

**AS&H**  
ABUHIMED ALSHEIKH ALHAGBANI

C L I F F O R D  
C H A N C E

## **INDEPENDENT CONTEXT ASSESSMENT**

PREPARED FOR THE SAUDI ARABIAN FOOTBALL FEDERATION  
IN RELATION TO THE FIFA WORLD CUP 2034



# 01

## Executive Summary

Football is the world's most popular sport with over 250 million players and 3.5 billion spectators across the globe. According to the Fédération Internationale de Football Association (**FIFA**), the FIFA World Cup 2022 attracted the engagement of around five billion people worldwide, with over one million visitors traveling to watch the matches. For the first time, countries from across five continents qualified for the knockout stage.

Passion for playing and viewer interest in both men's and women's football is growing exponentially in the Kingdom of Saudi Arabia (**Kingdom**). Sport is a key pillar of the Kingdom's "Vision 2030" programme of reform and investment,<sup>1</sup> which among other things seeks to promote regional and global excellence in select professional sports, including football, and to drive positive societal change through increased public participation in sports and athletic opportunities.

To showcase football's rapid growth in the Kingdom and endeavour to make the sport more accessible to all, as well as to enhance the Kingdom's sporting presence in the world, the Saudi Arabian Football Federation (**SAFF**) launched the Saudi Arabia FIFA World Cup 2034 campaign, with the aim of hosting the FIFA World Cup 2034 in Saudi Arabia. SAFF is a private independent organisation that is the football governing body of the Kingdom and a member association of FIFA.

A mega-sporting event (**MSE**) offers a singular opportunity to promote participation in sport and respect for human rights and sporting values, as well as infrastructure development and improvements, job training and creation and community participation. In this way, the hosting and staging of a FIFA World Cup can be associated with positive social outcomes, but also with negative human rights impacts for multiple stakeholder groups, including workers, local communities, teams, officials, players, spectators and fans. The challenge for hosts and organisers is to ensure that any potential negative impacts on people from hosting and staging the event are minimised and mitigated.

In common with previous FIFA World Cups and other MSEs, the activities involved in hosting and staging the FIFA World Cup 2034 will be broad and varied and may have impacts on various stakeholder groups. Numerous activities, including those conducted by the Kingdom, SAFF, FIFA and private entities, will be necessary to achieve

the successful hosting of the matches and other tournament-related events, as well as the safety of local communities and other stakeholder groups, including persons visiting the Kingdom for purposes of the tournament.

For example, workers and volunteers, including migrant workers, will be involved in a variety of activities preparing for and during the tournament on behalf of multiple employers, including private entities such as contractors and sub-contractors. This work will include building new or upgrading existing infrastructure for the tournament, including stadia, transport links, training sites, accommodation for teams, spectators and fans. Workers and volunteers also will be engaged in providing hospitality, transport, security, health and media services, as well as in supply chain activities. Some of these workers and volunteers may be at risk of labour and human rights impacts and require appropriate and accessible protections to be in place to prevent or mitigate those impacts.

Officials and team members, including players, as well as spectators and fans will engage in activities directly and indirectly connected to the tournament that raise considerations such as security, equal access to facilities and services, trafficking and abuse. Hosting and staging the tournament may affect communities in the host cities, raising concerns around rights relating to security and access to services. Particular focus will need to be placed on protecting vulnerable groups such as migrant workers, women, children and historically marginalised groups.

Beginning with the contest to host the FIFA World Cup 2026, FIFA's bid standards have required bidders to submit assessments and plans relating to human rights. Consistent with these standards, this report reflects the results of an independent human rights context assessment commissioned by SAFF (**Independent Context Assessment**) for the FIFA World Cup 2034.

By agreement between SAFF and FIFA, this report is designed to provide an assessment of the Kingdom's alignment with 22 human rights and labour rights instruments that were specifically selected by SAFF and FIFA to delineate the scope of the Independent Context Assessment, having been ratified or acceded to by the Kingdom or (in the case of certain non-legally binding instruments) accepted by SAFF as applying to the hosting and staging of the FIFA World Cup 2034 (**Instruments**). This report analyses the Kingdom's legal landscape relevant to the Instruments. It also provides preliminary recommendations for addressing human rights risks associated with hosting and staging the FIFA World Cup 2034.

Having regard to the Islamic law foundation of its legal system, the Kingdom has entered reservations with respect to three of the Instruments—the United Nations (**UN**) Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on all Forms of Racial Discrimination—confirming

that it will implement their provisions providing that they do not contradict the precepts of Shariah. The Saudi Arabian Human Rights Commission (**Human Rights Commission**) explains that the protection of human rights in accordance with the Kingdom's sharia-based laws prohibits discrimination and promotes equality.<sup>2</sup> Fostering a greater understanding of this area amongst relevant stakeholders should be considered an opportunity for all with an interest in the hosting and staging of the FIFA World Cup 2034.

This assessment takes into account the significant legislative reforms that the Kingdom has accomplished in a short, recent period of time, in particular in connection with Vision 2030. These measures have included the 2018 enactment of the Juveniles Law and Anti-Harassment Law, which focus on safeguarding, as well as High Order No. 33322 (2018) and Royal Order No. (M/134) (2019), which enhance women's rights in relation to various matters.

The 2022 enactment of the Family Law added regulation with respect to equality in family life and the Law of Rights of Persons with Disabilities set forth fundamental disability-related principles and specific protections. In 2023, the Council of Ministers adopted the National Policy for Promoting Equal Opportunities and Equality in Treatment in Employment and Profession, and the Kingdom has stated that it intends to release a comprehensive Penal Code. The Human Rights Commission has described its close involvement in these efforts, and they are included in this report.<sup>3</sup>

The analysis in this report is organized under five human rights and labour rights topics that SAFF has identified as focal points for the Independent Context Assessment (**Rights Topics**). These are (1) labour rights, (2) diversity and anti-discrimination, (3) accessibility, (4) safeguarding and (5) security and human rights.

The report begins with a description of the scope and methodology of the Independent Context Assessment, followed by an analysis of each Rights Topic and a discussion of grievance mechanisms and remedies.

As noted, the report takes account of legal reforms that indicate positive human rights developments in the Kingdom, including in relation to labour rights, the rights of women and children, the rights of people with disabilities and measures to combat human trafficking. At the same time, we note that many of these reforms are of recent enactment, and that the effectiveness of legal practice and implementation will receive ongoing attention. In some instances, gaps between the Instruments and the Kingdom's legislation remain. Accordingly, in the context of each Rights Topic, the report identifies areas for ongoing discussion and improvement.

This report was prepared by an AS&H Clifford Chance team comprising lawyers with expertise in public international law, human rights and labour rights and relevant Saudi law.

Team members have advised on and authored publications relating to many of the relevant issues, including in the context of MSEs.

We were aided in our assessment by meetings with representatives of the Human Rights Commission, the Authority for the Care of Persons with Disabilities, the Ministry of Human Resources and Social Development, the Ministry of Interior and the Ministry of Sports, all facilitated by SAFF.

In commissioning this report, SAFF has expressed its commitment to hosting a successful, inclusive, accessible and secure tournament that is aligned with and ensures respect for the rights protected under the Instruments in relation to hosting and staging of the FIFA World Cup 2034. We acknowledge the cooperation of SAFF in providing and facilitating the collection of information necessary for the preparation of this report, and we appreciate the opportunity to provide this assessment as a step in a process for hosting and staging the World Cup 2034 with due respect for human rights.



# 02

## Scope and Methodology

The Independent Context Assessment was conducted, and this report prepared, in six weeks. As a function of this time frame, it is based on desk research and engagement with the Ministries identified above. The assessment process did not involve engagement with external stakeholder/rightsholders. In taking account of published commentary, we have focused on observations by respected monitoring bodies responsible for interpretation and monitoring implementation of the Instruments.

This report is not intended to review the full human rights context in the Kingdom. Pursuant to agreement between FIFA and SAFF, the Independent Context Assessment focused on an analysis of the Kingdom's alignment with the 22 Instruments in relation to five specified Rights Topics that commonly raise human rights issues in connection with hosting and staging MSEs and therefore may arise in connection with hosting and staging the FIFA World Cup 2034. The Instruments are listed in Annex B. Relevant laws and regulations are listed in Annex C.

This report does not encompass all of the highly detailed interpretations of each Instrument, or the often numerous exceptions to and nuances of the Instruments. The report therefore focuses on the scope of analysis feasible within the assessment time frame and FIFA's prescribed page limit.

The Instruments address a broad range of human and labour rights protections, many of which are relevant to hosting and staging the tournament. The Instruments include international treaties and conventions, as well as instruments that reflect soft

law principles, which do not impose legal obligations on the Kingdom but that have been accepted by SAFF as applying to the Independent Context Assessment. Certain Instruments are directed exclusively at either private entities or FIFA Member Associations.

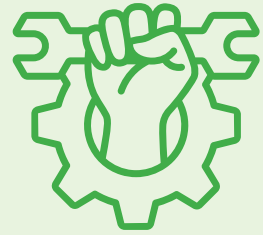
The defined scope of this Independent Context Assessment may differ from that of other independent context assessments in relation to other MSEs, each of which has been unique to each host country.<sup>4</sup> As such, our assessment addressed the human rights and labour rights topics set forth by the scope of the Independent Context Assessment that we were asked to undertake determined by SAFF in agreement with FIFA.

# 03

## Analysis

This report is framed around five Rights Topics. In this section, each Rights Topic is addressed in turn, describing first the potential relevant human rights impacts on key stakeholder groups in the context of hosting and staging the FIFA World Cup 2034, followed by an assessment of the Kingdom's alignment with the Instruments relevant to that Rights Topic, through an analysis of the Kingdom's relevant legislation and legal practice.

For ease of review, the report primarily addresses cross-cutting and overlapping issues within the discussion of one of the Rights Topics to which the relevant issues relate. For example, labour-related diversity and anti-discrimination matters are primarily addressed in the labour rights section and cross-referenced in the diversity and anti-discrimination section.



## A. Labour Rights

This section addresses the rights and protections under labour-related Instruments that may apply to persons working on activities directly or indirectly related to hosting and staging the FIFA World Cup 2034. These protections are grouped under four sub-topics: forced labour; discrimination; child labour; and working hours and conditions.

Treatment of workers has historically been among the primary areas of human rights concern arising in connection with MSEs. Human rights impacts can result from forced labour; working, health and safety and pay conditions; the involvement of children in the workforce; and inequality of opportunity and working conditions. In the context of the FIFA World Cup 2034, workers—including volunteers—will be involved in a wide range of activities in advance of and during the tournament, such as construction and upgrading of stadia and accommodation, development of transport and other infrastructure, providing hospitality, tourism, health, media, security and other services, as well as various activities in supply chains. Many of these workers will be on short-term contracts and/or in the Kingdom solely for purposes of working on tournament-related preparation and staging. These workers benefit from protections under various Instruments that are discussed here.

