



Mission Permanent du Royaume
d'Arabie Saoudite auprès des Nations Unies
Genève



الوفد الدائم للمملكة العربية السعودية
لدى الأمم المتحدة
جنيف

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Geneva, 8 February 2023

The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and Other International Organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights, the Special Rapporteur on the human rights of migrants, and would like to refer to the letter received on 21 December 2022 regarding the request of information for the preparation of the thematic report focusing on "How to expand and diversify regularization mechanism and programs to enhance the protection of the human rights of migrants". In that regard, the Permanent Mission has the honor to attach herewith the contribution of the Government of Saudi Arabia on the aforementioned request.

The Permanent Mission of the Kingdom of Saudi Arabia avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, the Special Rapporteur on the human rights of migrants, and the assurance of its highest consideration.



Office of the United Nations High Commissioner for Human Rights(OHCHR)
Special Procedures Branch
Email: hrc-sr-migrants@un.org

الرقم : التاريخ : الموافق : المرفقات :



Please indicate how regularization can facilitate immigrants access to human rights and their cultural, social, and economic integration into the hosting societies, noting that immigrants who didn't regularize their conditions are living in constant fear of detention or deportation and are excluded from the social protection law because of change affecting the regularity of their residence in the State?

Foreign workers have access to all of their human rights, including their cultural, social, and economic integration. The Laws of the Kingdom, at the top of it the Basic Law of Governance, ensure that everyone has access to human rights and fundamental freedoms without discrimination based on race, color, birth, or national or ethnic origin. All laws and regulations that are the basis for the legal framework aim at promoting and enhancing human right, including the foreign workers in the Kingdom and such laws and regulations are strictly applied. The Basic law of Governance includes principles and provisions explicitly recognize the principle of equality included in Article (8), protection of human rights stated in Article (26), and all people, either citizens or residents in the Kingdom, are entitled to file suit on an equal basis as stated in Article (47) In addition to other issues included in this report.

Regarding the remedies available to foreign workers, the mechanism of receiving their complaints using the Unified No. (19911) which is available in several languages, to adjust their status, issues and raising their awareness.

Please share examples about the national and regional solutions for legalizing the residence of the immigrants within illegal status and indicate whether your State approved any mechanism, agreements, frameworks, or bilateral, sub-regional, regional or international programs, including within the framework of the migration of the labor?

- Royal Decree No. (M/109) dated 18/7/2017. corresponding to (18 July 2017 AD) was issued, for approving the MOU for technical cooperation between Saudi Human Rights Commission (HRC) and International Organization for Migration (IOM). to this MOU aims at promoting the cooperation in issues relating to combating and preventing human trafficking, providing assist, care, protection, and shelter the victims, developing the activities and programs, and developing the national capabilities. Furthermore, the Royal Decree No. M/91 dated 8/5/2017 was issued. Such Decree includes the approval of the



MOU for technical cooperation between Saudi Human Rights Commission (HRC) and Office to Monitor and Combat Trafficking in Persons (TIP Office) of USA Foreign Secretary on 19 November 2018.

- Several measures are taken aiming to enhance the domestic workers. One of the most prominent measures is creating the “Musaned” program, an electronic platform and integrated system. The program aims to facilitate contracting with the domestic workers, enhance the rights of all parties, and contribute to raising the awareness of employers and domestic workers by clarifying their rights and duties. The program connects the concerned parties and entities related to domestic workers in a single platform, including offices and companies specialized of concluding the expatriates employment contracts. Such offices and companies are assessed based on several standards, including the response rate to the complaint and satisfaction of the beneficiaries until reaching the acceptance rate. The number of offices and companies registered in this program is (1492) offices and companies. The number of workers benefiting from the program is (328,714). Furthermore, the platform includes the CVs of the domestic workers.
- Unified Number (Care) (19911) was launched in eight languages as referred to in Paragraph (104). In addition, to launching several booklets and brochures to introduce remedy procedures available to the workers in case of violating any of his/her rights, including the mechanism concerned with receiving the complaints and ways of obtaining the legal assistance and translation. The Unified Number (Care) receives complaints from persons, offices, companies, and embassies regarding any violation of the laws applicable. In case of documenting a violation of workers rights, field teams will be sent to proceed with the issue



and will be handled as per specific mechanisms. Such mechanisms resulted in enhancing the knowledge of the domestic workers of their rights and remedies in case of the violation,

- “Labor Reform Initiative (LRI)” was launched as one of the National Transformation Program Initiatives, which contribute to the realization of “Vision 2030” targeting the improvement of labor market, increase of employment rates, enhancement of productivity, assistance in attracting the global efficiencies and reinforcement and protection of human rights. The initiative provided a number of services according to the following:

- **Employee Mobility:** A service that allows expatriate workers to transfer to another establishment after completing 12-month from the first entry to the Kingdom without obtaining the approval of the first employer as per the controls that protect the contracting parties. **Exit Service:** A service that allows expatriate workers to request to exit the Kingdom during the contract validity period or after it expires by submitting an e-application through Absher” portal. The worker may exit the Kingdom without obtaining the approval of the employer as per the controls that protect the contracting parties
- **Exit and Re-entry:** A service that enables expatriate workers to request the exit and re-enter the Kingdom during the contracts validity period by submitting an e-application through “Absher” platform. The worker may exit the Kingdom without obtaining the approval of the employer as per the controls that protect the contracting parties.



Please share examples of promising practices, including the dedicated programs and permanent settlement mechanisms approved by your country or region for enhancing a methodology based on the human rights toward migration. In addition, kindly refer to any challenges encountered by your country concerning the settlement of legal condition and give a special attention to how such challenges affect the migrating worker, women, females, children, and other persons and groups.

- **Developing control and supervision over the practitioners:** Through “Musaned” program, which is a comprehensive integrate platform for recruiting the domestic workers in full. The platform aims at facilitating the procedures of recruiting the domestic workers, promoting the levels of preserving all parties’ rights through educating the employers and the domestic workers of their rights and duties. All the procedures are automated started from the female domestic worker entry to the Kingdom and until the termination of contract. Her rights are protected through the salary card and obliging all employers with the wage protection program, monitoring payments of salaries, documenting the contracts, salaries, preserve the rights and providing support and protection through Customer Experience Agency, MHRSD.
- **Developing the procedures of support and protection:** Unified Number (Care) (19911) is launched in eight languages as referred to in Paragraph (104).). In addition, to launching several booklets and brochures to introduce remedy procedures available to the workers in case of violating any of his/her rights, including the mechanism concerned with receiving



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the complaints and ways of obtaining the legal assistance and translation. The Unified Number (Care) receives complaints from persons, offices, companies, and embassies regarding any violation of the laws applicable. In case of documenting a violation of workers rights, field teams will be sent to proceed with the issue and will be handled as per specific mechanisms. Such mechanisms resulted in enhancing the knowledge of the domestic workers of their rights and remedies in case of the violation

Kindly highlight any contribution by the migrants, including the workers migrating in the economy and society of hosting communities

The Kingdom's laws do not impose any restrictions based on race, color, birth, national origin, or ethnicity including participating in the Saudi national society