

**SAUDI ARABIA (2017-2018)**

**THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR**

**Protocol of 2014 (P029) to the Forced Labour Convention**

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	Yes.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<p><b>2018 AR:</b> The Government does not provide details on the involvement of social partners.</p> <p><b>2017 AR:</b> Yes: the Council of Saudi Chambers of Commerce (CSCC) and the National Workers' Committee (NWC) have been consulted in the preparation process of the Government's report.</p>	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	No.	
	<b>Workers' organizations</b>	<p><b>2018 AR:</b> Yes.</p> <p><b>2016-2017 AR:</b> No.</p>	
<b>EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>Ratification</b>	<b>Ratification status</b>	Saudi Arabia has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		<b>Ratification intention</b>	<b>2018 AR:</b> The Protocol is likely to be ratified.
	<b>Existence of a policy and / or plan of action for the suppression of forced or compulsory labour</b>	<p><b>2018 AR:</b> The Government underlines the existence of the Anti-Human Trafficking National Plan (2017-2020), to be implemented by HRC with other Governmental entities including MLSA.</p> <p><b>2016-2017 ARs:</b> There is a national policy and plan of action for prevention of all forms of forced labour and for combatting trafficking in persons. Specifically, the Government considers that all legislations, directives and decisions of the Saudi Council of Ministers and Shura Council, especially the Labour Code and relevant ministerial decisions as important national policy covering all sectors involved.</p>	
		<p><b>2016-2018 ARs:</b> A ministerial decree No 4246 on 02/11/143H was promulgated concerning the creation of a dedicated administrative Unit within the Ministry of Labour and Social Development for combatting the crimes of trafficking in persons. This Unit is attached to public inspectorate in the Ministry of Labour for Inspection and Development of Work Environment. The Anti-Trafficking in persons Law was established through Royal Decree No.M40 on 21/07/1430H. A Standing Committee on Human Rights on the trafficking in persons was established by virtue of council of Ministers Resolution No. 244 on 13/07/2009. The Committee is considered as one of the most important national mechanisms to apply the Anti-Trafficking in persons Law. The Royal Decree approved in September 2013 the Law of protection from Abuse.</p>	
	<b>Measures taken or envisaged for systematic and coordinated action</b>	<p><b>2017-2018 ARs:</b> The measures taken or envisaged include: deployment of Labor Education website and mobile text message service (SMS) system; provision of Labor Advisory services; Pocket Guide to Working in Saudi Arabia; Hotline assistance; promulgation of Domestic Labor Regulations; deployment of electronic recruiting systems with labor sending countries; establishment of 35 committees in major cities for Domestic Labor Dispute settlement; and building the capacities of inspectors and Judges.</p> <p><b>2016 AR:</b> The following measures have been taken for the prevention of all forms of forced or compulsory labour: a) awareness raising through the use of public and social media; b) through deployment of</p>	
	<b>Measures taken or envisaged to prevent forms of forced labour</b>	<p><b>2017-2018 ARs:</b> The measures taken or envisaged include: deployment of Labor Education website and mobile text message service (SMS) system; provision of Labor Advisory services; Pocket Guide to Working in Saudi Arabia; Hotline assistance; promulgation of Domestic Labor Regulations; deployment of electronic recruiting systems with labor sending countries; establishment of 35 committees in major cities for Domestic Labor Dispute settlement; and building the capacities of inspectors and Judges.</p> <p><b>2016 AR:</b> The following measures have been taken for the prevention of all forms of forced or compulsory labour: a) awareness raising through the use of public and social media; b) through deployment of</p>	

