

Saudi Arabia and the International Labor Organization (ILO):

An Analysis of Legislative Harmonization with International Labor Standards

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Abstract:

This paper examines the degree to which Saudi Arabia's labor law framework has harmonized with international labor standards established by the International Labor Organization (ILO). Through a doctrinal analysis of Saudi labor legislation, administrative reforms, and engagement with ILO supervisory mechanisms, the paper assesses areas of convergence and persistent divergence between national law and international norms. Importantly, the analysis focuses on significant alignment in relation to forced labor, child labor, wage protection, and occupational safety and health. This assessment integrates the reforms implemented under Saudi Arabia's Vision 2030 agenda. Simultaneously, the paper identifies persistent challenges, which include restrictions on freedom of association, limited collective labor rights, uneven enforcement, and continued vulnerabilities among migrant and female workers. The findings demonstrate that Saudi Arabia's approach indicates an incremental regulatory convergence rather than full institutional harmonization. Consequently, the paper concludes that sustained legislative reform, strengthened enforcement capacity, and more comprehensive engagement with ILO principles of social dialogue are essential for achieving more integrated alignment with international labor standards..

Keywords: International Labor Organization (ILO), Saudi Arabia, International Labor Standards, Work, Labor Law.

المملكة العربية السعودية ومنظمة العمل الدولية:

تحليل التوافق التشريعي مع معايير العمل الدولية

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المستخلص:

تبحث هذه الورقة مدى توافق إطار قانون العمل في المملكة العربية السعودية مع معايير العمل الدولية التي وضعتها منظمة العمل الدولية. من خلال تحليل عميق للتشريعات العمالية السعودية، والإصلاحات الإدارية، والتفاعل مع آليات الإشراف التابعة لمنظمة العمل الدولية، تقيم الورقة مجالات التقارب والاختلاف المستمر بين القانون الوطني والمعايير الدولية. ويركز التحليل بشكل خاص على التوافق الكبير فيما يتعلق بالعمل القسري، وعمالة الأطفال، وحماية الأجور، والسلامة والصحة المهنية. يدمج هذا التقييم الإصلاحات المنفذة في إطار رؤية المملكة العربية السعودية 2030. وفي الوقت نفسه، تحدد الورقة تحديات مستمرة، تشمل القيود المفروضة على حرية تكوين الجمعيات، ومحدودية حقوق العمل الجماعية، وعدم تكافؤ تطبيق القوانين، واستمرار تعرض العمال المهاجرين والعاملات للاستغلال. وتُظهر النتائج أن نهج المملكة العربية السعودية يشير إلى تقارب تنظيمي تدريجي بدلاً من التوافق المؤسسي الكامل. وبناءً على ذلك، تخلص الورقة إلى أن الإصلاح التشريعي المستدام، وتعزيز قدرات الإنفاذ، والتفاعل الأشمل مع مبادئ الحوار الاجتماعي لمنظمة العمل الدولية، أمور ضرورية لتحقيق توافق أكثر تكاملاً مع معايير العمل الدولية.

الكلمات المفتاحية: منظمة العمل الدولية (ILO)، المملكة العربية السعودية، معايير العمل الدولية، العمل، قانون العمل.

Introduction

The International Labor Organization (ILO), established in 1919 and now a specialized agency of the United Nations, occupies a central role in shaping the global governance of labor relations (United Nations, 2025). Notably, its foundational mandate as articulated in the ILO constitution and reaffirmed in the 1944 Declaration of Philadelphia, is based on the principle that labor is not a commodity and that universal and lasting peace can only be achieved through social justice (Carrillo, 2023, p. 337). To implement this mandate, the ILO develops international labor standards in the form of conventions and recommendations, which address crucial areas such as freedom of association, forced labor, child labor, non-discrimination, working conditions, wages, occupational safety and health, and social protection. In this case, these standards function as normative benchmarks against which national labor laws are assessed, even where conventions have not been formally ratified.

Saudi Arabia became a member of the ILO in 1976, thus committing itself to the organization's constitutional principles and supervisory framework (Almhaidb, 2021, p. 57). Saudi Arabia is bound by Article 19 of the ILO Constitution to submit reports on both ratified and non-ratified conventions and to engage in dialogue with ILO supervisory bodies, including the Committee of Experts on the Application of Conventions and Recommendations (CEACR) (International Labor Organization, 2024). Saudi Arabia has ratified several key ILO conventions, including the Forced Labor Convention, 1930 (No. 29); the Abolition of Forced Labor Convention, 1957 (No. 105); the Minimum Age Convention, 1973 (No. 138); and the Worst Forms of Child Labor Convention, 1999 (No. 182) (International Labor Organization, no date c). Markedly, these ratifications create binding international legal obligations that demand harmonization between domestic labor legislation and international standards.