### A.1 Instruments

#### (i) Forced Labour

The Forced Labour Convention, 1930 (**FLC**), the Abolition of Forced Labour Convention, 1957 (**AFLC**) and the Protocol of 2014 to the Forced Labour Convention, 1930 (**Protocol of 2014**) express the internationally recognised obligations of States Parties with respect to forced labour.

Forced labour is defined in the FLC as involving circumstances where *“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>5</sup> The AFLC elaborates by prohibiting forced labour as a means of *“political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social or economic system”*; *“mobilising and using labour for purposes of economic development”*; *“labour discipline”*; *“a punishment for having participated in strikes”*; and *“racial, social, national or religious discrimination”*.<sup>6</sup>



The FLC provides that “[t]he *illegal exaction of forced or compulsory labour shall be punishable as a penal offence, and it shall be an obligation on any Member ratifying this Convention to ensure that the penalties imposed by law are really adequate and are strictly enforced*”.<sup>7</sup>

Under the Protocol of 2014, States Parties have specifically agreed to protect migrant workers from abusive recruitment and placement practices, educate those particularly vulnerable to forced labour, strengthen labour inspection services, address root causes and factors that heighten risks of forced labour, and ensure that victims of forced labour—irrespective of legal status—have access to appropriate and effective remedies.

Instruments covered under other sections of this report also include provisions relating to forced labour. For example, the Convention on the Rights of Persons with Disabilities, 2006 (**CRPD**) requires States Parties to ensure that persons with disabilities are not subjected to forced or compulsory labour,<sup>8</sup>

and the International Code of Conduct for Private Security Service Providers requires private security companies not to use or be complicit in any other entity’s use of forced or compulsory labour.<sup>9</sup>

## (ii) Working Hours and Conditions

Although subject to several exceptions, internationally recognised human rights standards concerning hours of work include the following:

- For workers in industrial undertakings, the hours of work shall not exceed eight hours per day and 48 hours per week<sup>10</sup> and 24 hours of consecutive rest must be given for every seven days of work;<sup>11</sup> and
- Workers in offices or engaged in commerce may work up to 10 hours per day if the total hours per week does not exceed 48 hours.<sup>12</sup> Uninterrupted rest per week must not be less than 24 hours, and traditions and customs of religious minorities must, as far as possible, be respected.<sup>13</sup>

As for pay, overtime rates should generally not be less than 1.25 times the regular rate.<sup>14</sup>

Relevant to working conditions, the International Convention on the Elimination of All Forms of Racial Discrimination, 1965 (**ICERD**), the Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (**CEDAW**), the Convention on the Rights of the Child, 1989 (**CRC**) and CRPD require States Parties to:

- Guarantee to everyone, regardless of race or ethnic origin the right to just and favourable conditions of work;<sup>15</sup>
- Eliminate discrimination against women in the field of employment, on the basis of equality between men and women, and ensure equal rights, including “[t]he right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service”<sup>16</sup> and “[t]he right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction”;<sup>17</sup> and

- Safeguard and promote the realization of the right to work for persons with disabilities, including for those who acquire a disability during the course of employment, by “prohibit[ing] discrimination on the basis of disability with regard to [...] safe and healthy working conditions”<sup>18</sup> and by “protect[ing] the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including [...] safe and healthy working conditions”.<sup>19</sup>

## (ii) Child Labour

The Minimum Age Convention, 1973 (**MAC**) reflects the generally recognised obligation that States Parties must ensure that the minimum age for admission to employment or work must not be less than 15 years.<sup>20</sup> For work that is “likely to jeopardise the health, safety or morals of young persons” the minimum age is 18 years.<sup>21</sup> Exceptions in the MAC include:

- An allowance for children aged 13 to 15 years to engage in “light work”;<sup>22</sup> and

- The non-application of the stipulated minimum age to work done in “schools for general, vocational or technical education or in other training institutions”.<sup>23</sup>

States Parties to the CRC “recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s education, or to be harmful to the child’s health or physical, mental, spiritual, moral or social development”.<sup>24</sup>

The Worst Forms of Child Labour Convention, 1999 (**WFCLC**) protects all persons under 18 years of age in relation to certain types of especially hazardous or exploitative child labour, including work that is “likely to harm the health, safety or morals of children”.<sup>25</sup>

The Worst Forms of Child Labour Recommendation, 1999, of the International Labour Organisation (**ILO**) identifies such harmful work as including labour that is underground, at dangerous heights or in confined spaces; involves dangerous machinery or the handling or transport of heavy loads; or exposes children to health-damaging temperatures or noise levels.<sup>26</sup>

#### (iv) Discrimination

Five Instruments directly address labour-related discrimination: the Equal Remuneration Convention, 1951 (**ERC**); the Discrimination (Employment and Occupation) Convention, 1958 (**DEOC**); ICERD, CEDAW and the CRPD.

Internationally recognised human rights prohibiting a wide range of discrimination are reflected in these Instruments, including States Parties’ obligations to abolish or prohibit:

- Discrimination based on sex in relation to remuneration;<sup>27</sup>
- “[A]ny distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin” which nullifies or impairs equality of opportunity or treatment in employment or occupation;<sup>28</sup>
- “[R]acial 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, notably

*in the enjoyment of ... [t]he 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, [and] to just and favourable remuneration”;*<sup>29</sup> and

- “[D]iscrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions”.<sup>30</sup> (See [Section B](#) (diversity and anti-discrimination)).

Under CEDAW, States Parties have committed to ensure that both men and women have the same rights in relation to work, employment opportunities, social security, protection of health and safety in working conditions.<sup>31</sup> CEDAW also requires States Parties to prohibit dismissals on the grounds of pregnancy or marital status.<sup>32</sup> Further insight into the ERC is provided in the ILO General Survey 2012 on the fundamental Conventions. This notes that whilst giving effect to the principle of equal pay for men

and women for work of equal value is important, that itself is insufficient to achieve the goal of the ERC. The Survey adds that it is also important to deal with the underlying causes, such as “occupational segregation of women into lower paying jobs or occupations and lower level positions without promotion opportunities; lower, less appropriate and less career-oriented education, training and skill levels; household and family responsibilities; perceived costs of employing women; and pay structures”.<sup>33</sup>

## A.2 The Kingdom’s Legislation

The Kingdom’s Labour Law is its primary legislation on labour. The Kingdom periodically reviews and updates its labour-related laws to better align with international best practices and its commitments to various international agreements pertaining to labour rights and protections. Over the last 11 years, the Labour Law has been revised six times. The Kingdom also is working with the ILO to develop mechanisms in respect of a number of labour-related areas, including providing support for foreign workers and improving working conditions for migrant workers.

The Labour Law applies to all “workers”, defined as “[a]ny natural person working for an employer and under his management or control”, with certain exceptions, which are addressed in separate regulations. One of these exceptions involves non-Saudi workers who enter the Kingdom to perform a specific task for a period not exceeding two months, discussed below.<sup>34</sup>

### (i) Forced Labour

The Labour Law prohibits the use of forced labour, unauthorized changes in employment terms or work under threat.<sup>35</sup> For instance, any attempt to compel a worker to undertake tasks not specified in the employment contract or to relocate to a different work location that necessitates a change in residence is deemed invalid. Workers have the right to unilaterally terminate employment contracts without notice or compensation if such conditions arise or upon occurrence of any other conditions stipulated in Article 81 of the Labour Law. Further, Chapter Two of the Labour Law limits the penalties

available to employers, which include warnings, fines, delayed raises or promotions for up to one year, temporary suspension from work with wage withholding and dismissal under legally defined circumstances. These measures must be justified and can only be implemented after providing written notice to the worker and interviewing him/her, hearing his/her defence and recording the same in minutes to be kept in his/her file.<sup>36</sup>

Starting from 2020 all private-sector companies have been required to implement a Wage Protection System, which requires employers to pay Saudi and foreign workers only by electronic transfer through a Saudi bank. In addition, the Kingdom implemented a mandatory e-contract system (the Mudad Payroll Platform), which allows the registration of type of work, salary, duration of contract, working hours and annual leave and tracks payroll non-compliance. Penalties apply to firms that fail to maintain at least 80 percent compliance on a monthly basis.

The Kingdom’s Anti-Trafficking in Persons Law criminalizes the “*use, recruitment, transportation, harbouring, or receipt of a person for the purpose of exploitation*”.<sup>37</sup> The Anti-Trafficking in Persons Law also prohibits coercion, threat, fraud, deceit, or abduction of a person; abuse of a position or power or any authority over a person; taking advantage of the person’s vulnerability; giving or receiving payments or benefits to achieve the consent of a person; having control over another person for the purpose of sexual assault, forced labour, services, mendicancy, slavery or slavery-like practices or servitude.

The Anti-Trafficking in Persons Law provides that any person who commits an act of trafficking in persons for the purpose, inter alia, of forced labour shall be punished by imprisonment or a fine, or by both penalties. If such crimes are committed against women or children, the Anti-Trafficking in Persons Law specifies that the penalties shall be harsher.<sup>38</sup>

In 2021, the Kingdom approved the National Plan to Combat Human Trafficking 2021-2023,<sup>39</sup> which includes four strategic axes—prevention, protection, prosecution and partnerships. According to the Ministry of Human Resources and Social Development, as part of the effort to eliminate trafficking, inspectors acting pursuant to the Labour Law are trained to identify and recognise human trafficking indicators and to follow established reporting processes.

### (ii) Working Hours and Conditions

The Labour Law sets limits on working hours, capping regular workdays at 8 hours and weekly hours at 48, over a maximum of 6 days per week, with Friday designated as the workers’ rest day.<sup>40</sup> An employer may not prevent an employee from taking his/her weekly day off in exchange for monetary compensation as the employee is entitled to take a fully paid weekly rest of at least 24 consecutive hours of rest in every period of 7 days. Employers are obligated to compensate workers for overtime

hours, at a rate of 150%, beyond the stipulated limits, with an annual cap of 720 overtime hours.

Measures are in place to protect certain outdoor workers, particularly during the summer months, from excessive heat exposure. In 2022, the Ministry of Human Resources and Social Development issued procedural guidelines for occupational safety and health around preventing the effects of exposure to direct sun and heat stress.<sup>41</sup>

The Unified Working Regulations state that the employer must protect employees from all occupational hazards and provide a suitable work environment. The employer is prohibited from discriminating between male and female employees performing equal work, and must provide separate prayer and rest areas as well as restrooms and seats for both male and female workers at their workplace.

