

A Brief Overview of Anti-Discrimination Regulations in Gulf Workplaces

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Migrant-rights.org
Stichting Mideast Youth,
Beukenlaan 5 3741 BN Baarn,
The Netherlands

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A Brief Overview of Anti-Discrimination Regulations in Gulf Workplaces

In recent years, the Gulf Cooperation Council states' growing acceptance of international human rights standards and collaboration with organisations like the International Labour Organisation (ILO) have brought greater attention to employment discrimination in the region.

As a result, some states have introduced new legislation to address the issue. Others have co-opted the language of international standards and conventions into PR exercises—without following through with actual reform. Despite all this, enforcement remains limited, and discrimination both against and among migrant workers remains not only widespread but codified in other parts of the law.

According to the [ILO](#), the principle of equal treatment and non-discrimination intends to ensure that people's work performance is rewarded according to productivity and merit, taking into account the objective characteristics of the job and not characteristics unrelated to merit such as sex, nationality, or race, etc. Migrant workers, the host countries, and home economies all benefit if the workers are paid and treated fairly for the share of the wealth they help create.

The ILO's [Employment Discrimination Convention](#) (No. 111) of 1958 serves as the standard framework for defining and addressing workplace discrimination. All Gulf countries except Oman have ratified the Convention, though its incorporation into their labour laws varies and remains limited. The convention is a core principle outlined in the 1998 ILO Declaration on Fundamental Principles and Rights at Work, which commits ILO member states to respect and promote certain principles and rights at work, regardless of whether they have ratified the relevant conventions.

Although Oman has not ratified ILO Convention No. 111, its new labour law includes provisions promoting equal treatment and prohibiting discriminatory termination of workers. In contrast, Qatar, despite being a signatory to the Convention, remains the only Gulf state without a workplace anti-discrimination law. (See Table 1 below.)

The convention defines discrimination as any distinction, exclusion, or preference based on seven grounds: race, colour, sex, religion, political opinion, national extraction (nationality), or social origin. If such distinctions limit or deny equality of opportunity or treatment in employment or occupation, they are considered discriminatory. The convention also covers discrimination in access to vocational training, employment, specific occupations, and terms and conditions of employment.

Labour regulations in the Gulf States generally do not cover all forms of employment discrimination. Notably, discrimination based on national extraction—one of the seven grounds outlined in ILO Convention No. 111—is not only absent from the anti-discrimination provisions in all labour laws (with the exception of the UAE, which includes the term “national origin” in its regulations) but also actively supported and perpetuated by state policies, as discussed below.

Anti-discrimination regulations generally fall under the labour law, which does not apply to domestic workers in the Gulf, except in Bahrain. In countries that have specific domestic worker laws, these laws typically include anti-discrimination clauses. Qatar and Oman—the latter still lacking a domestic worker law—are exceptions. (See Table 2 below for comparison.)

Discrimination Between Migrant Workers in the Gulf

Interviews and research by Migrant-Rights.Org highlight workplace discrimination as one of the most common issues faced by migrant workers in the Gulf. A prevalent form of this discrimination is wage disparity, where workers of different nationalities receive different pay for the same tasks. Discrimination also extends to working conditions, with some workers working longer hours, given poor accommodations, getting two days off while others—[sometimes none](#)—based solely on nationality.

Discrimination based on race, gender, and nationality in employment and recruitment has commonly been reported in local media in the past. One [infamous case](#) involved a UAE nursery group that sought an English teacher of “European origin and white skin,” leading officials to condemn and ban such advertisements.

Discrimination based on gender and nationality is particularly common in the domestic sector, where migrant domestic workers—particularly those from Africa—[often report](#) lower wages and unequal treatment compared to their colleagues from countries like the Philippines, where

embassy regulations enforce minimum wages and guaranteed days off. Male domestic workers are also typically allowed to leave the home on their days off, unlike their female counterparts. Furthermore, the Gulf states institutionalise and legitimise a hierarchy of nationality-based discrimination through [bilateral agreements](#) that set recruitment fees and wages based on workers’ country of origin rather than their skills or qualifications. A Gulf-based lawyer who spoke with Migrant-Rights.Org explained that while workplace discrimination is legally prohibited, proving it in court is extremely challenging. Cases related to hiring, promotions, pay, or termination require clear evidence directly linking an employer’s actions to discrimination, which is seldom available. Employers can easily mask discriminatory practices as neutral business decisions or justify them with vague claims of efficiency or performance. The challenge of proving workplace discrimination is a global issue, not unique to the Gulf, and persists even in [countries with stronger anti-discrimination laws](#).

