



Forum: Economic and Social Committee

Issue: Addressing the exploitation of migrant workers in the Middle East

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Overview of the Issue

Many families in Oman, like other Gulf states, rely on migrant domestic workers to care for their children, cook their meals, and clean their homes. At least 130,000 female migrant domestic workers and possibly many more are employed in the Middle East.

Many workers leave families in Asia and Africa. These include the Philippines, Indonesia, India, Bangladesh, Sri Lanka, Nepal, and Ethiopia after recruiters promise them decent salaries and good working conditions. For some workers, these promises are realized.

But for others, the reality is bleak. After they arrive, many find themselves trapped with abusive employers and forced to work in exploitative conditions.

Based primarily on interviews with 59 female domestic workers in Oman in May 2015, the study documents the abuse and exploitation some migrant domestic workers experience during their recruitment and employment, and the lack of redress for such abuse. It also examines the ways in which Oman's legal framework facilitates these conditions. In some cases, workers described abuses that amounted to forced labor or trafficking, including across Oman's porous border with the United Arab Emirates (UAE).

Most migrant workers have had their passports confiscated by their employers, a practice that appears to be common even though Oman's government prohibits it. Many migrant workers are not paid equally and fairly and are forced to work excessive long hours without breaks or days off. Some are also denied adequate food and living conditions by their employers. Some say their employers physically abused them; a few have described sexual abuse.

Instead of protecting domestic workers from these abuses, Oman's laws and policies make them more vulnerable. Oman's legal framework is often more effective in allowing employers to retaliate against workers who flee abusive situations than in securing domestic workers' rights or ensuring their physical

safety. The country's immigration system prohibits migrant workers from leaving their employers or working for new employers without their initial employers' consent and are punished if they do. Oman's labor law excludes domestic workers from its protections, and those who flee abuse have little avenue for redress.

The situation is so dire for many domestic workers that some countries, such as Indonesia, have banned their nationals from migrating to Oman for domestic work. However, such bans are ineffective, and can put women at heightened risk of trafficking or forced labor as they and recruiters try to find a way the ban. Several countries, like the Philippines and India, have set basic protections for their domestic workers in Oman that Omani law does not provide, such as minimum salaries.

Oman also at times bans domestic workers coming from some countries. According. In 2016 the authorities banned workers from Ethiopia, Kenya, Senegal, Guinea, and Cameroon, on the dubious grounds of preventing "the spread of diseases from these African countries to Oman".

Female migrant domestic workers face multiple forms of discrimination and arbitrary government policies: as domestic workers, they are excluded from equal labor law protections guaranteed to other workers; as women, regulations provide that they can be paid less than male domestic workers; and as migrants, their salaries are based on their national origin rather than their skills and experience. These policies and practices violate Oman's obligations under human rights treaties it has ratified, including the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination.

Oman has made a number of reforms to its labor law in recent years and is reportedly considering further revisions, possibly including the extension of its protections to domestic workers.

Key Terms

Exploitation: the act or fact of treating someone unfairly in order to benefit from their work.

Middle East: a transcontinental region centered on West Asia, Turkey, and Egypt. Some countries in this region could also be identified as the Gulf States.

Migrant Workers: a worker who either migrates within their home country or outside it to pursue work.

Gulf Cooperation Council (GCC): a council that cooperates on issues related to economy and politics, and the subject of migrant workers constitutes a substantial part of the council's collaboration. The 6 countries in this council include Bahrain, the State of Kuwait, the Sultanate of Oman, the State of Qatar, the Kingdom of Saudi Arabia, and the State of the United Arab Emirates (UAE).

Countries and Organizations Involved

Migrant workers in the Gulf region involves the prevalence of migrant workers in the Kingdom of Bahrain, the State of Kuwait the Sultanate of Oman, the State of Qatar, the Kingdom of Saudi Arabia and the State of the United Arab Emirates (UAE). Together, these six countries form the Gulf Cooperation Council (GCC) established in 1981. The GCC cooperates on issues related to economy and politics, and the subject of migrant workers constitutes a substantial part of the council's collaboration.