### (iii) Child Labour

The general rule under the Labour Law is that the minimum age to work is 15 years.<sup>42</sup> Children between the ages of 13 and 15 may perform “light

work”, which is not harmful to their health or growth and will not interfere with their education or hinder their participation in vocational training programs.<sup>43</sup> The Child Protection Law specifies that, without prejudice to the Labour Law, a child under the age of 15 may not be employed. A child between the ages of 15 and 18 may not be employed in work that may be harmful to his/her safety or physical or psychological health. The Labour Law also prohibits the employment of minors in hazardous or harmful industries or tasks that endanger their well-being, safety, or moral development.<sup>44</sup> Specific prohibitions include work in mines, hazardous industrial environments, physically demanding tasks and jobs posing ethical or psychological risks. Further, minors are not permitted to work at night (with certain exceptions), and their daily work hours are capped at six, except during Ramadan when the limit is reduced to four hours. The Labour Law also requires employers to obtain documentation of the child’s identification, the child’s physical fitness and the consent of the child’s guardian.

The Kingdom has recently issued a national policy and workplan for the prevention of child labour, which was formed in coordination with the ILO.<sup>45</sup>

According to the Ministry of Human Resources and Social Development, as part of the effort to eliminate trafficking, inspectors acting pursuant to the Labour Law are trained to identify and recognise human trafficking indicators and to follow established reporting processes. The Ministry stated that it has established a specialized department for combating trafficking and forced labour, in addition to a unit tasked with monitoring anti-trafficking reports. Additionally, the Kingdom has established a National Referral Mechanism, which specifies the roles and responsibilities of the relevant entities in identifying, protecting victims and investigating and prosecuting trafficking crimes them.

### (iv) Discrimination

The Labour Law prohibits discrimination based on gender, age, disability or any other basis.<sup>46</sup> Furthermore, regulations and decisions stemming

from the Labour Law mandate equal wages for workers in the same job and grade, irrespective of gender, age, disability or any other discriminatory factor. Violations of this provision are subject to fines and penalties, including the closure of the breaching entity.

In January 2023, the Saudi Cabinet approved a National Policy for Promoting Equal Opportunities and Equality in Treatment in Employment and Profession which is being implemented over a ten-year period (**Equal Opportunity Policy**).<sup>47</sup> The Equal Opportunity Policy aims to develop work policies to eliminate discrimination, identify effective remedies, and continuously evaluate the impact of non-discrimination legislation.

With respect to women’s right to work:

- The Labour Law provides various rights to women, including fully paid maternity leave for ten weeks,<sup>48</sup> medical care for working women,<sup>49</sup> and secure rest areas.<sup>50</sup> The Labour Law was recently amended to prohibit terminating a

woman's employment during her pregnancy or while she is on maternity leave.<sup>51</sup>

- A 2017 Ministerial Resolution removed certain restrictions on women's right to work, including a requirement for work authorization from women's male guardians.
- The Kingdom has eliminated a provision permitting the Minister of Human Resources and Social Development (formerly referred to as the Minister of Labour) to exclude women from employment in specific industries and occupations.<sup>52</sup>
- The definition of "worker" in Article 2 of the Labour Law was amended to include male and female workers equally.<sup>53</sup>

With respect to migrant workers' equal protection, the Labour Law also applies to non-citizens. Both citizens and non-citizens can enforce their rights pursuant to the Labour Law through the use of the Labour Courts.

### A.3 Discussion

As noted, the position of migrant workers has been a subject of close scrutiny in relation to recent FIFA World Cups. Depending on the laws of sending and host States, such workers can be vulnerable to certain forms of abuse.

The Kingdom has long had a statutory sponsorship system for foreign workers, known as *Kafala*, which historically had the effect of giving employers control over migrant workers' immigration status. This system has been reformed in recent years to disassociate a worker's immigration status from his/her employer's control, in particular by enabling a migrant worker to resign or terminate his/her employment contract by giving reasonable notice and without losing his/her valid immigration status. The Implementing Regulations of the Labour Law state that the employer must not keep expatriate workers' passports, residency cards or insurance cards. Fines may be imposed on employers for doing so.<sup>54</sup> In addition, the Labour Reform Initiative enacted in March 2021 allows expatriate workers

to transfer and change their jobs between private-sector entities and eliminated the need for private-sector workers to obtain their employer's permission to obtain an exit and re-entry visa and obtain a final exit visa.

As at the date of this report, employers are still responsible for renewing their employees' residence and work permits and hold the power to revoke migrant workers' visas. However, in the event an employer does not renew their employee's residence, the Labour Reform Initiative grants the employee the right to transfer to another employer within a specified timeframe.

There is a potential ambiguity in the Labour Law with respect to non-Saudi workers who enter the Kingdom to perform a specific task for a period not exceeding two months. The Labour Law states at Article 7 that such workers are excluded from its provisions. At the same time, Article 6 states that "*duties and disciplinary rules, the maximum working hours, daily and weekly rest intervals, overtime work, official holidays, safety rules, occupational health,*

*and work injuries and compensation*" do apply to temporary workers. The Labour Law and the Temporary and Seasonal Visas Regulations provide for differing maximum durations of stay, of three months and six months, respectively; and Article 1 of the Implementing Regulations of the Labour Law provides for the conversion of temporary workers to permanent status after 90 days. It is suggested that further enhancements to the Labour Law would provide clarity with respect to the application of its protections to workers who enter the Kingdom to perform a specific task for a period not exceeding two months. This includes determining whether these workers are subject to the exclusion stipulated in Article 7 of the Labour Law, or to the application of the partial protections stipulated in Article 6 of the Labour Law.<sup>55</sup>

To strengthen the position of migrant workers, the Committee on the Elimination of Racial Discrimination has recommended that the Kingdom: (1) eliminate barriers to migrant workers' access to effective grievance mechanisms; (2) conduct

awareness-raising activities around workers' and employers' rights and obligations; and (3) enforce policies and laws to protect migrant workers and ensure cases of abuse against migrant workers are effectively investigated, prosecuted and penalized. Relevant to these responsibilities, the Kingdom maintains a hotline for migrant workers that receives complaints in several languages.

In addition, the Law for the Protection of Whistleblowers, Witnesses, Experts, and Victims protects individuals who file a claim. And under the Law of Protection from Abuse, upon receipt of a claim of abuse, the Ministry of Human Resources and Social Development is obliged to take action, including supporting and sheltering the victim, preventing recurrence and taking statements.

With respect to forced labour, the ILO's Committee of Experts on the Application of Conventions and Recommendations (**CEACR**) in its Direct Request published in 2021 noted the creation of labour courts,<sup>56</sup> the implementation of numerous workers' rights awareness-raising measures<sup>57</sup> and training

contracts for 800 labour inspectors and the training of 500 staff members. It also recognised that certain labour cases were transferred for potential criminal prosecution as trafficking cases.

The DEOC defines "*discrimination*" to include distinctions, exclusions, or preferences on the basis of race, colour, sex, religion, political opinion, national extraction, or social origin.<sup>58</sup> The Labour Law, as amended in 2019, explicitly applies to discrimination on the basis of gender, disability, or age, with a catch-all for "*any other form of discrimination*".<sup>59</sup> However, it is suggested that all grounds specified under the DEOC be explicitly specified to ensure certainty.

In summary, the Kingdom has enacted significant reforms especially in recent years relating to the protection of rights of workers, including migrant workers. Given the recency of these developments, legal practice and assurance of effectiveness of these reforms as they relate to the hosting and staging of the FIFA World Cup 2034 will continue to deserve attention.





## B. Diversity and Anti-Discrimination

Protections around diversity and anti-discrimination are important to many groups involved in or impacted by MSEs. Certain groups of workers, including women and migrant workers, may endure unfavourable working conditions and pay. Particular groups, including women or minorities, may be precluded from full participation in activities and events both in preparation for and during the competition. Children may be discriminated against in various settings, on grounds of race, economic circumstances or other social reasons.

Persons who are vulnerable to or experience discrimination benefit from protections under various Instruments that are discussed here. These protections are grouped under three sub-topics: freedom from discrimination; freedom to act against discrimination; and discrimination involving children. Discrimination with respect to labour generally, including with respect to pay and working conditions, is addressed in [Section A](#) (labour rights) above.

### B.1 Instruments

The ICERD, the CEDAW, CRC and the CRPD address freedom from discrimination. These instruments require States Parties to:

- Remove or cease any State or legislative apparatus or acts which sponsor, defend, support or perpetuate racial discrimination;<sup>60</sup>

- Discourage anything which tends to strengthen racial division, prohibit and eliminate racial discrimination in all of its forms, and in particular guarantee the right of everyone to equality in civil rights and involvement in civil society;<sup>61</sup>
- “[E]liminate discrimination against women in the political and public life of the country”,<sup>62</sup> and ensure that women have the right to participate in civil society without distinction, exclusion or restriction on the basis of sex,<sup>63</sup> have equality in economic and social life<sup>64</sup> and equality before the law;<sup>65</sup>
- Ensure that the right of persons with disabilities includes the opportunity for all persons with disabilities to participate in political and public life on an equal basis with others<sup>66</sup> and make available the opportunity to take part in and enjoy access to cultural life on an equal basis with others;<sup>67</sup> and

- Protect the child from all forms of discrimination or punishment on the basis of status, activities, expressed opinions, beliefs of the child’s family members or guardians.<sup>68</sup>

The ICERD, CEDAW, CRC and CRPD address the freedom to act against discrimination. These instruments require States Parties to:

- “[E]ncourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races”;<sup>69</sup>
- “[O]rganize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment”;<sup>70</sup> and
- Actively promote an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an

equal basis with others, and encourage their participation in public affairs, including “[f]orming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels”.<sup>71</sup>

The CRC and the FIFA Guardians Child Safeguarding Toolkit for Member Associations (**MAs**) (**FIFA Toolkit**) address safeguarding children from discrimination. The CRC imposes obligations on States Parties, while the FIFA Toolkit consists of principles rather than obligations. These Instruments provide that children—with respect to the FIFA Toolkit, children involved in football—have a right to be treated equally and without discrimination.<sup>72</sup> Under the CRC:

- Children with disabilities have a right to “a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate [their] active participation in the community”.<sup>73</sup>

- Children belonging to minority groups have a right to enjoy their own culture, profess their own religion, and use their own language.<sup>74</sup>