At the national level, labor relations in Saudi Arabia are mainly governed by the Saudi Labor Law promulgated by Royal Decree No. M/51 of 23 Sha'ban 1426H of 27 September 2005 and by subsequent amendments through royal decrees and ministerial resolutions (Embassy of India, no date). The Labor Law regulates employment contracts, wages, working hours, occupational safety, dispute resolution, and labor inspection. Additionally, related legal instruments, such as the Anti-Trafficking in Persons Law (Royal Decree No. M/40 of 21 Rajab 1430H), the Wage Protection System regulations, and ministerial decisions on labor mobility, form a complex regulatory framework governing employment relationships (Human Resources and Social Development, 2017; United Nations Office on Drugs and Crime, no date). Although these instruments indicate notable reform efforts, questions persist regarding their consistency with ILO norms. Questions have been raised regarding areas such as freedom of association, collective bargaining, and migrant worker protections (Human Rights Watch, 2024; U.S. Department of State, no date).

Therefore, the core problem addressed in this paper lies in the persistent tension between Saudi Arabia's domestic labor regime and international labor standards. Prominently, structural divergences remain, despite formal commitments and recent reforms. For instance, Saudi law does not recognize trade unions or collective bargaining in the manner contemplated by the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (International Labor Organization, no date a, no date b). Saudi Arabia has not ratified any of the two conventions. Additionally, although legal reforms have curtailed elements of the traditional kafala system through the Labor Mobility Initiative introduced by Ministerial Resolution No. 51848 of 1442H, ILO supervisory bodies and human rights mechanisms have continued to raise concerns about residual forms of employer control that may amount to indirect coercion under Convention No. 29 (International Labour Organization, 2023; Wiem and Rahma, 2025, p. 26).

This misalignment is not just a technical legal issue but has significant implications for labor governance, economic competitiveness, and international legitimacy. It is crucial to note that labor standards influence trade relations, foreign investment decisions, and corporate compliance

obligations under emerging due-diligence regimes. Therefore, Saudi Arabia's ambitious Vision 2030 reform agenda places labor market modernization at the core of national development strategy. Notably, Vision 2030 emphasizes workforce participation, private-sector growth, women's employment, and the attraction of foreign investment. The achievement of these objectives depends on credible and rights-compliant labor regulation. Legislative harmonization with international labor standards thus becomes a strategic necessity rather than a purely normative aspiration.

International Labor Standards and the Role of the ILO

International labor standards constitute the normative core of the International Labor Organization's mandate (Koliev, 2022, p. 362). These standards are primarily detailed in ILO conventions, which are legally binding international treaties once ratified. Consequently, the legal foundation for this standard-setting function is found in Articles 19 and 22 of the ILO Constitution, which establish both the authority of the International Labor Conference (ICL) to adopt conventions and the obligations of member states to give effect to them through national legislation (Otteburn and Marx, 2025, p. 224). ILO conventions serve two principal purposes. First, they establish minimum universal labor protections intended to prevent exploitation, discrimination, and unsafe working conditions (International Labour Organization, 2024b). Second, they provide a framework for harmonizing domestic labor law with internationally recognized principles, while allowing flexibility in implementation to accommodate national legal systems (International Labour Organization, 2024b). Accordingly, this balance between universality and flexibility is crucial to the ILO's tripartite structure, which constitutes governments, employers, and workers in the law-making process.

A distinction has been established between core labor standards and technical or governance conventions. In this case, the core labor standards are derived from the 1998 ILO Declaration on Fundamental Principles and Rights at Work, which identifies four categories of fundamental rights, namely, freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labor, the abolition of child labor, and the elimination of discrimination in employment and occupation (International Labor Organization, 2022, p. 1). These principles are captured in eight fundamental conventions, some of which include Convention No. 29 (Forced Labor), Convention No. 105 (Abolition of Forced Labor), Convention No. 138 (Minimum Age), and Convention No. 182 (Worst Forms of Child Labor) (International Labor Organization, 1930, 1973, 1999; OHCHR, no date).