The absence of a non-discriminatory minimum wage in the Gulf further exacerbates workplace discrimination. While Qatar and Kuwait are the only Gulf countries with a minimum wage, the wages in these countries are so low that they do little to address discrimination, as they are far below the standard of living — and what any national or Western migrant would accept. As discussed below, this form of discrimination is deeply embedded in the kafala system.

According to a migrant community representative in Bahrain that MR spoke to, it is not uncommon for employers or managers to deliberately discriminate against certain nationalities in order to divide workers who would otherwise have shared interests. This ‘divide and conquer’ strategy was echoed in a [letter](#) to Migrant-Rights.Org from an African security worker in Bahrain:

“I am not the only person with problems in this company, many workers in the company also have problems like mine. The company boasts that its recruitment process is based on “Strength in Diver-

sity,” but in reality, it is “Strength in Discrimination,” because the company pays workers based on their nationality – Asian workers are always paid higher than Africans for the same work, and the managers are also racist towards us.”

Discrimination Between Migrants and Nationals in the Gulf

The most rampant workplace discrimination in the Gulf, however, exists between local nationals and migrant workers. This takes many forms, including minimum wage policies in the private sector that apply only to nationals, shorter working hours and more days off for nationals compared to migrants, and restricted access to vocational training and promotion opportunities exclusively for nationals.

Gulf states consistently maintain that differential treatment between nationals and migrants does not qualify as discrimination. For example, in 2023, Saudi Arabia’s Ministry of Human Resources and Social Development [stated](#) that “discrimination between nationals and citizens of other countries” is “not considered discrimination.” Similarly, the UAE’s labour law explicitly states that “rules and regulations that aim to enhance the participation of UAE citizens in the labour market shall not constitute discrimination.”

While prioritising national workers over migrants is common worldwide, the Gulf is peculiar in that the majority of private sector workers are temporary migrants who can never attain permanent residency or citizenship and thus are permanently discriminated against. While promoting national workers or prioritising their employment may be acceptable under certain conditions, according to ILO standards, such policies must uphold the principles of non-discrimination and fair treatment of migrant workers. They should not result in discrimination, violate migrant workers’ rights, or impose unfair restrictions—for example, state policies that result in wage disparities between migrants and nationals by effectively setting higher minimum wages for the latter. Instead, efforts should focus on strengthening the rights and protections of both groups.

Though Gulf state officials tout so-called “positive” discrimination measures to improve employment opportunities and working conditions for national workers domestically, their stance on the international stage is less clear. In forums for international conventions they have ratified—such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD)—Gulf states repeatedly claim that no discrimination exists between nationals and migrants.

For example, at the CEDAW Committee in 2024, Kuwait’s official delegation [claimed](#), “There was no discrimination between Kuwaiti and non-Kuwaiti persons, including domestic workers.” In similar forums, when the issue of discrimination against migrant workers was raised, Gulf State officials have either denied the concept of migrant workers as rights-bearing workers or falsely claimed to have abolished the Kafala system.

At a CERD Committee, the UAE delegation [stated](#), “There were no migrant workers in the United Arab Emirates, only contracted workers.” Similarly, the Omani delegation [asserted](#), “Oman does not recognise the concept of ‘migrant workers,’ only the concept of a contract between two parties.” Meanwhile, the Saudi delegation declared that it had “abolished the Kafala system,” claiming it no longer existed in either legislation or practice.

Qatar, the only Gulf state without a workplace anti-discrimination law, has [claimed](#) that migrant workers are adequately protected under the country’s constitution, citing Articles 34 and 35 in particular. Article 34 states that “Citizens shall be equal in public rights and duties,” while Article 35 declares that “All persons shall be equal before the law, and there shall be no discrimination whatsoever on grounds of sex, race, language, or religion.” However, neither article explicitly protects migrants from discrimination based on nationality or lack of citizenship.