## B.2 The Kingdom’s Legislation

The Kingdom’s laws and regulations encourage diversity and encompass various elements to combat discrimination, including racial discrimination and discrimination against women. The Basic Law of Governance, which is the highest legislative instrument in the Kingdom, states that “*Governance in the Kingdom of Saudi Arabia shall be based on justice, shura [consultation], and equality in accordance with Sharia*”.<sup>75</sup>

The Human Rights Commission states that the Kingdom’s laws “*guarantee absolute gender equality in the areas of human rights, including the right to work, education, health as well as economic rights and other rights*”. The Human Rights Commission elaborates that “[t]he Kingdom believes that the

*complementary relationship between the genders is the right way to promote and protect human rights including women’s rights and elimination of discrimination against them*”.<sup>76</sup>

The Kingdom, by a 2015 Resolution of the Council of Ministers, has agreed to implement The Declaration of Human Rights for the Gulf Cooperation Council (**GCC**), which declares that “[p]eople are equal in human dignity, rights, and freedoms, and they are equal before the law, without discrimination based on origin, gender, religion, language, color, or any other form of discrimination”.<sup>77</sup>

The Basic Law of Governance further stipulates that the right of access to the courts applies equally to citizens and residents in the Kingdom.<sup>78</sup>

The Kingdom’s legislation incorporates various anti-discrimination measures aimed at promoting equality and inclusivity within society. In relation

to the workforce, the Labour Law prohibits discrimination “*on the basis of gender, disability, age, or any other form of discrimination, whether during their performance of work, at the time of employment, or at the time of advertising*”.<sup>79</sup> Additionally, Labour Law regulations and decisions require that workers in the same job and grade receive equal wages, and that rules relating to working hours apply equally to all employees (see [Section A](#) (labour rights)). In healthcare, the Implementing Regulations of the Law of Practicing Healthcare Professions prohibits healthcare providers from refusing to provide care for reasons related to religion, colour, gender or race.

The Child Protection Law prohibits discrimination against children for racial, social, or economic reasons and provides that such discrimination is considered abuse or neglect.<sup>80</sup>

The Law on the Rights of Persons with Disabilities sets out anti-discrimination measures that prevent discrimination on the basis of disability and promotes equal opportunities for individuals with disabilities.

Moreover, the Personal Data Protection Law, which provides various protections in relation to privacy of all individuals in the Kingdom, deems personal data related to race or ethnicity as sensitive data subject to heightened protection.<sup>81</sup>

With specific relevance to sport, the SAFF Statutes state that “[a]ll forms of discrimination must be completely avoided, whether against a State, a particular person or a group of persons, on an ethnic, sexual, linguistic, religious, political or other grounds, and shall be subject to punishment by suspension or exclusion”.<sup>82</sup>

The Ministry of Sports has noted that representation of women in sports has increased both at the athlete and managerial levels. According to the Ministry,

as of 2024, approximately 15,000 female players have been registered across the Kingdom’s sports federations, there are 36 women’s professional sports teams, and women sit on the boards of directors of all of the sports federations.

### B.3 Discussion

Commentary by the UN Committee on the Elimination of Racial Discrimination and Committee on the Elimination of Discrimination against Women, which are the bodies that monitor the implementation of the ICERD and CEDAW respectively, expresses concern about the Kingdom’s reservations with respect to implementing the Conventions where there is contradiction between a term of the Convention and the norms of Islamic law. The Kingdom also has entered a reservation in relation to the CRC. In response, the Kingdom has noted that such reservations are consistent with international custom, and the Human Rights Commission in connection with the

Kingdom’s Vision 2030 reforms has stated that the protections of the Conventions and Sharia are consistent in recognizing the principles of equality and non-discrimination, and that “*the establishment of the Human Rights Commission ... aims to protect and promote human rights in accordance with the international human rights standards in all fields, raise awareness of these rights and contribute to ensuring their application in light of the provisions of the Islamic Sharia*”.<sup>83</sup> As these principles continue to develop, it will be important to understand their application in practice in the context of the FIFA World Cup 2030.

The Kingdom’s law declares a commitment to the principles of non-discrimination and equality through the declaration of “*equality... without discrimination*” in the GCC Declaration of Human Rights, and through the commitment to equality in the Basic Law of Governance. The law also includes express prohibitions against discrimination through enumerated measures, for example in the Labour

Law, the Child Protection Law, the Law on the Rights of Persons with Disabilities, and (with specific respect to football) in the SAFF Statutes. Any distinction between the blanket prohibitions against discrimination required under the language of the ICERD and CEDAW, and the specific prohibitions effectuated through enumerated laws, should be considered in the context of potential human rights risks associated with the hosting and staging of the FIFA World Cup 2034.

Further commentary relates to access to the legally afforded mechanisms and to relevant training for judicial authorities and law enforcement, which are matters of legal practice, and we recommend enhancing the training of judicial authorities and law enforcement to ensure that they are aware of

international obligations and best practices. Access to effective grievance mechanisms and remedies are addressed further in [Part IV](#) (grievance mechanisms and remedies) below.

The Kingdom has enacted significant reforms relating to the protection against discrimination, in particular with respect to women. Given the recency of these developments, and as they relate to the hosting and staging of the FIFA World Cup 2034, attention should be given to legal practice, assurance of effectiveness and the persistence of any gaps.



## C. Accessibility

Persons with disabilities may be involved in various capacities in MSEs as workers and volunteers, officials, athletes and players, team members, spectators and fans. In order to enjoy full participation in tournament-related activities it is essential that persons with disabilities have adequate and equal access to infrastructure and facilities, to information, to communications and to work. Equally, the accessibility rights of persons with disabilities in communities situated close to host venues or to other infrastructure and facilities will need to be protected both in the preparation and hosting stages.

The primary Instrument relating to the protections of persons with disabilities is the CRPD, which is discussed in this Section. These protections are grouped under three sub-topics: access to physical environment and infrastructure; access to information and communication; and access to work. Other relevant Instruments are discussed in [Section A](#) (labour rights) and [Section B](#) (diversity and anti-discrimination).

### C.1 Instrument

#### (i) Access to Physical Environment and Infrastructure

The CRPD defines persons with disabilities as including “*those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others*”.<sup>84</sup>

The CRPD requires States Parties to ensure that persons with disabilities have: (i) equal access to the physical environment, buildings, roads, transportation and other indoor or outdoor facilities and services open or provided to the public;<sup>85</sup> and (ii) personal mobility in the manner and at a time of their choice, and at an affordable cost, including through access to assistive devices and the provision of training in mobility skills to persons with disabilities and specialist staff.<sup>86</sup>

For buildings and other facilities open to the public, States Parties have an obligation to take appropriate measures to provide: (i) signage in Braille and in easy to read and understand forms; and (ii) forms of live assistance and intermediaries, including guides, readers and professional language interpreters, to facilitate accessibility.<sup>87</sup>

In the context of culture and sports, States Parties are required to ensure that persons with disabilities have access to: (i) places for cultural performances or services (e.g. theatres, museums, cinemas, libraries and tourism services) and monuments and sites of national cultural importance; and

(ii) sporting, recreational and tourism venues and related services.<sup>88</sup> States Parties are also required to encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels.<sup>89</sup>

States Parties must ensure that private entities offering facilities and services that are open or provided to the public take into account all aspects of accessibility for persons with disabilities.<sup>90</sup>

## **(ii) Access to Information and Communications**

The CRPD requires States Parties to ensure equal access of persons with disabilities to information, communications and other services, including electronic services and emergency services and to ensure their access to new information and communications technologies and systems, including the Internet.<sup>91</sup> Information intended for the general public should be provided to persons with disabilities in accessible formats and technologies without additional cost, and States Parties should

both: (i) accept and facilitate the use of sign language, Braille, augmentative and alternative communication and all other accessible means; and (ii) urge private entities and mass media to provide information and services in accessible and usable formats for persons with disabilities.<sup>92</sup>

## **(iii) Access to Work**

The CRPD prohibits “*discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions*”.<sup>93</sup>

## **C.2 The Kingdom’s Legislation**

In February 2018, the Kingdom established the Authority for the Care of Persons with Disabilities.<sup>94</sup> It was created with the objective of caring for individuals with disabilities and ensuring their access to disability-related rights, while also improving the quality of services provided to them by various agencies and empowering their full and active participation in society.

The Authority for the Care of Persons with Disabilities is responsible for enhancing the standard of services for persons with disabilities in terms of education, therapy, rehabilitation, providing employment opportunities, facilitating access and providing the necessary facilities for them to benefit from public facilities and services. In conjunction with other ministries, the Authority has recently issued new guidelines and a National Strategy on persons with disabilities, which aim to provide a comprehensive assessment of changes and development in local strategies and systems to ensure their compatibility with best practice.

In August 2023, the Kingdom enacted the Law on the Rights of Persons with Disabilities,<sup>95</sup> establishing a primary legislative framework for safeguarding the rights of individuals with disabilities. This law is based on a number of fundamental principles aligned with the CRPD’s objectives: non-discrimination on the basis of disability; provisions for taking into account the needs of persons with disabilities within governmental and non-governmental strategies, policies, activities, programs, plans and designs; and provision for meeting accessibility requirements and making facilitative arrangements for persons with disabilities.

The Law on the Rights of Persons with Disabilities addresses various aspects of disability rights, including in relation to accessibility, education, health, employment, sport, tourism, entertainment, culture and social support, together with matters related to raising awareness of such rights. This legislation also recognises “*adopting alternative and suitable methods for communicating with persons*



*with disabilities, including verbal, written, sign language, or others” as a fundamental principle.*<sup>96</sup>

The Law on the Rights of Persons with Disabilities recognises the right to non-discrimination on grounds of disability and provides for the right of persons with disabilities to work without discrimination, taking into account employment and training programs, adapting work laws and environments, and providing equal employment opportunities.<sup>97</sup> The Labour Law and its Implementing Regulations also require that workers with a disability must be provided with the essential services and facilities to enable performance of their duties in the workplace.<sup>98</sup>

The Implementing Regulations of the Law on the Rights of Persons with Disabilities were approved in April 2024, as this report was approaching completion, and provide further measures for equal access to opportunities and protection against discrimination based on disability, as well as compliance with reasonable accommodation and accessibility standards.

