SOCIAL LIFE PATTERNS OF
INDIAN EMIGRANT WORKERS IN THE GCC

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INTRODUCTION

The social life pattern of Indian emigrant workers in the GCC region has many features. As we have witnessed, the migrant people from home country are mainly categorised into three groups, (a) as highly placed or own business proprietors, (s) middle class employment and (d) poor labour class. The first group migrated with either sound education or with good family background, the second group migrated with the pressure of the circumstances or family context to achieve a financial miracle. And the third group are marked by poor linguistic ability, lack of hands-on skills and are victims in all relevant factors such as local immigration regulations, as well as status of Visa on which they enter the host country.

This Chapter addresses topics connected with the importance of social life patterns of the south Indian emigrants in the region and also describes why the region and GCC countries represent an ideal destination of Indian labourers. Moreover, this part of the chapter describes the human rights activities and concern at regional as well as international levels. This is being analysed based on descriptive analytical processes as well as on visionary aspects. Data collected through field survey in three major GCC countries covering a sample of 1659 Indians, who represent Kerala, Tamil Nadu, Andhra Pradesh and Karnataka.
03.01. Major social life issues of Indian Emigrant Workers in the GCC countries

Since the launch of the Decent Work Agenda of the International Labour Organisation (ILO) a global discussion on work place harmony has been incorporated to address key labour market challenges. This took place after many factors came together to put pressure on international organizations as well as NGO's, and with increasing influence of the international human rights organizations. Media has paid bold attention to the global issues towards the workers facilities in the worksite and their livelihood with humanitarian perspectives.

As announced by ILO in 2001, an international Declaration on Fundamental Principles and Rights at Work, by the UN Secretary-General, called "Decent Work Agenda", which began as a tripartite goal of ILO constituents, has now been embraced as a global goal by governments at the highest level.¹

The movement of people across borders promises new opportunities and has become extremely lucrative: US$167 billion was sent home by migrant workers from developing nations in 2005. Yet, this money has often come at a profound human cost. Inadequate monitoring of labour recruiters, discriminatory labour laws, immigration policies that unduly criminalise migration and government apathy contribute to environments where migrant

workers' rights are routinely violated. Labour abuses, physical and sexual violence, and other mistreatment against migrant workers take place in most of the developed countries.

The Gulf region is characterised by an ongoing trend of denying the humanitarian needs of labour class workforce emigrating from Asian countries, by their employers. But while discussing the issue of Indian emigrant workers, specifically south Indian workers who are lower paid and who live in poor working conditions, we find these issues are a result of various internal as well as external factors. Internal factors such as recruitment method, educational qualification, and employment contract are on the one side simultaneously with external factors such as employment facilities, sponsoring company's status, emigration status, and legal/official support of which play a vital role.

Recruitment status among labour class south Indian emigrants in GCC countries in 2008 Survey data

<table>
<thead>
<tr>
<th>Q-code</th>
<th>Description</th>
<th>Nos</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.1</td>
<td>Direct- with proper emigration clearance</td>
<td>162</td>
<td>8.57%</td>
</tr>
<tr>
<td>7.2</td>
<td>Indirect-without proper emigration clearance</td>
<td>428</td>
<td>22.63%</td>
</tr>
<tr>
<td>7.3</td>
<td>Through Govt. agency</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>7.4</td>
<td>Through Private agency</td>
<td>862</td>
<td>45.58%</td>
</tr>
<tr>
<td>7.9</td>
<td>Others (Relatives/friends)</td>
<td>282</td>
<td>14.91%</td>
</tr>
<tr>
<td>7.1</td>
<td>No opinion</td>
<td>154</td>
<td>8.14%</td>
</tr>
<tr>
<td>11.2</td>
<td>Never approach local Govt. missionary</td>
<td>1311</td>
<td>69.33%</td>
</tr>
<tr>
<td>8.02</td>
<td>Somewhat supporting</td>
<td>482</td>
<td>25.49%</td>
</tr>
<tr>
<td>8.04</td>
<td>Negligence only (for high class people)</td>
<td>826</td>
<td>43.68%</td>
</tr>
<tr>
<td></td>
<td>Total survey attendance</td>
<td>1891</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Tabld-3.1, Data source: field survey conducted in the year 2007-2008 in 3 GCC states

Through our field survey, we have collected information about recruitment methods for emigrants in the lower income sector which reflect the original status at grassroots level.

According to the information we retrieved only 8.57 percentage of total emigrants come with proper clearance through direct recruitment method (Table-3.1). Almost half of the emigrants, i.e. 45.58%, come through private recruiting agencies. If we estimate it as per the demographic strength of emigrants in the region, this 45.58% will work out to millions in numbers.

In addition, if asked about their attitude on approaching local labour department or emigration authority to settle their issue with local employers under Q-code 11.2 (Table-3.1), a high 69.33% answered as ‘no’ since they feel that all such facilities are meant only for the higher class peoples. In such circumstances, employers get the upper hand over poor workers. No government agencies play the role of recruiting lower class work force.