Bahrain

In 2015, 51.1% of residents in Bahrain were foreign citizens. The amount of non-nationals peaked in 2010, when they constituted 54% of the population. In that same year, approximately 45.5% of the Bahraini residents were Asian migrants, while non-Bahraini Arabs constituted 4.7% of the total population and 1% of the population was European. As of 2013, 85% of the non-Bahraini residents were from Asian countries and 50% of the Asian migrants were of Indian origin. In 2014, 84.4% of the non-nationals were from Asia, and 49.4% came from India. In 2013, approximately 80% of all non-Bahraini nationals held some sort of employment, comprising 77% of the Bahraini workforce. In the private sector, non-nationals constituted up to 81% of the employees. Non-nationals occupy low-level positions in areas such as construction work and domestic household work, while non-Bahraini Arabs tend to hold higher status jobs, such as manager positions.

Bahrain differentiates itself from other GCC countries, as in 2013 the majority of Bahraini citizens were employed in the private sector 63%. However, most migrant workers are also employed in the private sector 78.5%. A smaller number 20% are employed in the domestic sector. Approximately 80% of the non-Bahraini residents are men with a low level of education: 82.5% of non-Bahrainis have not finished secondary education. Non-Bahraini residents mainly work in construction 27.9%, wholesale and retail 16.3%, domestic work 16% and manufacturing 12.4%.

Kuwait

Of the 2,611,292 non-Kuwaitis residing in Kuwait in 71.4% were employed. The large majority worked in the private sector 63%, in contrast to Kuwaiti citizens who were predominantly active in the public sector. Of the total workforce in the private sector, migrant workers made up 93.4% of the total workforce in the

Kuwaiti private sector. Most migrant workers were male 65.3%, and 70% had not completed secondary education. The average migrant worker was 32.8 years old and worked either in private households 29%, wholesale and retail 14.8%, construction work 9.9% or manufacturing 6,1%.

Most migrant workers in Kuwait were of Asian origin and the largest group consisted of Indian nationals, who constituted 30% of the non-Kuwaiti residents in 2012. Approximately 80% of the foreign residents were active laborers, and made up 83% of the workforce. In the private sector, non-Kuwaitis constituted over 90% of the workforce. Foreign nationals from Arab countries tended to hold higher positions with more responsibility, such as manager positions. Asian migrant workers generally worked in crafts or service sectors. Kuwait had a large proportion of Palestinian migrant workers prior to the First Gulf War. The Palestinians had to leave the country once the war was over, as they were accused of supporting Saddam Hussein. Additionally, the Bedoon ethnic minority has gradually been compelled to leave the country since the middle of the 1980s. The ones who still reside in Kuwait are considered to be stateless.

Oman

Migration to Oman has increased rapidly since 2000 due to economic growth, which further has resulted in development of infrastructure. After the economic crisis in 2008 the numbers of migrants continued to increase, consequently diverging from the general trend in other GCC countries where the numbers of migrants were decreasing. In 1993, the population constituted 2,017,643 people, of which 26.5% were foreign residents. In 2015, 44.2% of the total Omani 4,187,516 people were non-Omanis. This constituted an upsurge of migrants since the second Omani census in 2003, when foreign residents were estimated to account for about 24% of the total populace. In 2013, the majority of migrant workers came from India, Pakistan and Bangladesh 87%. 82% of all migrant workers were employed in the private sector. However, in 2013 the Shura Council of Oman established that the inflow of migrant workers should not surpass 33% of the total populace. Further, the Omani leadership carried out extensive deportations of undocumented migrants in 2010, resulting in the return of approximately 70,000 people to their respective countries of origin. At the time of the deportations, Omani authorities estimated that there were approximately 200,000 undocumented migrants in the country.

Migrants from the Middle East are generally located in occupations representing the higher strata of society, in comparison to the average Asian migrant. There is also a recognizable distinction between Middle Eastern and Asian migrants concerning the phenomenon of family reunification. While the former group often can bring family members with them, the latter group generally does not have this possibility.

Qatar

Qatar's population has increased with 6.2% annually between 1986 and 2013. While Qatari citizens have increasingly less children, the main factor

contributing to the population growth is migration. Between 2005 and 2015, the population growth intensified after a period of slower growth and increased with 15.3%. In 2013, the total population was expected to be 2,003,700 people, 85.7% of which were foreign residents. Furthermore, foreign residents made up 94.1% of the workforce in the country and approximately 80% of the migrants were estimated to be male. Qatar also had the second highest GDP per capita in 2013, sustaining the cost of migrants coming to the country. However, the labor camps used for over 50% of all residents in Qatar are also home to many Qataris. As demographic statistical data for nationals and non-nationals are not available separately, it is only possible to present the demographics of the total population.