In the other case, technical conventions regulate specific aspects of employment, such as working time, occupational safety and health, wage protection, labor inspection, and social security. Although these conventions are equally binding upon ratification, they allow for greater national discretion and are often implemented progressively. Consequently, core and technical conventions form a comprehensive regulatory system aimed at promoting decent work.

Principles of Decent Work and Rights at Work

The concept of decent work was formally articulated in the ILO's 1999 Decent Work Agenda and reaffirmed in the 2008 Declaration on Social Justice for a Fair Globalization, integrates labor standards into a broader development framework (Reynaud, 2018, p. 12). In basic terms, decent work is defined around four strategic pillars, including employment creation, rights at work, social protection, and social dialogue (Reynaud, 2018, p. 12). In the legal sense, this framework present labor rights as interdependent components of economic and social policy.

Rights at work occupy a central position within this framework. Even where states have not ratified specific conventions, the 1998 Declaration affirms that all ILO member states have an obligation to respect, promote and realize the fundamental principles by virtue of their membership alone (International Labor Organization, 2022). Therefore, this principle is relevant in assessing countries, such as Saudi Arabia, that have not ratified conventions on freedom of association but remain subject to supervisory scrutiny through the Declaration's follow-up mechanisms.

Obligations of Member States

ILO membership demand distinct legal obligations that extend beyond ratification. According to Article 19(5) of the ILO Constitution, member states are required to bring adopted conventions before their competent national authorities for consideration (Servais, 2024, p. 416). In addition, Article 22 mandates regular reporting on measures taken to give effect to ratified conventions (Ma, 2024, p. 19). These reports are reviewed by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), whose observations, despite not being legally binding, carry significant interpretive authority (Ma, 2024, p. 19). Importantly, the opinions of the CEACR are frequently relied upon by courts, international organizations, and policymakers.

Apart from CEACR, compliance is monitored through the Conference Committee on the Application of Standards (Waas, 2021, p. 81). In cases involving freedom of association, the Committee on Freedom of Association (CFA) makes the necessary assessments (Waas, 2021, p. 81). Markedly, the CFA is notable because it can examine complaints even against states that have not ratified Conventions Nos. 87 and 98, on the basis that freedom of association is a constitutional principle of the ILO (Heijden, 2018, p. 208). This expansive supervisory jurisdiction reinforces the normative reach of ILO standards.

Typically, legislative harmonization following ratification involves amending national labor laws, adopting implementing regulations, and establishing enforcement mechanisms such as labor inspection systems. Importantly, the ILO does not require verbatim incorporation of conventions into domestic law. Instead, it evaluates whether national legislation and practice achieve substantial equivalence with convention requirements. This evaluative approach is crucial to understanding the nature of compliance in legal systems that differ structurally from Western labor law models.

Relevance to Saudi Arabia

Saudi Arabia's relationship with international labor standards must be understood within this supervisory and interpretive framework. Since joining the ILO in 1976, Saudi Arabia has ratified several fundamental conventions, including Conventions Nos. 29, 105, 138, and 182, thereby assuming binding obligations under international law (International Labor Organization, no date c). Accordingly, these commitments intersect directly with domestic legislation such as the Saudi Labor Law (Royal Decree No. M/51 of 1426H) and the Anti-Trafficking in Persons Law (Royal Decree No. M/40 of 1430H), which criminalizes forced labor and exploitation (WIPO, 2006, p. 1; United Nations Office on Drugs and Crime, no date).

However, Saudi Arabia has not ratified conventions relating to freedom of association and collective bargaining, which demonstrates longstanding legal and political constraints on worker organization. Despite non-ratification, Saudi Arabia remains subject to ILO scrutiny through Article 19 reporting and the CFA mechanism (Servais, 2024, p. 416). CEACR observations have repeatedly emphasized the need to ensure that labor mobility restrictions and employer control mechanisms do not contribute to indirect forced labor (Brudney, 2023, p. 341).

Saudi Arabia's labor law reforms demonstrate broader trends within the Gulf Cooperation Council (GCC), where states have sought to modernize labor governance while retaining significant regulatory control over foreign workers (Bel-Air, 2024). Recent reforms across the GCC, including wage protection systems, labor mobility initiatives, and enhanced labor inspection regimes, suggest a gradual convergence with ILO standards, although most are uneven and incomplete (fundsforNGOs News, 2025). In addition, Saudi Arabia's Vision 2030 reforms position it as a regional leader in this transformation, but also expose it to heightened international scrutiny.

