

## **Memorandum regarding the Ministry of Labor's efforts in the fight to combat violence against working women**

Although violence against working women is not a widespread problem in the Kingdom of Saudi Arabia, the Kingdom shows great interest in fighting against any kind of violence women are subjected to, as the Islamic Shari'a Law – the principle source of legislation in the Kingdom- forbids all violence, especially if it is against women or if it affects them in any way. The Kingdom's legal system protects Human Rights and strictly prohibits the practice of torture or violence in all its forms. Article 26 of the main regulation of governance maintains that "the state protects Human Rights... according to the Shari'a" and Article 231 of the Department of Public Security's administration affirms that "Anyone who harms or causes the unjust imprisonment of an individual will be incarcerated for the same period of time the damages were being inflicted and as a compensation for the losses endured ...". Hence, the government of the Kingdom punishes all those who carry out any act of violence against women.

Furthermore, the Ministry of Labor, one of the Kingdom's official authorities, continuously endeavors to eliminate violence against working women by forbidding the trade in work visas which could be exploited for trade. Recently, His Excellency the Minister of Labor has issued report no. 1/738 dated 04/JUL/2004 declared a ban on all forms of people-trafficking such as selling work visas, acquiring benefits for hiring an employee, inhuman and immoral treatment, the employment of children, their abuse and summoning for the purpose of organized begging, etc.... The said decision asserts that violators will be levied punishment which may lead to totally preventing them from summoning, and the Ministry of Labor has also prescribed rules and regulations for obtaining visas, and has imposed several conditions on any citizen or employer who applies for visas to summon workers, in order to effectively verify the genuine need for those visas and preclude their misuse. The government of the Kingdom has also decreed regulations on granting licenses to summoning offices; in addition to this, the Ministry of Labor has carried out several measures such as:

- 1- The note of His Excellency the Minister of Labor and Social Affairs no. 326 dated 02/MAY/1994 that specifically designates the professions and vocations in which it is not permissible to employ women.
- 2- The note of His Excellency the Minister of Labor and Social Affairs no. 1/738 dated 04/JUL/2004 regarding the ban on all forms of people-trafficking.
- 3- The Ministry of Labor has recently established an administration under the name of "The Administration for the Welfare of Incoming Workers". Its aim is to protect and care for all incoming workers in the field of labor relations, and in the framework of work, laborers, lists, decisions issued accordingly, regulations and instructions released in the Kingdom with regards to incoming workers.
- 4- The Ministry of Labor constantly carries out, through labor offices widespread in all the regions of the Kingdom, inspection visits to some of the establishments to make sure that the rules of work, laborers, lists and the decisions issued accordingly are being applied and to punish those who breach the rules.

- 5- The Ministry of Labor has banned summoning from some establishments and individuals who have maltreated incoming workers.
- 6- The officials of the Ministry of Labor, headed by His Excellency the Minister of the Ambassadors of Labor Sending Countries, encourage all female and male workers who have been abused by their employers to refer to the special authorities so that the government may perform its duty to safeguard everybody's rights.
- 7- Interaction should take place between the Ministry of Labor and the embassies of the labor sending countries through the Ministry of Foreign Affairs to cooperate and abolish any kind of practice which may harm the interests of the incoming workers or offend them, and to eliminate the widespread phenomenon of irregular mediators who may contract laborers to work in the Kingdom or trade in visas.
- 8- Preparations are presently being made to provide both female and male incoming workers with guide booklets and a document of summarized information, to provide them with essential information and a clarification of their rights, in addition to informing them of the specialized authorities they can resort to when problems occur. This document is distributed in all marine, air and land outlets in the Kingdom to insure all incoming workers (female and male) receive it directly, whereas the guide booklet is distributed to the Kingdom's embassies in the labor sending countries, to the latter's embassies in the Kingdom, to labor offices, to summoning offices throughout the Kingdom and to all the other related bureaus.

The Ministry of Social Affairs is playing a role in this matter, as the Ministry offers care and shelter for house workers who face difficulties with their employers through a special institute that provides social, psychological and health care, and assists them rather than abandoning them with no shelter or care and exposing them to danger. Moreover, the center includes a specialized unit which aims to achieve the following:

- Advising and guiding a house worker upon her entry to the institution and endeavoring to lift her morals.
- Offering some clarification to the house worker about her rights and duties.
- Explaining to her that her residence in the institution is an expression of hospitality which comes to an end when the conflict between her and her employer has been resolved and when her rights have been ensured.
- Informing the house worker that she may move to work for another hirer on the condition of her assent and that of her future employer, and her rights will remain reserved with her previous employer.

