 National Policy for the Elimination of Forced Labour, publish a timeline for its implementation, and establish clear and robust mechanisms to enable enforcement, compliance and accountability.
- Strengthen the enforcement of provisions under the Anti-Trafficking in Persons Law, particularly against perpetrators involved in human trafficking for the purpose of labour exploitation.
- Improve awareness of the Anti-Trafficking in Person Law by increasing training on it amongst law enforcement, border security and the judiciary, including on the possibility of prosecution and convictions for the crime of human trafficking for the purpose of labour exploitation.
- Implement proactive screening measures to identify potential trafficking victims among those who flee their workplace, are reported as being 'absent from work', seek police assistance or are arrested for violating residency laws.
- Ensure all identified victims receive appropriate care, shelter and support to pursue justice and remedy.
- Give trafficked persons the right to stay legally in the country in order to pursue justice and remediation.

## TRAINING AND EDUCATION

**Coordinate with countries of origin to provide mandatory and comprehensive free pre-departure training for domestic workers. Ensure recruitment agencies in Saudi Arabia provide SIM cards and thorough briefings to newly-arrived domestic workers, and mandate employers to undergo training on legal obligations, discrimination, racism and gender-based violence.**

- **In countries of origin prior to departure:**
  - Work with countries of origin to establish mandatory, realistic and free-of-charge pre-departure training and orientation programmes for domestic workers seeking jobs in Saudi Arabia.
  - Prepare domestic workers for their life in Saudi Arabia, including by equipping them with basic language skills to enable effective communication with their new employers.
  - Equip domestic workers with the knowledge of their rights and obligations under the 2023 Regulations for Domestic Workers and related regulations, and the support and complaint mechanisms available to them in Saudi Arabia if they face abuse.
  - Ensure that domestic workers are informed of the locations and contact details of their respective embassies.



- **In Saudi Arabia:**

- Mandate Saudi-based recruitment agencies to provide domestic workers with:
  - a comprehensive briefing upon their arrival in Saudi Arabia, outlining their rights and obligations, introducing them to available hotlines, complaint mechanisms, and other support measures.
  - Saudi SIM cards and phone numbers to ensure continued communication with both the agency and their families after their deployment in households.
- Conduct mandatory training for employers seeking to recruit domestic workers about their legal obligations. This should be based on the employers' obligations as cited in the 2023 Regulations for Domestic Workers and should also tackle gender-based violence, racism and discriminatory attitudes.
- Develop and distribute social media and other forms of awareness raising and accompanying materials to educate both employers and domestic workers. These materials should challenge negative perceptions and racialized stereotypes of domestic workers and remind employers about the penalties they will face should they breach the Regulations for Domestic Workers and related regulations.

## **INSPECTION AND ENFORCEMENT**

**Strengthen inspection mechanisms, including by mandating pre-employment home visits, implementing an innovative and proactive inspection regime, ensure that domestic workers have access to phones and establish a multilingual hotline for support.**

- Establish mandatory pre-employment visits by labour inspectors to employers' homes to assess domestic workers' future living and working conditions, including their living space, accommodation, expected chores and the number of people in the household.
- Develop a comprehensive labour inspection policy for the domestic sector which takes adequate account of the specifics of the sector and challenges of consent-based in-house inspections. In the meantime, introduce check-in system in lieu of inspections.
- Consider alternative, proactive inspection methods, for example:
  - Reach out at random to domestic workers on the phone numbers provided upon their arrival in Saudi Arabia to check their welfare, and request that they report in person to the inspectors for a private check-in. If unable to reach a worker directly, follow up with their employer.
  - Reach out at random to employers and request a home inspection with their consent. If consent is not given, request employers meet inspectors at an external location and follow up privately with the domestic workers themselves.
  - If in-person home inspections are not feasible, leverage technology to reach domestic workers by organizing video calls to facilitate remote inspections.
  - Reach out to employers whose foreign workers' residence permits have expired but are still in the country to investigate these cases.
  - Require all employers of domestic workers to keep documentary evidence including employment contracts, wage slips, work schedules, and to produce them on request. Conduct interviews with domestic workers to verify information provided.

- Establish an adequately resourced and trained inspection mechanism with the support of recruitment agencies and embassies to strengthen implementation of the 2023 Regulations for Domestic Workers.
- Publish periodically the findings and data related to these inspections.
- Facilitate a process on Musaned through which governments and recruitment agencies from countries of origin can raise grievances directly.
- Ensure that domestic workers have access to personal phones and can use them regularly to communicate with their families during their stay in Saudi Arabia.
- Ensure all domestic workers receive adequate access to health care, especially in cases of sexual abuse.
- Set up a multilingual toll-free hotline specifically for domestic workers, to provide support and assistance. Ensure that prior to being deployed in their employer's house, domestic workers are aware of the hotline, familiar with it and feel empowered to use it when in need.