In this context, international labor standards serve both as legal benchmarks and as instruments of policy legitimacy. For Saudi Arabia, alignment with ILO norms is increasingly linked to economic diversification, foreign investment confidence, and global integration (International Labor Organization, 2025). Therefore, understanding the legal nature of ILO standards and their supervisory

mechanisms is therefore essential to evaluating the depth and credibility of Saudi Arabia's labor law reforms.

Saudi Arabia's Labor Law Framework

National Labor Legislation Overview

Saudi Arabia's labor relations are primarily governed by the Saudi Labor Law, promulgated by Royal Decree No. M/51 dated 23 Sha'ban 1426H (27 September 2005) and subsequently amended through royal decrees and ministerial resolutions (WIPO, 2006). The Labor Law applies to all private-sector employment relationships, including Saudi and non-Saudi workers, subject to limited exemptions (WIPO, 2006). The Law is divided into multiple chapters addressing employment contracts, wages, working hours, occupational safety and health, employment of women and minors, labor inspection, and dispute resolution.

Key provisions include Article 2, which defines the scope of application, and Article 50, which governs fixed-term contracts, a provision particularly relevant to migrant workers whose employment is typically tied to residency permits (WIPO, 2006, p. 7). In addition, Articles 90–94 regulate wages, requiring timely payment and forming the statutory basis for the Wage Protection System (WPS), a digital compliance mechanism introduced by ministerial regulation to combat wage delays (WIPO, 2006, pp. 48–51). Further, Articles 98–101 establish limits on working hours, while Articles 121–132 impose employer obligations concerning workplace safety and health (WIPO, 2006, pp. 53–54 and 64–68).

Recently, the Labor Law has undergone targeted reforms aligned with Vision 2030, Saudi Arabia's national economic transformation strategy. Notably, amendments and implementing regulations have sought to enhance labor mobility, improve contract transparency, and strengthen enforcement mechanisms. The Labor Mobility Initiative, introduced in 2021 through ministerial decisions issued by the Ministry of Human Resources and Social Development (MHRSD), allows certain migrant workers to change employers or exit the country without employer consent (Ministry of Human Resources and Social Development, 2025). Although these reforms do not abolish employer sponsorship entirely, they represent a significant departure from traditional sponsorship controls (Human Rights Watch, 2021).

Governance Institutions

The primary authority responsible for labor regulation and enforcement in Saudi Arabia is the Ministry of Human Resources and Social Development (MHRSD). The MHRSD exercises regulatory authority through the issuance of executive regulations, ministerial resolutions, and compliance programs that operationalize the Labor Law (Mohammed, Alhumaid, and Abdulrahman, 2025, p. 222). Furthermore, its functions include labor inspection, dispute mediation, workforce nationalization policy, and oversight of recruitment practices. Labor disputes are adjudicated by specialized labor courts, which operate under the Board of Grievances framework following judicial reforms enacted under the Judiciary Law (Royal Decree No. M/78 of 1428H) (WIPO, 2007). These courts have jurisdiction over disputes arising from employment contracts, wages, termination, and occupational injuries (WIPO, 2007). Notably, the establishment of labor courts has enhanced procedural clarity and legal certainty and dependency on employer documentation. However, concerns remain regarding access to justice for migrant workers due to language barriers, cost constraints.

Labor inspection systems constitute another critical enforcement mechanism. Articles 198–210 of the Labor Law authorize labor inspectors to enter workplaces, examine records, and impose penalties for non-compliance (WIPO, 2006, pp. 97–104). Importantly, recent digitization efforts have improved monitoring capacity, but enforcement effectiveness varies across sectors, particularly in domestic work and small enterprises.

Workforce Demographics

Saudi Arabia's labor market is characterized by a major demographic duality between Saudi nationals and migrant workers (Lopesciolo, Muhaj and Pan, 2021). Migrant workers constitute a substantial proportion of the private-sector workforce, particularly in construction, domestic work, retail, and service industries (Lopesciolo, Muhaj and Pan, 2021). Although the Labor Law formally applies to both groups, migrant workers often experience differentiated legal outcomes due to residency-linked employment, contract dependency, and limited bargaining power.

Gender participation has emerged as a focal point of labor reform under Vision 2030 (Parveen, 2021, p. 66). Traditionally, low female labor force participation has been addressed through legal and regulatory changes, including amendments to Labor Law provisions governing women's employment, maternity protection, and workplace equality (Parveen, 2021, p. 67). In addition, ministerial decisions have expanded permissible occupations for women and strengthened protections against dismissal during pregnancy and maternity leave (Almhaidb, 2021, p. 64). These reforms have contributed to a significant increase in female labor participation, though gender-based occupational segregation persists.