Under the Law on the Rights of Persons with Disabilities, the Authority for the Care of Persons with Disabilities is responsible for monitoring the implementation of the Law’s principles and requirements. The Authority refers violations to a committee established under the Law that can impose fines for: failure to adhere to the fundamental principles of the law; deprivation of persons with disabilities from rights and services; and enacting policies that may discriminate—directly or indirectly—on the basis of disability. The Law on the Rights of Persons with Disabilities establishes sanctions for failure to comply with its accessibility requirements as well as penalties for other violations of the law.<sup>99</sup>

The Law on the Rights of Persons with Disabilities prohibits physical, psychological or financial abuse of persons with disabilities, as well as neglect and exploitation of such individuals. The Public Prosecution assumes responsibility for investigating and prosecuting violations relating to abuse and neglect.<sup>100</sup>

Of particular relevance to hosting and staging the FIFA World Cup 2034, the Law on the Rights of Persons with Disabilities provides that persons with disabilities have the right to have their needs considered in the design and implementation of touristic, recreational, cultural and sporting activities, programs and events.<sup>101</sup> This includes supporting special sports programs and enabling the participation of persons with disabilities in local, regional and international events. In this regard, the Saudi Sports For All Federation, established in 2018, has the responsibility to ensure the participation by all of Saudi society in sports, including persons with disabilities.

The Kingdom has implemented some incentives to promote the employment of persons with disabilities. For instance, based on a ministerial resolution, the employment of one disabled person is deemed equivalent to the employment of four Saudi nationals in the context of meeting the quotas of the Saudization of jobs.<sup>102</sup>

### C.3 Discussion

The Committee on the Rights of Persons with Disabilities (**CRPD Committee**)—the body that monitors implementation of the Convention by the States Parties—published its 2019 Concluding Observations on the initial report of Saudi Arabia, commending steps taken by the Kingdom to promote and protect the rights of persons with disabilities. These steps included the adoption of Saudi Vision 2030 and the establishment of the Authority for the Care of Persons with Disabilities. The Committee also made a number of recommendations relating to further protections and affirmative steps relating to access for persons with disabilities in areas such as formal recognition to the right to non-discrimination, assurance of enforcement mechanisms and various measures for access to accommodation, services and methods of communication.

We note that enhancements could be made in relation to establishing a unified mechanism for receiving disability-related complaints, ensuring ease of access and timely resolution.

Since these recommendations were made, the Kingdom has continued to institute reforms that address or implement many of the CRPD Committee's recommendations, including the reforms made through the 2023 Law of Rights of Persons with Disabilities. In particular, the Law provides for enforcement of the Law's provisions through various mechanisms, including by referring violations of the Law to a competent court, as well as to issue penalties.

The Authority for the Care of Persons with Disabilities is considering a certification for sign language interpreters, and it is intended that the Implementing Regulations for the Law of the Rights of People with Disabilities will require government agencies to provide sign language interpreters during prosecution and investigation proceedings and in court. The Implementing Regulations also envisages mandatory training for judges, law enforcement officials, traffic police and prison

employees on communicating with persons with disabilities.

Some progress remains to be made in relation to certain accessibility matters, specifically regarding the adoption of legislation concerning Saudi sign language and the implementation of accessibility requirements for websites, public broadcasters, telecommunication operators and organisers of public events. Further, given the recent enactment of the Law of Rights of Persons with Disabilities and its Implementing Regulations, and the relatively recent establishment of the Authority for the Care of Persons with Disabilities, legal practice and assurance of effectiveness as they relate to the hosting and staging of the FIFA World Cup 2034 will continue to deserve attention.



## D. Safeguarding

FIFA defines safeguarding as “*taking proactive action to protect people from harm or abuse through appropriate prevention and response measures and promoting their wellbeing*”.<sup>103</sup>

Important risks to children and vulnerable adults in the context of MSEs include physical and mental abuse, neglect, economic and sexual exploitation, discrimination, trafficking and harassment. Those at risk include child athletes, other children, officials, team members, spectators, fans and workers. The well-being of individuals and especially children within local communities also may be affected, including through exploitation, forced labour and trafficking. Child protection is an essential part of safeguarding and comprises the action taken in response to a specific concern for a child or children who may be suffering or at risk of suffering harm or abuse.

Children and vulnerable adults benefit from safeguarding-related protections under several Instruments that are discussed here. These protections are grouped under four sub-topics: abuse and neglect; exploitation; discrimination against children; and trafficking.

### D.1 Instruments

#### (i) Abuse and Neglect

The CRC, FIFA Toolkit, and IOC Framework for Safeguarding Athletes and Other Participants from Harassment and Abuse in Sport (**IOC Framework**) are Instruments that address issues related to abuse and neglect. These instruments provide foundational principles and guidance on preventing and dealing with abuse and neglect in sport.

The CRC is the most widely ratified human rights treaty in history. It is built on the fundamental belief that children have the right to be safe and secure and to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment. The CRC requires States Parties to take all appropriate:

- “[L]egislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment ... while in the care of parent(s), legal guardian(s) or any other person who has the care of the child”;<sup>104</sup> and
- “[M]easures to promote physical and psychological recovery and social reintegration of a child victim of ... any form of neglect, exploitation, or abuse”.<sup>105</sup>

The FIFA Toolkit adopts the CRC’s core principles. It provides the following definitions in the context of safeguarding children in football activities:

- Physical abuse is deliberately physically hurting a child and includes any punishment using physical force.
- Emotional abuse (sometimes called psychological abuse) is the persistent emotional maltreatment of a child and may involve not

giving a child opportunity to express his/her views, deliberately silencing him/her, or “*making fun*” of what he/she says or how he/she communicates.

- Neglect is the failure to provide for a child’s basic needs whether it be adequate food, clothing, hygiene, supervision or shelter, that is likely to result in the serious impairment of a child’s health or development.

Member Associations are expected under the FIFA Toolkit to set out safeguarding policies, develop implementation procedures, provide education about safeguarding and monitor the effectiveness of these measures. In particular, MAs must identify risk and protective factors to prevent abuse in sport and indicate which government departments or agencies are charged with investigating allegations of abuse.

The IOC Framework is aimed at safeguarding athletes and other participants from harassment and abuse during the period of the Olympic Games.

This framework is designed to protect all individuals involved in the Games from harm and abuse, including athletes, coaches, officials, accredited persons and staff. SAFF and FIFA have designated the Framework as an Instrument for inclusion in this assessment.

The Framework is grounded in the principles outlined in Olympic Agenda 2020 and various IOC recommendations and focuses on prevention of harassment and abuse in sport as well as providing reporting and procedural mechanisms for addressing incidents of harassment and abuse. It contains preventive measures that include providing educational materials about harassment and abuse to athletes and their entourages before, during, and after the sporting event and requires an IOC Safeguarding Officer to document reports of harassment and abuse, determine the need for follow-up, and potentially refer cases to the IOC Disciplinary Commission or local authorities.

## (ii) Exploitation

The risks associated with exploitation include economic exploitation and sexual exploitation. These risks apply to all people, including children. With respect to children specifically, the CRC and the FIFA Toolkit set a framework under which children involved in the FIFA World Cup 2034 should be free from, and protected from, exploitation. The CRC further provides that States shall promote the recovery and social reintegration of exploited children.<sup>106</sup> Economic exploitation, including forced labour, trafficking and certain forms of child labour, are covered in [Section A](#) (labour rights).

Additionally, with respect to private actors, the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism sets out voluntary measures for companies to take to protect children from sexual exploitation, which include: (1) training employees on prevention and reporting; (2) adopting contract clauses throughout the value

chain which require the prevention of child sexual exploitation; and (3) informing travellers of prevention and reporting mechanisms.

## (iii) Discrimination Against Children

The right of children to be treated equally, particularly under the CRC and the FIFA Guardians Child Safeguarding Toolkit for Member Associations FIFA Toolkit, are addressed in [Section B](#) (diversity and anti-discrimination).

## (iv) Trafficking

The CRC relates to the prevention of abduction, sale, or trafficking of children for any purpose or in any form.<sup>107</sup> The WFCLC considers trafficking of children as one of the worst forms of child labour and defines it as an illicit activity. And the Protocol of 2014 makes clear that the obligations under the Forced Labour Instruments (see [Section A](#) (labour rights)) apply to trafficking of forced or compulsory labour.

The International Code of Conduct for Private Security Providers (**ICoC**) establishes a set of principles for private security service providers (**Member and Affiliate companies**) to enable the provision of security services to respect human rights and the rule of law. The ICoC requires Member and Affiliate companies to:

- Require their personnel to remain vigilant against all forms of human trafficking;
- Require their personnel not to participate or encourage any national or international crimes, including sexual or gender-based violence, human trafficking; and
- Report known or reasonable suspicion of the commission of any human or child trafficking.

## D.2 The Kingdom's Legislation

Saudi law prohibits the worst forms of child labour. This includes a complete prohibition of slavery and compulsory work (see [Section A](#) (labour rights)).

The Kingdom has implemented various legislative measures to combat and criminalize sexual abuse, exploitation and harassment of children. In 2014, the Kingdom enacted the Child Protection Law, which criminalizes various forms of exploitation and endangerment of children. Specifically, the law prohibits exposing children to unsafe environments, subjecting them to maltreatment, financially exploiting them, coercing them into criminal activities, beggary, or engaging in activities that may endanger their safety, physical health, or psychological well-being. The Child Protection Law offers a wide range of rights and safeguards for children, including prohibition of causing harm or neglect to a child, and it outlines the responsibility towards the child and the child's right to care. This Law also recognises racial, social, or economic

discrimination against children as a type of abuse or neglect.<sup>108</sup>

The Implementing Regulations of the Child Protection Law require entities to protect children from all forms of harm, neglect, discrimination and exploitation, and enable them to enjoy their rights as determined by Islamic law and international conventions ratified by the Kingdom. The Implementing Regulations also identify authorities responsible for taking all appropriate administrative, social, educational and behavioural measures to ensure protection for the child from all forms of discrimination, violence, harm, physical or mental abuse, neglect and treatment.

The Implementing Regulations of the Child Protection Law further states that “*All entities must adhere ... when dealing with cases of child abuse or neglect*” to “[p]rioritizing the best interests of the child in all measures taken to protect them from harm and ensure their rights are upheld”.<sup>109</sup>

The Juveniles Law sets out rights of children between 7-18 years in relation to crimes. This Law offers various protection to juveniles, including that a person under the age of seven who commits a punishable act shall not be subject to criminal prosecution. The Juveniles Law also provides protections to juveniles during detention and investigation, including that juveniles may only be detained in their homes and pursuant to a reasoned detention order.

The Kingdom also has implemented measures to prevent harassment through the Anti-Harassment Law, which has broad applicability, including safeguarding athletes and participants in sports activities, and criminalizes any expression, action, or gesture of a sexual nature that violates another person's privacy, dignity, body, honour, or modesty through any means, including modern technologies. It guarantees the personal freedom of individuals as guaranteed by Sharia and law.

High Order No. (25803) dated 15/2/2018 concerns providing legal assistance to women and children in cases of abuse and directs the Ministry of Human Resources and Social Development to coordinate with the Saudi Bar Association to obtain a periodic list of licensed lawyers for the provision of pro bono assistance.