Notably, discrimination based on nationality is explicitly mentioned in the UAE’s domestic workers’

law, while its labour law uses the term “national origin.” Additionally, while Saudi Arabia’s labour law doesn’t specifically address discrimination based on national origin, its domestic workers’ law does. This discrepancy in anti-discrimination provisions may stem from the fact that there are no nationals working in the domestic workers’ sector in the region, and all workers in this sector are typically low-income.

Discriminatory policies that may favour citizens in the short-term are likely to carry negative effects for Gulf economies in the long-term. Alex Boodrookas, a scholar of Gulf labour and migration, [argues](#) that focusing solely on citizenship risks obscuring deeper inequalities. He highlights that citizens benefit unequally from the exploitation of underpaid migrant labour, with business owners being the primary beneficiaries. Moreover, the systemic cheapening of migrant labour hinders efforts to diversify Gulf economies, integrate citizens into the private sector, and address youth unemployment. According to Boodrookas, both citizens and migrant workers in the Gulf ultimately share a common interest in improving labour conditions.

None of the Gulf States have ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in which Article 7 of the convention calls on states to ensure all migrants workers be free of discrimination based on categories such as sex, race, colour, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth, or other status.

Article 25 of the Convention stipulates that migrant workers shall receive treatment equal to nationals of the employing state with regard to remuneration and other conditions of employment.

Discrimination is Embedded in the Kafala System

The Kafala system is a primary driver for widespread social, economic, and cultural discrimination in the Gulf, with workplace discrimination being one of its many consequences. Coupled with the absence of a minimum wage, it creates a labour market where employers have access to a vast pool of migrant workers competing against millions of others. Though every Gulf state is dependent on migrant labour, individual workers are treated as temporary, and are permanently denied legal parity with Gulf nationals. Their labour is valued not according to the standards of the countries where they work, but by the economic conditions of their home countries.

As a result, the system entrenches a racialised hierarchy of wages and working conditions, where workers doing the same job are treated and paid differently based on race and nationality. Employers exploit these disparities, deepening inequalities and restricting opportunities for fair treatment, while also keeping entire migrant communities in a constant state of insecurity, as they internalise the sense that they can be replaced by cheaper labour from elsewhere. Without structural reforms to labour, migration, and residency laws in particular, discrimination will persist regardless of legal protections or the ratification of international conventions.

While fully addressing workplace discrimination in the Gulf would require fundamentally rethinking the Kafala system and reforming exclusionary citizenship policies, immediate steps can be taken. Gulf states could start by ratifying ILO conventions on workplace discrimination (see Table 3) and implementing their stipulations and recommendations. Introducing a minimum living wage would also help combat wage discrimination, particularly among low-income migrant workers. Additionally, establishing an ombudsman or a dedicated government centre to handle discrimination cases against migrant workers—[similar to systems in place elsewhere](#)—would be a practical step forward.