Nationalization initiatives represent a central pillar of Saudi labor policy. The initiatives are collectively referred to as Saudization and operationalized through programs such as Nitaqat (QIWA, 2025). Notably, these initiatives impose sector-specific employment quotas for Saudi nationals and link compliance to incentives and penalties (QIWA, 2025). Although, nationalization policies aim at reducing unemployment among citizens and enhance human capital development, they also shape employer hiring behavior and labor market segmentation.

Overall, Saudi Arabia's labor law framework demonstrates a hybrid model that combines statutory regulation, administrative control, and market-driven reform. Importantly, structural features of the labor system continue to shape the lived realities of different worker groups although recent changes signal convergence with international labor governance trends. Therefore, understanding this framework is essential for assessing the extent to which Saudi labor law aligns with international labor standards in both law and practice.

Areas of Alignment with ILO Standards

Prohibition of Forced Labor

One of the strongest areas of alignment lies in Saudi Arabia's prohibition of forced labor, consistent with the Forced Labor Convention, 1930 (No. 29) and the Abolition of Forced Labor Convention, 1957 (No. 105), both of which Saudi Arabia has ratified (HRSD, 2025). Locally, forced labor is criminalized under the Anti-Trafficking in Persons Law (Royal Decree No. M/40 of 21 Rajab 1430H) (HRSD, 2025). In this case, Article 2 of this Law defines trafficking broadly to include coercion, abuse of power, and exploitation for labor purposes, aligning closely with ILO interpretations of forced labor (HRSD, 2025).

Further, the Saudi Labor Law reinforces this prohibition by requiring that employment relationships be based on valid contracts and voluntary consent. Recent reforms under the Labor Mobility Initiative reduce employer control over workers' ability to change employment or exit the country, addressing ILO concerns regarding indirect coercion through exit permit restrictions consent (Ministry of Human Resources and Social Development, 2025). Although practical challenges remain, these measures represent substantive steps toward compliance with international forced labor standards.

Elimination of Child Labor

Saudi Arabia demonstrates strong formal alignment with ILO standards on child labor, particularly Convention No. 138 (Minimum Age) and Convention No. 182 (Worst Forms of Child Labor) (International Labor Organization, 1930, 1973, 1999; OHCHR, no date). The Saudi Labor Law sets the minimum working age between 13 and 15 years, with strict limitations on the employment of juveniles (WIPO, 2006, p. 80). Articles 161–167 establish comprehensive protections consistent with ILO requirements (WIPO, 2006, pp. 80–82).

Additionally, the Anti-Trafficking in Persons Law criminalizes the exploitation of children for labor, providing enhanced penalties where minors are involved (United Nations Office on Drugs and Crime, no date). Saudi Arabia's compulsory education framework further supports compliance by reducing the risk of child labor. Following these developments, ILO supervisory bodies have generally recognized Saudi Arabia's legal framework in this area as broadly compliant, while continuing to emphasize the importance of effective enforcement.

Nondiscrimination in Employment

Alignment is also evident in Saudi Arabia's evolving legal framework on non-discrimination, corresponding to Convention No. 100 (Equal Remuneration) and Convention No. 111 (Discrimination in Employment and Occupation), though Saudi Arabia has not ratified these instruments (Almakaty, 2024, p. 3). According to Article 3 of the Saudi Labor Law discrimination in employment based on sex, disability, age, or any other form is prohibited, and the law mandates equal treatment in recruitment and employment conditions (WIPO, 2006, p. 10).

In addition, recent reforms have strengthened protections for women in the workplace, including expanded maternity leave, protections against dismissal during pregnancy, and the removal of restrictions on women's participation in certain occupations (Almhaidb, 2021, p. 64). While gender-based disparities persist in practice, the statutory framework increasingly reflects ILO principles of equality and non-discrimination.

Wage Protection and Working Conditions

Saudi Arabia's Wage Protection System (WPS) represents a significant alignment with ILO standards on wage payment and decent working conditions. Implemented through ministerial regulations pursuant to Articles 90–94 of the Labor Law, the WPS requires employers to pay wages electronically and enables regulatory authorities to monitor compliance (WIPO, 2006, pp. 48–51). This system addresses persistent concerns regarding wage delays and non-payment, especially for migrant workers.