Note: The expression "incoming workers" refers to both female and male workers.

## **Ministerial Report no. 1/738 dated 04/JUL/2004**

After having reviewed Articles 48 and 49 of the Labor legislation issued by the Royal decree no. 21/M dated 16/NOV/1969, the letter of His Royal Highness the Deputy Prime Minister no.34457 dated 29/OCT/2002, the report declared by the Ministerial Cabinet no.166 dated 11/OCT/2000, the report brought forth by the Ministerial Cabinet no.90 dated 17/SEP/1997, as well as the report released by His Royal Highness the Minister of Interior and the President of the Labor Council no. 1/M48/2002 dated 03/FEB/2002, the Minister of Labor has decided the following:

First: The prohibition of all forms of people-trafficking such as selling work visas, acquiring benefits to hire workers, receiving payments from employees in return for providing them with entry, exit and re-entry visas as well as residency and working licenses; in addition to, the violation of contracts by using them for inhuman and immoral purposes, the employment of children and their abuse, and summoning for the purpose of beggary.

Second: In addition to the punishments agreed upon in relation to the above, those who breach any of the said acts will be forbidden to summon for five years, and the Undersecretary for Labor Affairs authorizes the implementation of the procedures on all infringers.

Third: The Minister issues a decision to completely ban all those who repetitively breach or commit two or more violations from summoning.

Fourth: This decision is delivered to those responsible for its execution.

Signed by: The Minister of Labor

Ghazi Ben Abdul Rahman Al Kasibi



**Report no.326 dated 02/MAY/1994** concerning the hazardous and dangerous vocations and labors in which the employment of women is impermissible.

After having reviewed: Article 160 of the Labor and Workers Regulations agreed upon by the Royal decree no.21/M dated 16/NOV/1969, the schedule of Vocational Diseases agreed upon by resolution no. 877 of the Venerable Cabinet dated 19/JAN/1970, and based on the presentations of the Deputy Minister of Labor and Social Affairs with regards to labor matters, the Minister of Labor and Social Affairs has decided as follows:

Article one: Women are not to be employed in the following vocations and labors:

- 1- Hard labors which demand exhausting physical efforts such as construction work, building, carrying goods and emptying them in ponds, pavements, ports and storage rooms.
- 2- Labors which expose them to harmful vibrations like rock, street and building perforations.
- 3- Labors which expose them to intense heat like working in front of fusion ovens, in glass industries and blacksmithing.
- 4- Labors which expose them to harmful radiation such as Azelastine and electricity.
- 5- Labors which expose them to electric shocks like working in electric plants or with electric extensions.
- 6- Dangerous labors such as manufacturing explosives, fireworks, filling compressed gas into cylinders, working in mines, extracting stone, sand, pebbles, repairing and maintaining mechanical machines during their function, filing, lathing, plumbing, trading, manufacturing bricks and tiles.
- 7- Labors which expose them to come into to contact with harmful or poisonous substances or which may cause vocational diseases such as:
  - Lead and its derivatives.
  - Arsenic and its derivatives.
  - Mercury and its derivatives.

- Oil and Benzoyl.
- Crude oil, its derivatives and petrochemicals.
- Acids and Alkalis.
- Asphalt.
- Plaster.
- Petrol or any of its derivatives like vinyl or coloring.
- Magnesium and its derivatives.
- Cadmium and its derivatives.
- Perilium and its derivatives.
- Phosphate and its derivatives.
- Anyline dyes.
- Dth
- Carbon
- Sulfur and its derivatives.
- Paint.
- Dye.
- Manufacturing rubber.
- Manufacturing and using insecticides.
- Manufacturing organic fertilizers and its derivatives.

Article two: Pregnant women employed in labors which expose them to harmful radiation shall have their work scheduled according to the doses prescribed by the specialized authorities.

Article three: The Undersecretary of the Ministry of Labor Affairs shall execute this report.

Signed by: the Minister of Labor and Social Affairs

Mohammed Ben Ali Al-Fayiz