Additionally, the Kingdom adopted the Law of Protection Against Abuse which criminalises abuse against both women and men, including any type of exploitation, physical, psychological, or sexual mistreatment, or the threat thereof, committed by an individual against another person that exceeds the boundaries of the powers and responsibilities associated with guardianship, dependency, sponsorship, trusteeship, or livelihood relationships.<sup>110</sup>

The Law on the Rights of Persons with Disabilities prohibits the abuse, neglect and exploitation of persons with disabilities, enforceable by the Public Prosecution. These provisions are addressed in [Section C](#) (accessibility). This Law prohibits physical

psychological or financial abuse of persons with disabilities, as well as neglect and exploitation of such individuals. Additionally, the Public Prosecution is responsible for investigating and prosecuting before the courts certain cases involving, among other things, physical or mental assault of people with disabilities, or neglecting them, depriving them of their rights, mistreating or mocking them or exploiting them in any way.

The Child Protection Law includes provisions safeguarding children's participation in sports, prohibiting their involvement in races or sports activities that endanger their safety or health.

### D.3 Discussion

The Kingdom has adopted significant legislative, institutional and policy measures to implement the CRC and other relevant Instruments. These steps include the adoption of the Child Protection Law and its Implementing Regulations, and the Protection Against Abuse Law.

Historical commentary by the UN High Commissioner on Human Rights and the Committee on the Rights of the Child—the body that monitors implementation of the Convention by the States Parties—addresses the development of effective procedures and guidelines to implement these measures. Much of this commentary relates to access to the legally afforded mechanisms and to relevant training for judicial authorities and law enforcement, which are matters of legal practice. As a general matter, given the relatively recent enactment of the Juveniles Law and Family Law, and of enforcement relating to the Anti-Trafficking Act, legal practice in the Kingdom and assurance of effectiveness as they relate to the hosting and staging of the FIFA World Cup 2034 will continue to deserve attention.

While many safeguarding issues are addressed in the Kingdom's laws and policies, in line with FIFA safeguarding guidance to all Member Associations, we suggest that SAFF consider implementing an integrated safeguarding policy, taking account of the

elements outlined in the FIFA Toolkit. We understand that the safeguarding policy of the Saudi Olympic and Paralympic Committee was prepared after consultation with the IOC, UNICEF International, and Safe Sport International, and that, upon approval of that policy, the Ministry of Sport will require all Federations to develop comparable Safeguarding Policies and to appoint Safeguarding Leads. We suggest that once a SAFF policy is implemented, SAFF should develop procedures to implement and monitor the effectiveness of the policy, and should apply the policy to the entities and individuals involved in hosting and staging the FIFA World Cup 2034.





## E. Security

People visiting the Kingdom to work on or experience the FIFA World Cup 2034, as well as local workers and communities, may be impacted by security and human rights issues. Security considerations will be relevant not only to stadia and dedicated tournament venues and training sites, but also to airports, transportation hubs and facilities, hotels and other accommodations, media and broadcast centres, hospitality venues and tourist sites. Individuals accessing and working at any of these locations or in providing tournament-related services, participating in the games as officials, players and team members, and/or attending or visiting as spectators and fans may be at risk of adverse impacts in connection with security measures taken in the context of the tournament. Local communities may also be impacted by security measures, especially those relating to law enforcement securing public order in their communities.

Several Instruments provide protections to persons who may be at risk of adverse impacts due to security measures, including one Instrument that is directed at private security providers. These protections are grouped under three sub-topics here: (i) law enforcement and private security; (ii) public order; and (iii) torture and other cruel, inhuman or degrading treatment.

### E.1 Instruments

#### (i) Law Enforcement and Private Security

The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990 (**Basic Principles**), the UN Code of Conduct for Law Enforcement Officials (**Code of Conduct**) (for public sector law enforcement) and the ICoC (for private security) are soft law instruments that provide guidance on the conduct of law enforcement in general and in specific situations, such as the use of force or firearms and the treatment of those in custody. The Basic Principles and Code of Conduct have been described as “*voluntary guidelines that*

*emphasize, inter alia, efficient and human rights-based policing*”.<sup>111</sup> The guidance and principles set forth in these Instruments will have relevance in circumstances involving the management of the activities of individuals or groups in connection with the FIFA World Cup 2034, such as crowd control.

While applicable to private entities, the ICoC provides that where private security personnel are authorized to assist in the exercise of a State’s law enforcement authority, they must comply with the Basic Principles as a minimum, as well as all national and international obligations applicable to regular law enforcement officials.

In all three instruments, the actions of the authorities are informed by the principles of necessity and proportionality. As stated in the Code of Conduct, “*law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty*”.<sup>112</sup> The Basic Principles state that “*law enforcement officials, in carrying out their duty, shall, as far as possible, apply non-violent means before resorting to the use of force*

*and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result”*.<sup>113</sup> The ICoC states that *“in no case shall the use of force exceed what is strictly necessary, and should be proportionate to the threat and appropriate to the situation”*.<sup>114</sup>

The Basic Principles directly apply the principles of necessity and proportionality to the treatment of individuals held in custody. The Code of Conduct states that law enforcement officials must ensure the *“full protection of the health of persons in their custody and, in particular, shall take immediate action to secure medical attention whenever required”*.<sup>115</sup> Under the ICoC the detention and apprehension of persons by private security personnel must be consistent with applicable national and international law, with the requirement that all detained or apprehended persons be treated humanely and consistent with their status and protections under applicable human rights law or international law.

## **(ii) Public Order**

The Basic Principles, the Code of Conduct, and the ICoC each address scenarios involving the use of law enforcement authority in connection with the use of force, firearms, or other repressive means to disperse assemblies, as well as in carrying out the general duties of law enforcement officials and private security personnel.

The Basic Principles state that *“exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles”*.<sup>116</sup> Similar provisions are included in the Convention Against Torture and the Code of Conduct, which confirm that the prohibition against torture continues to apply in the event of public emergencies.

The Basic Principles further state that where an assembly is *“unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary”*.<sup>117</sup> The ICoC

states that private security personnel *“will respect the human rights of persons they come into contact with, including, the rights to freedom of expression, association, and peaceful assembly”*.<sup>118</sup>

## **(iii) Torture and Other Cruel, Inhuman, or Degrading Treatment**

The Convention Against Torture is the primary instrument that obliges States Parties to take effective measures to prevent torture and other cruel and degrading treatment, including against persons subjected to arrest, detention or imprisonment. The Code of Conduct makes clear that though the term *“cruel, inhuman or degrading treatment”* has not been defined by the UN General Assembly, it *“should be interpreted so as to extend the widest possible protection against abuses, whether physical or mental”*.<sup>119</sup> The Code of Conduct and the ICoC also provide guidance to public law enforcement officials and private security contractors respectively, which closely align with the Convention Against Torture on the subject of torture and the detention and treatment of persons in custody.

Torture is defined in the Convention Against Torture as *“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions”*.<sup>120</sup>

The Convention Against Torture requires States Parties to *“take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction”*, *“keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to*

*any form of arrest, detention or imprisonment”* and educate relevant personnel.<sup>121</sup>

The Code of Conduct states that “*no law enforcement official may inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment*”, and that there are no mitigating circumstances as justification for such acts.<sup>122</sup>

## E.2 The Kingdom’s Legislation

The Basic Law of Governance stipulates that the State shall provide security to all citizens and residents, that a person’s actions may not be restricted nor may he/she be detained or imprisoned, except in accordance with the law.<sup>123</sup>

The Declaration of Human Rights for the Gulf Cooperation Council, to which the Kingdom has agreed to implement, and which is enforceable in the Kingdom (through a 2015 Council of Ministers Resolution), contains prohibitions against acts of torture and cruel, inhuman, or degrading treatment.

It states that that no one shall be subjected to arbitrary arrest or detention or confinement or restriction of his freedom, and he has the right to humane treatment while in custody.

The Kingdom has developed a legal framework governing the conduct of law enforcement officials through various laws, including: (i) the Law of Criminal Procedure and its Implementing Regulations; (ii) the Declaration of Human Rights for the Gulf Cooperation Council; (iii) the Domestic Security Forces Law; (iv) the Anti-Harassment Law; (v) Law of Private Civil Security; (vi) Ministry of Interior resolution on usage of firearms by law enforcements officials; (vii) Law of Officers; (viii) Law of Soldiers; (ix) Military Colleges Law; (x) Law of Weapons and Ammunition; and (xi) Prison and Detention Law.

The Law of Criminal Procedure specifies that no person may be arrested, searched, detained or imprisoned except in cases provided by law and states that “[A] *person under arrest may not be subjected to any bodily or moral harm, nor torture or degrading treatment*”.<sup>124</sup>

The Implementing Regulations of the Law of Criminal Procedure states that those who carry out arrests may take the actions necessary to do so and overcome resistance, within the limits dictated by necessity and according to law. Arresting officers are permitted to search the detained individual to disarm them from dangerous materials and are required to record their activities in a report.

The Domestic Security Forces Law provides for appropriate actions to be taken by domestic security forces in the dispersing of riots or aggressive demonstrations involving a number of people, if they pose a threat to public security.

The Domestic Security Forces Law provisions relating to the use of firearms allow such use “*after using non-lethal initial deterrent measures*” and “*if it’s the only means to achieve the security objective*”, and only in ten specific cases.<sup>125</sup> The Ministry of Interior 2019 resolution on usage of firearms by security personnel incorporates the principles of necessity and proportionality by requiring domestic

security forces to employ the minimum required force and delineates steps and procedures to be followed prior to the usage of firearms.

According to the Ministry of Interior, training on managing crowds and firearm use is provided to law enforcement officers. In addition, the Law of Civil Security Guards mandates training for private security personnel, which the Ministry of Interior also provides. The Implementing Regulations of this Law delineates rules concerning licensing, eligibility criteria for firearm carriage, limitations on firearm storage and procedures for addressing violations.

The Kingdom has taken steps to reduce the imposition of forms of corporal punishment, including the ending of flogging as a form of punishment by decision of the General Panel of the Supreme Court No. (M/40) dated 18/2/2020, to be replaced with prison sentences or fines.

### E.3 Discussion

The interaction of public law enforcement and private security personnel in the context of hosting and staging the FIFA World Cup 2034 may involve circumstances bringing to bear the general principles of necessity and proportionality—both as to legal practice relating to recent reforms and as to further measures.