		inspectors and relevant actors; c) undertaking supervision on the application of the law and decisions; d) exercising utmost efforts to abolish and address any reasons leading to forced labour; and e) through the development of training systems and programmes.
	<b>Measures taken or envisaged to protect victims of forced labour</b>	<p><b>2017-2018 ARs:</b> Article 15 of the Anti-trafficking Law provides various measures in relation to victims of trafficking in persons. According to the Law, the following measures shall be adopted regarding victims of trafficking in persons during investigation or prosecution: 1) Inform the victim of his legal rights, using a language he can understand; 2) Avail the victim of the opportunity to set forth his status as a victim of trafficking in persons, as well as his legal, physical, psychological and social status; 3) Refer the victim to a specialist physician if he appears to be in need for medical or psychological care or if he requests such care; 4) Admit the victim to a medical, psychological or social rehabilitation center if so necessitated by his medical or psychological condition or age; 5) Admit the victim to a specialized center if he needs shelter; 6) Provide police protection for the victim if necessary; and 7) If the victim is a non-Saudi and there is a need for him to stay or work in the Kingdom during investigation or prosecution, the Public Prosecution or competent court shall have the discretion to decide upon such matter.</p> <p><b>2016 AR:</b> As part of measures taken for the identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour, the Government of Saudi Arabia has undertaken the following: a) training of relevant actors; b) legal protection of victims; c) provision of material assistance to victims; d) rehabilitation and social and professional reintegration of victims; e) protection of privacy and identity; and f) specific protection for children and migrants.</p>
	<b>Measures taken or envisaged to facilitate access to remedies</b>	<p><b>2018 AR:</b> The following measures have been taken or envisaged: a) Information and counselling for victims regarding their rights; b) Free legal assistance; c) Cost-free proceedings; d) Access to remedies and compensation; e) Provision for authorities not to prosecute victims for acts which they have been compelled to commit; and f) Provision of penalties such as the confiscation of assets and criminal liability of legal persons.</p> <p><b>2016 AR:</b> Various measures have been taken or are envisaged in relation to facilitating victim's access to remedies. These include: a) provision of information and counselling for victims; b) provisions for authorities not to prosecute victims for acts which they have been compelled to commit; c) enforcement of penalties to curb forced labour practices and compensation for victims; d) capacity building for labour inspection, law enforcement and prosecution services; and e) providing free legal assistance and proceedings for victims.</p>
	<b>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</b>	
	<b>Cooperation with other Member States, international / regional organizations or NGOs</b>	<p><b>2018 AR:</b> The Government cooperates with various member States, and international and regional organisations through multilateral and bilateral agreements as well as Memorandums of understanding.</p> <p><b>2017 AR:</b> The Government cooperates with various member States, and international and regional organisations through multilateral and bilateral agreements.</p>
	<b>Promotional activities</b>	
	<b>Special initiatives/Progress</b>	

<b>CHALLENGES IN REALIZING MEASURES TARGETED BY THE PROTOCOL</b>	<b>According to the social partners</b>	<b>Employers' organizations</b>	
		<b>Workers' organizations</b>	
	<b>According to the Government</b>	<p><b>2018 AR:</b> The following obstacles were identified: a) Lack of awareness; and b) Lack of information and data.</p> <p><b>2016 AR:</b> The following are the main obstacles related to realizing the principle of effective and sustained suppression of all forms of forced labour: a) lack of awareness; and b) lack of accurate information and data.</p>	
<b>TECHNICAL COOPERATION NEEDS</b>	<b>Request</b>	<p><b>2016-2018 ARs:</b> The Government indicated the need for technical cooperation with the ILO in the following areas: i) More important areas: a) Assessment, in cooperation with the ILO, of the obstacles identified and their impact on the realization of the principle; b) Awareness-raising and mobilization activities; c) Collection and analysis of data and information; d) Guidance on the development of the national policy and plan of action; e) Strengthening the legal framework; f) Capacity building for employers' and workers' organizations; and g) Capacity building for the competent authorities; and ii) Less important areas: a) Inter-institutional coordination; b) Promotion of fair recruitment and placement practices; c) Promotion of fair migration policies; d) Vocational training, job-creation and income-generation programmes for at-risk populations; e) Basic social security guarantees; and f) Exchange of experiences between countries or regions; international cooperation.</p>	
	<b>Offer</b>		