Table 1: Anti-Discrimination Provisions for Private Sector Workers

Gulf State	Workplace Anti-Discrimination Laws
Bahrain	"Discrimination against workers that are subject to the provisions of this law on the ground of gender, ethnic origin, language, religion, or creed shall be prohibited." <i>Article 2 bis of the Labour Law, added by Legislative Decree No. 59 of 2018.</i> "Discrimination in wages based on sex, origin, language, religion or ideology shall be prohibited." — <i>Article 39 of the Labour Law.</i>
Saudi Arabia	"Work is the right of every citizen. No one else may exercise such right unless the conditions provided for in this Law are fulfilled. All citizens are equal in the right to work without 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" — <i>Article 3 of the Labour Law</i> "[The employer is to] refrain from doing anything that would nullify or weaken the application of equal opportunities or treatment in employment and profession, whether through exclusion, differentiation or preference between job applicants or employees on the basis of race, colour, gender, age, disability, social status or any other form of discrimination." — <i>Article 51 of the Labour Law, added in 2024 by Royal Decree No. (M/51) of 8/23/1426 AH, goes into effect on February 19, 2025.</i>
Kuwait	"Employers are not allowed to engage in discriminatory practices based on gender, age, pregnancy, or marital status in any aspect of employment, while still adhering to the relevant legal provisions." <i>Ministerial Decree No. 177 of 2021</i>
Oman	"The employer shall treat all workers equally in the event that the nature and conditions of the work are the same." — <i>Article 23 of the new Labour Law of 2023</i> "The termination by the employer of the employment contract is deemed an arbitrary dismissal of the worker if the termination is for any of the following reasons: Sex, origin, colour, language, religion, creed, or social status, or disability, pregnancy, childbirth, or nursing for the female worker." — <i>Article 12 of the new Labour Law of 2023</i>
United Arab Emirates	"Any discrimination on the basis of race, colour, sex, religion, national or social origin, or disability which would have the effect of nullifying or impairing equality of opportunity, or prejudicing equal treatment in the employment, the maintenance of a job and the enjoyment of its benefits, is prohibited. Employers are prohibited to discriminate against workers in jobs involving similar tasks." <i>Article 4 of the Labour Law of 2021</i>
Qatar	There are no Non-discrimination provisions in the Labour Law. The Qatar Financial Centre Law, which is the legal framework for enterprises doing business in the Qatar Financial Centre has a non-Non-discrimination provision, in which Article 15 stipulates: "An Employer shall not: (A) refuse to employ or refuse to continue to employ a person; or (B) discriminate against a person regarding employment or any term or condition of employment, because of that person's sex, marital status, race, nationality, religion, mental or physical disability, unless there is a bona fide occupational requirement."

Table 2: Anti-Discrimination Provisions for Domestic Sector Workers

Gulf State	Workplace Anti-Discrimination Laws
Bahrain	"Discrimination against workers that are subject to the provisions of this law on the ground of gender, ethnic origin, language, religion, or creed shall be prohibited." — <i>Article 2 bis of the Labour Law, added by Legislative Decree No. 59 of 2018. This article of the labour law applies to domestic workers.</i>
Saudi Arabia	Article 15 of Saudi Arabia's New Domestic Workers Law that went into effect in 2024 prohibits employers from committing "...discrimination based on colour, sex, age, national origin, or any form of discrimination, according to what is applicable in the Kingdom and according to the ratified agreements."
Kuwait	"It is prohibited to discriminate against the worker in the field of employment based on race, religion, sex, age, or social status, in all aspects of work, without prejudice to what is stipulated in the provisions of the law." <i>Article 37 of Ministerial Order No.22 of 2022 Regarding Executive Regulations of Domestic Workers Law</i>
Oman	No employment anti-discrimination provisions for domestic workers
United Arab Emirates	The following acts must not be committed by employers and recruiters of domestic workers, whether they are hired on a temporary basis or retained on a permanent basis: "Discrimination against domestic workers on the basis of race, color, gender, religious belief, nationality, ethnic origin, or disability, which would hinder equal opportunities or prejudice adequate employment opportunities and rights." — <i>Article 4 of Federal Decree-law No.9 of 2022 Concerning Domestic Workers and Its Amendments</i>
Qatar	No employment anti-discrimination provisions for domestic workers

Table 3: Gulf States' Ratification of Key ILO Conventions on Workplace Discrimination

Gulf State	ILO's Discrimination Convention No.111, 1958Anti-Discrimination Laws	ILO's Equal Remuneration Convention No.100, 1951	ILO's Migration for Employment Convention (Revised) No. 97, 1949	ILO's Migrant Workers (Supplementary Provisions) Convention No. 143, 1975	ILO's Domestic Workers Convention No. 189, 2011
Bahrain	Ratified	Not Ratified	Not Ratified	Not Ratified	Not Ratified
Saudi Arabia	Ratified	Ratified	Not Ratified	Not Ratified	Not Ratified
Kuwait	Ratified	Not Ratified	Not Ratified	Not Ratified	Not Ratified
Oman	Not Ratified	Not Ratified	Not Ratified	Not Ratified	Not Ratified
United Arab Emirates	Ratified	Ratified	Not Ratified	Not Ratified	Not Ratified
Qatar	Ratified	Not Ratified	Not Ratified	Not Ratified	Not Ratified