## INVESTIGATION AND ACCOUNTABILITY

**Ensure timely follow-up on labour abuse reports, properly address sexual violence and establish a survivor-centred response mechanism, and investigate and penalize abusive employers, including with criminal sanctions where appropriate. Train officials to handle abuse cases, and maintain records of convicted employers to prevent further exploitation.**

- Investigate, prosecute, and penalize abusive employers, and publish data on cases involving forced labour, verbal, physical, and sexual abuse, passport confiscation, false “absconding” reports, and other malicious accusations.
- Penalize employers who violate the Regulations for Domestic Workers with deterrent penalties, including for failing to pay workers on time, denying breaks, requiring work beyond 10 hours per day, failing to pay overtime, neglecting to renew residence permits, or denying a weekly rest day in a location of the worker's choice.
- Follow up properly on reports of labour abuses to ensure they are quickly and thoroughly investigated and remedial action taken, ensuring the well-being and safety of domestic workers at all times.
- Ensure that all allegations of gender-based violence, including sexual assault, are registered, thoroughly investigated and acted upon as criminal offences, and perpetrators brought to justice, irrespective of the victims' legal status in the country.
- Set up a robust survivor centred mechanism to prevent and address sexual violence faced by women migrant workers, including by establishing clear procedures and lines of accountability, and ensuring that confidentiality and privacy are respected at all times.
- Refrain from bringing a complaint to the attention of the employer whilst the domestic worker is still in their household to ensure her safety and avoid possible retaliation.
- Ensure that police, judges, officials, medical staff and inspectors are trained to deal with domestic workers who have experienced abuse and/or gender-based violence.
- Sensitize medical staff and police officers to report any domestic workers' abuses they may encounter while on duty.

- Request from recruitment agencies a list of employers against whom they have received repeated complaints from domestic workers.
- Maintain a record of convicted employers and their household members to prevent them from recruiting new domestic workers.
- Take strict action against employers who transfer domestic workers to different households or regions, or take them out of the country without their consent and the necessary permission from their respective country's mission.

## ACCESS TO JUSTICE AND REMEDY

**Ensure domestic workers are fully informed about complaint mechanisms, design accessible and multilingual justice systems, provide free legal support through diplomatic missions.**

- Ensure that domestic workers are fully informed about and familiar with the available complaint mechanisms and shelters before their deployment in employers' households, enabling them to effectively seek justice when needed.
- Facilitate domestic workers' effective access to justice by designing complaint mechanisms that take into consideration their isolation and often limited access to communication devices.
- Ensure all complaint mechanisms are accessible in multiple languages spoken by domestic workers and designed to be user-friendly to support their use by complainants without risk of retaliation.
- Coordinate with origin country diplomatic missions to establish a special unit offering free legal support for domestic workers who take their cases to court.
- Promote changes in the social and cultural patterns of behaviour of people and enforcement officers towards domestic workers and take immediate steps to eradicate harmful gender stereotypes and racism.

## PROTECTIVE MEASURES

**Ensure domestic violence survivors have access to government-funded shelters and support services, allow them to spend their days off outside the workplace, properly resource Sakan centres and inform workers about them before deployment.**

- Take steps to ensure that survivors of domestic and sexual violence as well as human trafficking and forced labour, in particular domestic workers, have adequate access to government-funded shelters and specialized support, including medical care, psycho-social assistance, and legal support.
- Ensure that domestic workers are allowed to spend their day off outside their workplace and support them, in coordination with their embassies, to build community groups to connect with and mutually support each other and amplify their voices.
- Ensure that Sakan centres are resourced and equipped with staff and professionals to support both men and women domestic workers during their stay, including psychological, financial and legal services.
- Ensure that prior to their deployment in households, domestic workers are aware of the Sakan centres operating in the area and their locations.
- Publish information and data related to the operations of the Sakan centres, their capacities, services provided and outcome of the cases.

## RACIAL DISCRIMINATION

**Collect and publish disaggregated demographic data. Conduct research to assess and then address the harms of laws and policies on marginalized groups. Adopt comprehensive anti-discrimination legislation, and conducting public education campaigns on racial discrimination and human rights.**

- Collect and make public comprehensive up to date statistics on the country's demographic composition, based on the principle of self-identification, disaggregated by race, national or ethnic origin, migration status and employment sector.
- Carry out research and collect data to understand the discriminatory harms resulting from laws, policies and practice – including the kafala sponsorship system – on Black and other racialized people, in particular women migrants. Ensure effective and meaningful participation of racialized and marginalized groups in such analysis, and take urgent steps to eliminate structural inequalities and intersecting forms of discrimination that prevent full and equal enjoyment of human rights.
- Develop and adopt comprehensive anti-discrimination legislation that contains a clear definition of racial discrimination and encompasses structural, direct, indirect, and intersecting forms of discrimination in both the public and private spheres in accordance with ICERD and other international human rights standards.
- In consultation with racialized and marginalized groups, develop and carry out awareness raising activities.
- Undertake public education campaigns on the rights enshrined in ICERD and on how to file complaints of racial discrimination, particularly to inform ethno-religious minority groups, people of African descent, migrants, asylum seekers and stateless persons.