The provisions of the Kingdom's law relating to domestic law enforcement officials and criminal procedures set forth requirements and procedures for the treatment of persons in custody and specific requirements for the use of force involving firearms, which embody principles of necessity and proportionality.<sup>126</sup>

Private security personnel are subject to general provisions of law relating to, for example, the use of cruel or degrading treatment as well as licensing requirements and general rules on handling, transfer and storage. However, we have not identified specific requirements relating to the use of firearms by private security guards.

The UN Committee Against Torture, which is the body that monitors the implementation of the Convention by States Parties, has expressed reservations regarding the historical use of corporal punishment. The Kingdom has taken steps in this regard, including through a Supreme Court decision in 2020 whereby the Kingdom ended flogging as a form of punishment, to be replaced with prison sentences or fines.<sup>127</sup>

The UN Committee Against Torture also has expressed reservations about the historical capacity of the judiciary to act effectively to address issues of impunity, victim redress and due process in line with the Convention. The Kingdom's recent reforms include an initiative to enhance and improve the judicial system to increase the capacity of the judiciary. Additionally, the Saudi Ministry of Justice Human Rights Initiative includes several measures to develop the judicial system. These are initiatives targeted at enhancing the protection of women, prisoners, and persons with disabilities and

strengthening the commitment of judicial bodies to human rights through establishing procedures and training on human rights. The Ministry of Justice also has employed initiatives aimed at reducing the duration of litigation while ensuring quality.<sup>128</sup>

Specific rules, procedures and training for law enforcement and private security interactions with stakeholders involved in the hosting and staging of the FIFA World Cup 2034 will need to be created in the course of preparations for the event. In addition, effective grievance and remedy mechanisms should be established, as discussed below in [Part IV](#) (grievance mechanisms and remedies).

# 04

## Grievance Mechanisms and Remedies

In the context of any MSEs, rights-related concerns inevitably will arise. It will be important to institute effective grievance mechanisms for hearing complaints and providing remedies in relation to human rights and labour rights concerns that may arise in hosting and staging the FIFA World Cup 2034.

To be effective, grievance mechanisms should be accessible, equitable, impartial, transparent and capable of responding in a timely and adequate way to complaints. The mechanisms' procedures should be designed to adequately address complaints by all potentially impacted stakeholders, including workers involved in preparation for and hosting the tournament, as well as those of local communities, volunteers, officials, players, team members, spectators and fans. Grievance mechanisms should be sensitive to the distinct needs of children and the challenges that they face when pursuing complaints and remedies, as well as to the protection of their privacy, as procedures that may be suitable for adults often are not suitable for children.

There are multiple mechanisms in place in the Kingdom for raising rights-related concerns and challenging alleged violations of human rights and labour rights standards. For example, the HRC has general authority to identify violations of the Kingdom's law that constitute breach of human rights and undertake the requisite legal measures. The National Society for Human Rights—a civil society organization that monitors human rights violations—can receive complaints from individuals regarding alleged human right breaches. It may investigate the complaints and refer them to the competent authorities or agencies for enforcement.

However, the specific context of the FIFA World Cup 2034—which will require both long-term and event-focused access to remedy to meet the challenges of the time span of the activities involved in its hosting and staging and the fast-moving pace of the tournament itself—may favour the establishment of a purpose-built grievance mechanism to complement existing mechanisms. This could work alongside, rather than supplant, existing grievance and remedy mechanisms.

In line with the UN Guiding Principles on Business and Human Rights, business enterprises engaged in activities related to any aspect of hosting and staging the FIFA World Cup 2034 should be encouraged to establish effective operational level grievance mechanisms for persons who may be adversely impacted by actions caused, contributed to, or linked to their activities.

Effective grievance mechanisms should be supported by a range of remedies for rights violations, including apologies, restitution, rehabilitation, financial or non-financial compensation and sanctions, as well as—in appropriate cases—potential further action in relation to a matter under criminal or civil law.

Any grievance process should conclude with a self-assessment of its work and achievements and make recommendations for improving any issues encountered.

# 05

## Recommendations

Taking account of SAFF's role as Bidding Authority and the findings of this Independent Context Assessment, we offer the following recommendations for SAFF's consideration, which may support its broader human rights strategy with respect to hosting and staging the FIFA World Cup 2034:

1

Develop and publish a comprehensive strategy to address human rights risks within the Rights Topics areas as relevant to the hosting and staging of the FIFA World Cup 2034.

2

Undertake meaningful stakeholder engagement and take account of relevant stakeholder perspectives throughout the planning and organisation of the tournament.

3

Develop and implement appropriate human rights due diligence processes setting out the steps to be taken to ensure activities and decision-making associated with the hosting and staging of the FIFA World Cup 2034 are undertaken with due respect for human rights, consistent with FIFA requirements.

4

On the assumption that many of the activities involved in hosting and staging the FIFA World Cup 2034 will involve SAFF in contracts and other business relationships with third parties, undertake human rights due diligence with respect to such business relationships.

5

Include provisions in contracts with third parties engaged to support the hosting and staging of the tournament requirements that are designed to secure respect for human rights and mitigate the risk of adverse human rights impacts in the course of activities relating to the hosting and staging of the FIFA World Cup 2034.

6

With the Human Rights Commission as appropriate, further develop the collation and publication of data and information on the enforcement of the recently-enacted laws, regulations and reforms protecting the rights relevant to the hosting and staging of the FIFA World Cup 2034.

7

Create and implement a system/process to track: (a) stakeholder mapping; (b) stakeholder engagement; (c) actions taken to ensure respect for human rights (establishment of due diligence process, grievance mechanisms, remedies, etc.); (d) engagement with governments (as well as the private sector on human rights issues; (e) how information generated from (b)–(d) is applied, published and used; and (f) indicators of the effectiveness of measures taken to prevent and mitigate adverse human rights impacts in relation to the hosting and staging of the FIFA World Cup 2034.

8

Establish grievance mechanisms (including child-appropriate mechanisms) that: (i) are based on international best practice, demonstrably legitimate, accessible to all potentially affected stakeholders, predictable, equitable and transparent; (ii) authorised and equipped to receive, consider and, as appropriate, make provision for remedy of adverse human rights impacts that arise within the context of hosting and staging of the FIFA World Cup 2034; and (iii) provide access to outcomes and remedies that are effective and compatible with human rights.

9

In coordination with the Human Rights Commission as appropriate, develop and publish guidance materials and make available other appropriate tools to disseminate information about the potential impacts on people that arise from hosting and staging the tournament and how to identify and address any adverse human rights impacts that may arise, such information and tools to include materials aimed at building capacity within private sector businesses involved in activities relating to hosting and staging the FIFA World Cup 2034.



# ANNEXES

## A. Abbreviations and Acronyms

ACRONYM	DEFINITION
AFLC	Abolition of Forced Labour Convention
CEACR	ILO's Committee of Experts on the Application of Conventions and Recommendations
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
CRPD Committee	Committee on the Rights of Persons with Disabilities
DEOC	Discrimination (Employment and Occupation) Convention
ERC	Equal Remuneration Convention
FIFA	Fédération Internationale de Football Association
FLC	Forced Labour Convention
GCC	The Declaration of Human Rights for the Gulf Cooperation Council
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICoC	International Code of Conduct for Private Security Providers
ILO	International Labour Organisation
MAs	FIFA Member Associations
MAC	Minimum Age Convention
MSE	Mega-sporting event
SAFF	Saudi Arabian Football Federation
WFCLC	Worst Forms of Child Labour Convention

B. Instruments

NO.	INSTRUMENT
1.	ILO Forced Labour Convention, 1930 (No. 29)
2.	ILO Equal Remuneration Convention, 1951 (No. 100)
3.	ILO Abolition of Forced Labour Convention, 1957 (No. 105)
4.	ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
5.	ILO Minimum Age Convention, 1973 (No. 138)
6.	ILO Worst Forms of Child Labour Convention, 1999 (No. 182)
7.	ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29)
8.	ILO Hours of Work (Industry) Convention, 1919 (No. 1)
9.	ILO Weekly Rest (Industry) Convention, 1921 (No. 14)
10.	ILO Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
11.	ILO Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
12.	International Convention on the Elimination of All Forms of Racial Discrimination, 1965
13.	UN Convention on the Elimination of All Forms of Discrimination against Women, 1979
14.	UN Convention on the Rights of Persons with Disabilities, 2006
15.	UN Convention on the Rights of the Child, 1989
16.	FIFA Guardians Child Safeguarding Toolkit for Member Associations
17.	IOC Framework for safeguarding athletes and other participants from harassment and abuse in sport (Games time period)
18.	Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism
19.	UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984
20.	UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, 1990
21.	UN Code of Conduct for Law Enforcement Officials, 1979
22.	International Code of Conduct for Private Security Service Providers

C. Key KSA Legislation & Regulations

NO.	LEGISLATION & REGULATIONS	RELEVANT NUMBER	DATE
1.	Anti-Harassment Law	Royal Decree No. M/96	31 May 2018
2.	Anti-Trafficking in Persons Law	Royal Decree No. M/40	23 July 2009
3.	Authority for the Care of Persons with Disabilities	Council of Ministers No. 266	13 February 2018
4.	Basic Law of Governance	Royal Order No. A/90	2 March 1992
5.	Child Protection Law	Royal Decree No. M/14	25 November 2014
6.	Civil Service Law	Royal Decree No. M/49 (and its amendments)	10 September 1977
7.	Declaration of Human Rights for the Gulf Cooperation Council	Adopted at the thirty-fifth session of the Supreme Council of the Cooperation Council for the Arab States of the Gulf	Adopted 9 December 2014
8.	Domestic Security Forces Law	Royal Decree No. M/30	21 January 1965
9.	Establishment of the Family Affairs Council	Council of Ministers Resolution No. 443	25 July 2016
10.	General Commission for the Guardianship of Trust Funds for Minors and their Counterparts	Royal Decree No. M/17	10 April 2006
11.	Health Law	Royal Decree No. M/11	4 June 2002
12.	High Order No. 25803: Providing legal support for abuse victims.		15 February 2018
13.	High Order No. 33322: Directives enhancing women’s rights.		18 April 2018
14.	Implementing Regulations of the Law of Child Protection	Ministerial Decision No. 56386	6 April 2015
15.	Implementing Regulations of the Law of Private Civil Security	Ministerial Decision No. 170	30 May 2006
16.	Implementing Regulations of the Law of Criminal Procedure	Council of Ministers Resolution No. 142	12 January 2015
17.	Implementing Regulations of the Law of Labor	Ministerial Decision No. 1/693 (and its amendments)	16 June 2007
18.	Implementing Regulations of the Law of Practicing Healthcare Professions	Ministerial Resolution No. 4080489	21 October 2017
19.	Juveniles Law	Royal Decree No. M/113	1 August 2018
20.	Labor Law	Royal Decree No. M/51	27 September 2005
21.	Law of Private Civil Security	Royal Decree No. M/24	13 August 2005