Approximately 80% of all Qatari citizens are employed within salaried professional work. Non-Qataris dominate all work sectors in the country, from manager positions to unskilled labor. The large majority of migrant workers are employed in the construction sector. Migrants mainly come to Qatar from Nepal, India, Bangladesh and Pakistan.

Saudi Arabia

Saudi Arabia has one of the fastest growing populations in the world. The majority of migrant workers in Saudi Arabia come from South Asia. Although migrants constitute 33% of the total population, they represent 56.5% of the total number of employees and 89% of the employees active in the private sector. While over half of the Saudi citizens worked in the public sector, 99% of the non-Saudi population worked in the private sector. As of 2013, approximately 74% of foreign nationals are male and 62.3% had not finished secondary education. Moreover, approximately 80% of foreign nationals are between the ages of 15 and 64. The most common employment for non-nationals is construction 26,5%, retail and wholesale 22,3%, as well as domestic work 15%. Non-nationals can also be found in the health and education sectors. While the majority of migrant workers are to be found in low-income jobs, mostly involving physical labour, the majority of managers and specialists are also of non-Saudi origin.

In terms of remittances, India, Egypt and Pakistan are the main beneficiaries of national citizens working in Saudi Arabia. The data is incomplete but the Gulf Research Center suggests that these nationalities probably constitute the majority of migrant workers in the country.

United Arab Emirates

The data provided by the federal and emirate-level statistical bureaus is limited in comparison to the other GCC countries. The number of migrants in the UAE has increased rapidly: between 2007 and 2008 the number increased by 30%. In 2010, non-nationals made up 88.5% of the total population. In the same year, foreign residents further made up 96% of the country's workforce. The majority of non-nationals were from Asia, especially from India, Bangladesh and Pakistan.

The majority of migrant workers could be found in the private sector, where they constituted 99.5% of the workforce. Migrant workers also held 40% of the jobs in the public sector. Employment possibilities in the UAE attracted both high, medium and low-skilled workers and, compared to other GCC countries, migrants generally held higher positions, such as manager-positions.

Related UN resolutions and Previous Approaches to Solving the Issue

Institute of medicine (IOM) and the Walk Free Foundation (WFF) have called on governments to take more concrete action to protect migrant workers amid worsening conditions in the Middle East and North Africa (MENA) region.

The WFF and IOM report ‘The Other Migrant Crisis: Protecting migrant workers against exploitation in the Middle East and North Africa’ was launched at an IOM-facilitated regional dialogue in Beirut: “Bringing Innovation Forward: Combating Trafficking in Persons and Exploitation of Migrant Workers in MENA.”

The meeting was organized as part of IOM’s project on Action to Protect and Assist Vulnerable and Exploited Migrant Workers in Middle East and North Africa (PAVE), funded by the European Union and co-funded by the Italian Ministry of Interior.

The report exposes the conditions faced by migrant workers who are trafficked and exploited across MENA. The data compiled from interviews with 162 victims reveals alarming trends: 100% of workers had their passports withheld, 87% were confined to their workplace; 76% had wages withheld; 73% suffered psychological abuse; and 61% endured physical abuse.

Ongoing-armed conflicts and economic instability across MENA create the perfect climate for modern slavery. Sectarian violence, the rise of extremism and record displacement of populations is heavily impacting the region, the report notes.

This unprecedented and complex humanitarian emergency can hide the critical needs of the growing migrant workforce.

IOM and WFF are calling on governments to: introduce legal reforms to ensure the most vulnerable agricultural and domestic workers are covered by basic labour law protection; bring in more consistent application and enforcement of labour protection laws; urgently address the withholding passports of migrant employees; support victims to ensure they are not further traumatized by arrest and detention; and hold employers and recruiters to account for their role in exploitation.

Fiona David, Executive Director of Research at the Walk Free Foundation said, “This research comes at a crucial time. Recognizing the vulnerability of migrants to human trafficking must be at the forefront of government and IOs response to the conflict. This research can serve as a tool for governments and civil society groups, including the general public, to educate, lobby and develop policies for better migrant worker protection.”

Fawzi Al-Zioud, IOM Chief of Mission in Lebanon said, “We must ensure that human trafficking is given the highest priority so that criminals cannot be allowed to further exploit the vulnerable in what is already a highly complex situation.”

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Appendix

The map below displays the Gulf states along with the main destinations from where a majority of female migrant workers originally reside.