Working time regulations under Articles 98–101 of the Labor Law also correspond to ILO norms by limiting daily and weekly working hours and mandating overtime compensation (WIPO, 2006, pp. 53–54). However, although Saudi Arabia has not ratified the Hours of Work Convention, 1919 (No. 1), the statutory framework reflects comparable protective standards.

Occupational Safety and Health

Saudi Arabia's labor legislation includes extensive provisions on occupational safety and health (OSH), which conforms with ILO principles articulated in conventions such as the Occupational Safety and Health Convention, 1981 (No. 155) (Politakis, 2023, p. 213). Articles 121–132 of the Labor Law impose employer obligations to ensure safe working environments, provide protective equipment, and prevent occupational hazards (WIPO, 2006, pp. 64–68). Labor inspectors are empowered to enforce compliance and impose sanctions for violations. Although enforcement capacity remains uneven across sectors, the legal framework itself demonstrates substantial convergence with international OSH standards (Human Rights Watch, 2021).

Changes in these areas indicate that Saudi Arabia's labor law framework exhibits meaningful alignment with several core ILO standards, especially those related to individual labor protections. However, this alignment is largely regulatory and administrative in nature, instead of being rooted in collective labor rights.

Key Gaps and Challenges in Harmonization

Restrictions on Worker Associations

The most substantial divergence from ILO standards concerns freedom of association and collective bargaining. Prominently, Saudi Arabia does not recognize trade unions or workers' organizations as contemplated by the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and does not permit collective bargaining in the sense required by the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (Khoja and Thomas, 2022). These

conventions remain unratified, and domestic law provides no legal basis for independent worker organizations.

Therefore, under the Saudi Labor Law, worker representation is limited to employer-approved labor committees with advisory functions, lacking the autonomy and negotiating power required under ILO jurisprudence. In this situation, the ILO Committee on Freedom of Association (CFA) has consistently held that the right to establish and join organizations of one's own choosing without prior authorization is a fundamental principle applicable to all ILO members (Sankaran, 2024). This position should be regardless of ratification status. In this case, Saudi Arabia's regulatory framework falls short of constitutional ILO standards.

The absence of collective labor mechanisms has practical consequences for wage negotiation, dispute prevention, and workplace safety, placing increased reliance on state-led regulation and individual complaint mechanisms. Noticeably, this model contrasts sharply with the ILO's emphasis on social dialogue as a pillar of decent work.

Migrant Worker Dependence and Mobility

Migrant workers remain particularly vulnerable within Saudi Arabia's labor system, despite recent reforms. Traditionally, employment relationships were governed by the kafala (sponsorship) system, which tied a worker's legal residency to a specific employer (Wiem and Rahma, 2025, p. 26). Although the Labor Mobility Initiative introduced in 2021 reduced employer control over job transfers and exit permits, mobility remains conditional on regulatory approval, contractual status, and employer compliance (Ministry of Human Resources and Social Development, 2025).

Restrictions that prevent workers from freely leaving abusive employment relationships may constitute indirect forced labor under Convention No. 29 (International Labour Organization, 2023). The Committee of Experts on the Application of Conventions and Recommendations (CEACR) has emphasized that legal mobility must be effective in practice. In Saudi Arabia, administrative barriers, lack of awareness, and fear of retaliation continue to inhibit workers' exercise of mobility rights (Human Rights Watch, 2021).

Additionally, the widespread use of fixed-term contracts under Article 50 of the Labor Law reinforces dependency, especially when combined with recruitment-related debt incurred prior to arrival (WIPO, 2006, p. 32). These structural factors complicate compliance with ILO standards on free choice of employment.

Working Conditions and Wage Protection

Although Saudi Arabia's Wage Protection System (WPS) has improved wage transparency, significant gaps remain in practice. In this case, wage delays and unlawful deductions persist in certain sectors, especially construction and domestic work, despite electronic monitoring. ILO standards require that wages be paid regularly, in full, and without coercive deductions, which is a benchmark that Saudi Arabia meets formally (Human Rights Watch, 2021). Occupational safety and health (OSH) compliance also remains uneven (Human Rights Watch, 2021). Saudi Arabia has not ratified the Occupational Safety and Health Convention, 1981 (No. 155), and OSH governance relies heavily on administrative enforcement rather than worker participation, limiting preventative effectiveness.