# TO THE GOVERNMENT OF KENYA

**Work with Saudi Arabia and other destination states to implement clear safeguards for migrant workers pre-departure and during employment. Ensure adequate support to migrant workers in distress and support them to pursue justice, accountability and remedy.**

- Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and ILO Convention 189 on Domestic Workers.
- Ensure that the bilateral labour agreement between Kenya and Saudi Arabia is rights-based and sets out clear protection guarantees for domestic workers in line with international standards, including on recruitment and the employer-pays principle, working and living conditions, payment of wages, non-discrimination, dispute resolution and access to justice.
- Publish the latest bilateral labour agreement signed between Kenya and Saudi Arabia, along with a detailed list of actions taken to date to ensure its effective implementation. This will promote transparency and accountability.
- Strengthen and mandate rights-based pre-travel training and orientation for all migrant domestic workers recruited to work in Saudi Arabia and other Gulf Cooperation Council countries. These trainings should educate prospective workers about their rights and obligations in their destination country and inform them about the mechanisms available to seek help if they face abuse. Establish kiosks at airport arrivals and departures to assist individuals in need of help and provide specialized training for immigration officials to identify key indicators of human trafficking and forced labour.
- Ensure the diplomatic mission in Saudi Arabia is adequately resourced and increase its ability to support migrant domestic workers facing exploitation or abuse, including by providing a toll-free hotline as well as shelters, financial and legal support to those in need.
- Request from the Saudi government increased access to the Musaned platform to ensure greater visibility of the recruitment process and support Kenyan nationals to submit complaints.
- Establish consular offices in various regions in Saudi Arabia, in addition to the main embassy, to ensure more accessible and efficient support for nationals across the country. Furthermore, accredit community groups in various regions to offer assistance, expanding coverage and support for a larger number of workers.
- Operationalize the Kenyan Migrant Workers Welfare Fund, so that it is accessible and can provide timely and effective support to migrant workers in need and regularly publish disaggregated data on its beneficiaries.
- Strengthen and enforce regulation of recruitment agencies and laws to protect workers from predatory recruiters and deception practices, ensuring that agencies that breach regulations face appropriate penalties.
- Support domestic workers to pursue cases against abusive employers including by providing them with legal and language support and enable them to pursue their claims remotely after leaving Saudi Arabia.
- Ensure that all migrant workers, regardless of their migration status have access to a transparent and effective complaints mechanism through which they or their families can seek redress if they were trafficked and/or forced to work under exploitative terms or conditions, or if they are deprived of the benefits to which they are entitled.





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# LOCKED IN, LEFT OUT

## THE HIDDEN LIVES OF KENYAN DOMESTIC WORKERS IN SAUDI ARABIA

Saudi Arabia's nearly 4 million domestic workers – all of them foreign nations – play an essential role in enabling the country's economic development and supporting family life. But behind closed doors, many face shocking abuse, exploitation and discrimination in return.

This report exposes the experiences of some Kenyan women recruited to work in private homes in Saudi Arabia, only to find themselves trapped in conditions that often amount to forced labour and human trafficking. Lured by promises of decent jobs to support their families, these women were instead plunged into isolation and segregation, working relentlessly for months or even years without a day off. Many were confined to their employers' homes, cut off from the outside world, and subjected to verbal abuse, racist humiliation, and degrading treatment. Some were physically and sexually assaulted by their employers. Nearly all had their passports confiscated on arrival, making escape almost impossible – while abusive employers faced no consequences.

Despite limited reforms to the notorious kafala sponsorship system, Saudi Arabia's domestic workers remain trapped in extreme dependency, excluded from basic protections under the country's Labour Law. Weak reforms, coupled with a near-total lack of enforcement, allow exploitation to continue unchecked. A new Regulation on Domestic Workers represents a step forward but remains insufficient.

At the heart of this abuse lies a labour system underpinned by structural racism and discrimination, where racialized migrant domestic workers – including Black African women – are dehumanized and treated as disposable.

This report calls on Saudi Arabia to urgently overhaul its labour and migration systems, dismantle the kafala system in its entirety, and guarantee domestic workers the same rights and protections as all other workers. It is a stark reminder that behind the country's economic progress lies a human cost – borne disproportionately by those with the least protection and power.