NO.	LEGISLATION & REGULATIONS	RELEVANT NUMBER	DATE
22.	Law of Civil Society Associations and Organizations	Royal Decree No. M/8	1 December 2015
23.	Law of Criminal Procedure	Royal Decree No. M/2	25 November 2013
24.	Law of Officers	Royal Decree No. M/43	10 September 1973
25.	Law of Penalties for Crimes Committed in Public Office	Royal Decree No. 43 (and its amendments)	18 July 1958
26.	Law of Practicing Healthcare Professions	Royal Decree No. M/59	7 November 2005
27.	Law of Protection from Abuse	Royal Decree No. M/52	21 September 2013
28.	Law of Rights of Persons with Disabilities	Royal Decree No. M/27	27 September 2023
29.	Law of Soldiers	Royal Decree No. M/9	10 March 1977
30.	Military Colleges Law	Royal Decree No. M/50	10 July 1977
31.	National Policy for Promoting Equal Opportunities and Equality in Treatment in Employment and Profession in the Kingdom of Saudi Arabia	Minister Council Decision No. 416	30 December 2022
32.	Personal Data Protection Law	Royal Decree No. M/19	13 April 2022
33.	Policy and National Plan to Prevent Child Labour	Minister Council Decision No. 493	6 April 2021
34.	Prison and Detention Law	Royal Decree No. M/31	29 May 1978
35.	Royal Order No. M/134: Amendments to various laws to enhance women's legal rights.		30 July 2019
36.	Schedule of Violations and Penalties (Min. of Human Resources and Social Dev.)	Ministerial Resolution No. 75913	31 December 2023
37.	Shura Council Law	Royal Decree No. A/91 (and its amendments)	2 March 1992

# Endnotes

1

Vision 2030, available here: <https://www.vision2030.gov.sa/en/>.

2

Human Rights Commission, Equal Opportunities, available here: <https://www.hrc.gov.sa/website/hrc-in-ksa/1>.

3

Human Rights Commission, available here: <https://www.hrc.gov.sa/website/hrc-in-ksa/1> and <https://www.hrc.gov.sa/website/president>.

4

See Independent Human Rights Context Assessment Australia & New Zealand (December 2019); Independent Report: Human rights in Canada, Mexico and the USA in the context of a potential FIFA 2026 World Cup Competition (March 2018); Study on the human rights situation in Morocco (February 2018).

5

FLC, Art. 2(1).

6

AFLC, Art. 1.

7

FLC, Art. 25.

8

CRPD, Art. 27(2).

9

ICoC, Art. 40.

10

Hours of Work (Industry) Convention, 1919, Art. 2.

11

Weekly Rest (Industry) Convention, 1921, Art. 2(1).

12

Hours of Work (Commerce and Offices) Convention, 1930, Arts. 3, 4.

13

Weekly Rest (Commerce and Offices) Convention, 1957, Art. 6.

14

Hours of Work (Industry) Convention, 1919, Art. 6(2); Hours of Work (Commerce and Offices) Convention, 1930, Art. 7(4).

15

ICERD, Art. 5(e)(i).

16

CEDAW, Art. 11(1)(c).

17

CEDAW, Art. 11(1)(f).

18

CRPD, Art. 27(1)(a).

19

CRPD, Art. 27(1)(b).

20

MAC, Art. 2(3).

21

MAC, Art. 3(1).

22

MAC, Art. 7(1).

23

MAC, Art. 6.

24

CRC, Art. 32(1).

25

WFCLC, Art. 3(d).

26

Worst Forms of Child Labour Recommendation, ¶ 3.

27

ERC, Art. 2.

28

DEOC, Art. 1.

29

ICERD, Art. 5. Notably, per Art. 1(2), the application of the ICERD does “*not apply to distinctions, exclusions, restrictions or preferences made by a State Party to this Convention between citizens and non-citizens*”.

30

CRPD, Art. 27(1)(a).

31

CEDAW, Art. 11(1).

32

CEDAW, Art. 11(2).

33

International Labour Conference, *General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, 2008: Giving globalization a human face* (ILC, 101st Session, 2012, Report III (Part 1B)), paragraphs 710, 712.

34

Labour Law, Arts. 1, 7.

35

Labour Law, Arts. 58, 60, 61.

36

Labour Law, Art. 71.

37

Order no. 244 of 2009.

38

Anti-Trafficking in Persons Law, Arts. 3, 4.

39

Approved on 25/12/1442 AH, corresponding to July 25, 2021 AD.

40

Labour Law, Ch. 6.

41

Implementing Ministerial Resolution number 3337 dated 15/07/1435H.

42

Labour Law, Art. 162(1).

43

Labour Law, Art. 162(2).

44

Labour Law, Ch. 10.

45

Approved pursuant to Council of Ministers Resolution No. 493 dated 24/08/1442H.

46

Labour Law, Art. 3.

47

Saudi Gazette, Saudi Arabia approves national policy to promote equality of opportunities and treatment, available here: <https://saudigazette.com.sa/article/628784/SAUDI-ARABIA/Saudi-Arabia-approves-national-policy-to-promote-equality-of-opportunities-and-treatment>.

48

Labour Law, Art. 151.

49

Labour Law, Art. 153.

50

Labour Law, Art. 158.

51

Labour Law, Art. 155.

52

Council of Ministers Resolution Decision No. 14 of on 06/01/1442 Hegire (2020); Royal Decree No. M/5 of dated 107/01/442 Hegire.

53

The Labour Law, Art. 2, which defines the worker as any natural person—male or female—working for an employer and under his management or supervision for a wage, even if said person is not under his direct control.

54

Decision No. 178743 of 31 May 2019.

55

Labour Law, Arts. 1, 2, 6.

56

Pursuant to Royal Decree No. 1 of 25 November 2013.

57

Comments adopted by the CEACR in 2021, C100 - Direct Request, 110th ILC Session (2022).

58

DEOC, Art. 1(1)(a)–(b).

59

Labour Law, Art. 3.

60 ICERD, Art. 2(1)(a)–(d).

61 ICERD, Arts. 2(1)(e), 5(c), (d); *see also* ICERD, Art. 5 more generally.

62 CEDAW, Art. 7.

63 CEDAW, Art. 14(2)(e).

64 CEDAW, Art. 13.

65 CEDAW, Art. 15.

66 CRPD, Art. 29.

67 CRPD, Art. 30.

68 CRC, Art. 2.

69 ICERD, Art. 2(1)(e).

70 CEDAW, Art. 14(2)(e).

71 CRPD, Art. 29(b)(ii).

72 *See* CRC, Art. 2; FIFA Guardians Child Safeguarding Toolkit for Member Associations, Principle 3.

73 CRC, Art. 23(1).

74 CRC, Art. 30.

75 Basic Law of Governance, Art. 8.

76 Human Rights Commission, Equal Opportunities, available here: <https://www.hrc.gov.sa/website/hrc-in-ksa/1>.

77 GCC, Art. 2.

78 Basic Law of Governance, Art. 47.

79 Labour Law, Art. 3.

80 Child Protection Law, Art. 3.

81 Personal Data Protection Law, Arts. 1, 26, 27, 35.

82 SAFF Statutes, Art. 4(2).

83 Human Rights Commission, available here: <https://www.hrc.gov.sa/website/hrc-in-ksa/1> and <https://www.hrc.gov.sa/website/president>.

84 CRPD, Art. 1.

85 CRPD, Art. 9(1).

86 CRPD, Art. 20.

87 CRPD, Art. 9(2)(d)–(e).

88 CRPD, Art. 30.

89 CRPD, Art. 30(5)(a).

90 CRPD, Art. 9(2)(b).

91 CRPD, Art. 9(1)(b).

92 CRPD, Art. 21.

93 CRPD, Art. 27(1)(a).

94 Established under Cabinet Resolution No. 266 dated 13/2/2018.

95 Issued pursuant to Royal Decree (M/27) dated 28/8/2023 AD.

96 Law on the Rights of Persons with Disabilities, Art. 2(6).

97 Labour Law, Art. 3.

98 Implementing Regulations of the Labour Law, Art. 9.

99 Law on the Rights of Persons with Disabilities, Arts. 25, 27.

100 Law on the Rights of Persons with Disabilities, Arts. 21, 24.

101 CRPD, Art. 12.

102 Minister of Human Resource and Social Development resolution No.(156563), dated 18/8/1440 H.

103 FIFA, Social Impact: Safeguarding and Child Protection, available here: <https://inside.fifa.com/social-impact/fifa-guardians>.

104 CRC, Art. 19(1).

105 CRC, Art. 39.

106 CRC, Art. 39.

107 CRC, Art. 35.

108 Child Protection Law, Arts. 3, 9.

109 Implementing Regulations of the Child Protection Law, Art. 6.

110 Law of Protection Against Abuse, Arts. 1, 13.

111 General Assembly Resolution 71/209, available here: <https://www.unodc.org/pdf/rddb/CCPCJ/2016/A-RES-71-209.pdf>.

112 Code of Conduct, Art. 3.

113 Basic Principles, Art. 4.

114 ICoC, Art. 30.

115 Code of Conduct, Art. 6.

116 Basic Principles, Art. 8.

117 Basic Principles, Art. 13.

118 ICoC, Art. 21.

119 ICoC, Commentary (c), Art. 5.

120 Convention Against Torture, Art. 1.

121 Convention Against Torture, Arts. 2, 10-11.

122 ICoC, Art. 5.

123 Basic Law of Governance, Arts. 36 and 47.

124 Criminal Procedures Law, Art. 2.

125 Domestic Security Forces Law, Art. 7.

126 Domestic Security Forces Law, Art. 7; Implementing Regulations of the Law of Criminal Procedures Law, Art. 21.

127 Decision of the General Panel of the Supreme Court No. (M/40) dated 18/2/2020.

128 Ministry of Justice Human Rights Initiative, available here: <https://www.moj.gov.sa/English/Ministry/WeCare/Pages/HumanRights.aspx>.



**AS&H**  
ABUHIMED ALSHEIKH ALHAGBANI

**C L I F F O R D**  
**C H A N C E**

AS&H Clifford Chance, Building 15, The Business Gate,  
Riyadh, Kingdom of Saudi Arabia

© AS&H Clifford Chance 2024

Abuhimed Alsheikh Alhagbani and Clifford Chance Law Firm  
is a Professional Limited Liability Company, Registration No.  
1010463703, Chamber of Commerce Membership No.  
369478 with paid up capital of SAR 150,000.

**WWW.CLIFFORDCHANCE.COM**

2404-010829