Gender-Specific Barriers

Despite significant progress under Vision 2030, gender-based challenges remain. Although the Labor Law prohibits discrimination and expands protections for women, regulatory and social barriers continue to affect women's labor market experiences. Occupational segregation and differential enforcement of workplace protections undermine substantive equality (Aldossari and Chaudhry, 2024, p. 2699). According to ILO, formal legal equality must be accompanied by effective implementation to satisfy the requirements of Convention No. 111 (MacKay, 2020, p. 143). Overall, Saudi Arabia's reforms have narrowed gender gaps, but the absence of independent grievance mechanisms and collective representation limits women's ability to challenge discrimination effectively.

Enforcement Limitations

The most pervasive challenge in harmonization in the country is enforcement. Although the Saudi Labor Law provides for labor inspections under Articles 198–210, inspectorate capacity remains strained by workforce size, sectoral diversity, and geographic dispersion (WIPO, 2006, pp. 99–104; Human Rights Watch, 2024). Specifically, domestic work remains difficult to monitor due to its private nature.

This gap demonstrates the distinction between formal legislative alignment and substantive compliance. Although Saudi Arabia has made measurable progress toward harmonization with international labor standards, structural constraints continue to limit full convergence. Therefore, addressing these challenges will require further legal reform and institutional strengthening, and sustained engagement with ILO supervisory mechanisms.

Progress toward Reform and Alignment

Vision 2030-Driven Labor Reforms

A major development in the recent reform is the Labor Mobility Initiative (LMI), which was launched in March 2021 through ministerial resolutions (Global People Strategist, 2024). The LMI permits eligible migrant workers to change employers or exit the country without prior employer consent upon fulfillment of contractual obligations. In this situation, although mobility remains conditional, the initiative represents a significant departure from the traditional sponsorship framework. The LMI operates within the framework of the Saudi Labor Law, which illustrates a regulatory approach based on administrative reinterpretation instead of wholesale statutory amendment. On this matter, the ILO Committee of Experts has emphasized that mobility reforms must be effective in practice. Early assessments suggest that the LMI has reduced employer leverage over migrant workers (Romdhane, 2025, p. 34). However, implementation varies by sector and occupation.

The Wage Protection System (WPS) has also undergone significant enhancement (Human Resources and Social Development, 2017). Although it was initially introduced to monitor wage payments electronically, the WPS has expanded its coverage and enforcement reach through integration with banking systems and automated penalties for non-compliance. Currently, employers who fail to pay wages on time may face escalating sanctions such as suspension of government services. These measures align with ILO standards on regular and full wage payment and reflect a shift toward data-driven enforcement.

Collaboration with the ILO

Saudi Arabia's reform trend has been strengthened through increased collaboration with the ILO (International Labor Organization, 2025). Notably, this engagement includes technical cooperation agreements, advisory missions, and participation in regional labor governance initiatives. In this situation, the ILO has provided technical assistance in areas such as labor inspection reform, occupational safety and health (OSH) frameworks, and migrant worker protection, which have contributed to policy modernization efforts.

Joint projects between the Saudi government and the ILO have focused on aligning domestic regulations with international best practices while respecting national legal traditions. For instance, ILO advisory input has informed revisions to labor inspection methodologies and contributed to capacity-building programs aimed at improving enforcement effectiveness (International Labor Organization, 2024c). These initiatives are consistent with Article 10 of the ILO Constitution, which authorizes the Organization to provide technical assistance to member states.

In addition, training and capacity-building represent another important dimension of cooperation. Saudi labor inspectors, judicial officers, and policymakers have participated in ILO-supported training programs on international labor standards and dispute resolution (International Labour Organization, 2024c). Markedly, such initiatives enhance institutional capacity and contribute to a shared understanding of compliance obligations. Although these efforts do not substitute for legislative reform, they strengthen the administrative foundations necessary for effective implementation.

Evaluating Impact

Evaluating the impact of recent reforms requires distinguishing between formal legal change and practical outcomes. In this assessment, evidence suggests that labor market functioning has improved in several areas. Notably, increased labor mobility has facilitated more efficient job matching and reduced dependency on individual employers. In addition, digital wage monitoring has enhanced transparency and reduced wage-related disputes in covered sectors. From a compliance perspective, ILO supervisory bodies have acknowledged Saudi Arabia's reform efforts, especially in relation to forced labor prevention and wage protection. However, the organization continues to emphasize the importance of consistent enforcement and the extension of protections to all worker categories, especially domestic workers, who remain partially excluded from the labor laws. Importantly, reforms have also influenced Saudi Arabia's international standing. Improved labor governance has contributed to enhanced investor confidence and reduced reputational risk in global supply chains increasingly governed by human rights due diligence standards. As such, alignment with ILO norms serves legal and economic objectives.

Nevertheless, limitations remain. For instance, the absence of collective labor rights, uneven enforcement capacity, and persistent vulnerabilities among migrant and female workers indicate the incomplete nature of harmonization. The ILO's emphasis on social dialogue. Particularly, worker participation remains only partially present in Saudi Arabia's regulatory model, which needs addressing. Saudi Arabia's progress toward alignment with international labor standards reflects a pragmatic, incremental reform strategy grounded in administrative modernization and international cooperation. Vision 2030 has provided political impetus for change, while collaboration with the ILO has supplied technical guidance and normative benchmarks. Although these reforms do not fully resolve structural divergences, they demonstrate a tangible commitment to improving labor governance.

Conclusion and Recommendations

This paper aimed to assess the extent to which Saudi Arabia's labor law framework has been harmonized with international labor standards as developed by the ILO. The analysis demonstrates that Saudi Arabia has made measurable progress toward alignment. At the same time, the findings reveal persistent structural and institutional gaps that limit full convergence with the ILO's normative framework. Consequently, these outcomes demonstrate the complex interaction between domestic legal traditions, economic reform priorities, and international labor obligations.

The evidence obtained suggests that Saudi Arabia's labor reforms can be considered regulatory convergence without full institutional transplantation. Instead of adopting Western-style collective labor relations, Saudi Arabia has pursued a state-centered regulatory model that relies on administrative oversight, digital compliance mechanisms, and judicial enforcement. Therefore, this approach has yielded tangible improvements in wage protection, contract transparency, and labor mobility, particularly following the implementation of Vision 2030 initiatives. Saudi legislation and enforcement mechanisms integrate ILO standards in areas such as forced labor prevention and child labor elimination. These changes indicate the effectiveness of targeted statutory reform supported by international cooperation.

However, the absence of freedom of association and collective bargaining remains a defining limitation. Even though Saudi Arabia has not ratified ILO Conventions Nos. 87 and 98, ILO jurisprudence treats these rights as fundamental principles arising from membership itself. Therefore, the lack of independent worker organizations restricts social dialogue, weakens worker voice, and places disproportionate reliance on state institutions to regulate labor relations. Prominently, this structural feature creates a compliance gap that cannot be fully addressed through administrative modernization alone. Consequently, the discussion highlights a central tension, which indicates that Saudi Arabia's labor governance model aligns with ILO standards on individual rights but diverges significantly on collective labor rights.

Further, migrant labor regulation demonstrates the distinction between legal reform and effective compliance. Revisions to the sponsorship system and the introduction of the Labor Mobility Initiative represent substantial normative shifts that respond directly to ILO concerns regarding indirect forced labor. Nevertheless, conditional mobility, uneven enforcement, and workers' limited access to remedies continue to constrain the practical realization of these rights. The discussion supports the ILO's position that freedom of employment must be evaluated in practice instead of solely through legislative text.

Additionally, gender-related reforms offer a similarly mixed perspective. Legal amendments expanding women's employment rights and participation signal meaningful progress toward non-discrimination standards. However, persistent occupational segregation, social barriers, and limited grievance mechanisms suggest that formal equality has not yet translated into substantive equality. Markedly, this gap reflects the broader challenge identified throughout the paper. Ideally, legal alignment must be supported by institutional capacity, worker empowerment, and cultural adaptation to achieve durable compliance.

Furthermore, Saudi Arabia's engagement with international labor standards demonstrates an incremental and pragmatic reform trajectory shaped by domestic priorities and international expectations. Prominently, Vision 2030 has provided political momentum for labor law reform, while collaboration with the ILO has enhanced technical capacity and policy coherence. These efforts have strengthened Saudi Arabia's alignment with several core labor standards and improved its international labor governance profile.

However, harmonization remains incomplete. Structural constraints in areas, such as the absence of collective labor rights, enforcement limitations, and continued vulnerabilities among migrant and female workers, continue to limit full convergence with ILO norms. In the future, deeper alignment will require continued legislative and administrative reform and expanded avenues for social dialogue, enhanced access to justice, and sustained engagement with ILO supervisory mechanisms. Therefore, Saudi Arabia's experience illustrates the possibilities and limits of labor law harmonization within a distinct legal and political context, which offers valuable insights for comparative labor law scholarship and international labor governance.

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