This is a feature of the region where both the local governments and the multinational companies operating in the land, generally follow capitalist economic patterns. At the Fourteenth Asian Regional Meeting of ILO it was stressed that: “There is no “one size fits all” strategy for realising decent work”. As ILO defines, "It is expressed in the absence of sufficient employment opportunities, inadequate social protection, the denial of rights at work and shortcomings in social dialogue. It is a measure of the gap between the world that we work in and the hopes that people have for a better life.”

03.01.01 Visa, Work Contract, Benefits & Non-wages features in GCC.

In contract migration, all conditions relating to employment, hours of work, wages, benefits, accommodation, and air ticket for return are stipulated in the terms of contract. According to the GCC immigration rules, it is the responsibility of employers to meet all costs connected with recruitment and expenses pertaining to the onward and return journeys of the employees. The worker is entitled to free air ticket for returning home after the expiry of the contract period. No fees are to be levied for visas either. The only cost the emigrant is expected to bear is expense for medical check-up.\(^3\)

Though these rules are in record, the employers and the recruiting agents try to exploit workers in several ways. Usually, workers who have proper visas and work contracts specifying the working conditions, do not face serious problems. On the other hand, workers who migrate without proper visas for work and work contracts face several problems. Unfortunately all above circumstances are created with the support of Indian manpower agencies and the companies run under Indian management.

In our sample study, 34.5 percent of the emigrants came to the region with proper visas for work. Another 34.5 percent Visas were obtained through a variety of sources: licensed recruiting agents, unlicensed recruiting agents, relatives and friends. It is

reported that 60 percent got their visas through relatives and friends already in GCC countries, 2.8% arrived with tourist visa or other categories of visa. Many who came to GCC with the help of relatives, friends and recruiting agents had not been excessively concerned about the conditions laid down in their work contracts. On this underpinning, social dialogue is the most effective way of achieving national consensus on the best policy combination and the appropriate policy responses.

The ideas mentioned above are the general issues that we observe, and characteristic of the contemporary society. However, people who migrated in the 1950's and 1960's using informal methods, may recall that most of them did not find it difficult to get jobs in the Gulf once they reached the region. They are also of the view that the Indians who reached in the GCC states even using illegal means were very loyal to their employers and this enabled them to obtain legal work permit with the help of their new employers. This aspect of loyalty forms an important factor in the success of the early migrants who attribute their success mainly to endeavour and endurance.

In addition, the new generation among local community, who are the leaders of the present commercial and industrial organisations in the region are not concerned about the 'loyalty' and 'obedience' of emigrant workers to the same extent as of
their predecessors. Instead they look for qualities like technical experience and academic background, since they adopt advanced technology and administrative systems to scrutinise and assess their workforce in their day-to-day performance at the office and other workplaces. Therefore, operational and rather technical priorities supersede empathetic considerations in the matter of workers' issues.

03.01.02 Lower income Indian Emigrants & Blue collar works in GCC

In the general perspective, from start to end of his becoming an employee, an emigrant goes through various stages in the process of emigration, until the emigrant finally reaches his/her destination. The common feeling among many in his hometown is that emigrants have a difficult time in Gulf countries in general. There are innumerable stories about fake visas, fake job contracts, arrests and imprisonment on landing at the Gulf airports, long hours of hard work under unhealthy climatic conditions, denial of permission to keep one's own passport, denial of permission to change jobs, inability to return home because of lack of money or lack of access to passport, etc.

Many Indian 'guest workers' in the Gulf live in near-slavery working conditions. Yet, having sunk their lifetime savings into gaining work visas from foreign employment agents in India, the option of returning home is remote. Occasionally, when the

pressure of unscrupulous employers in the Gulf reaches unbearable limits, the blue collar NRls escape.

In February 2009, a few thousands of immigrant construction labourers in Bahrain went on a series of strikes to demand a salary raise from the merge 57 dinars (6,200 Indian rupees) a month in return for extremely taxing work. In the way of old bilateral relations, the Indian government tried to intervene on behalf of its citizens and announced that it would fix a minimum wage of 100 dinars for all future contract workers going to Bahrain.

In October 2007, thousands of emigrant labourers in Dubai, downed tools over poor wages and working conditions. The authorities in UAE refused to pay heed and punished some of them for “barbaric behaviour” with jail sentences and deportation. Earlier in May 2006, dozens of Indian construction workers were deported from the UAE on allegations of being “ring leaders” of a nationwide stir for better wages and food allowances.

On 15th May 2008 the sun rose in Qatar with the news of labour strike for the first time in its history at the landmark developing area of industrial city, Ras Laffan. They gathered on the road and conducted a demonstration to get their salary arrears for 4 to 6 months. That resulted in police and internal security action against them, but no remedy was achieved on their
issue since their company management influenced the related authorities with the support of their local sponsor.

Attempts to find solutions to such maltreatment of labour must begin with a brainstorming by all the principal migrant-supplying countries in the Gulf region. Yet, since each migrant-exporting country deals bilaterally with each host country, it negotiates and bargains only on behalf of its own overseas citizens. The obstinacy with which employers and governments in the Gulf have diffused immigrant worker protests, arises from the confidence that they can find substitutes from other developing countries. If all the "low-cost" labour supplying countries coordinated a unified position on minimum wages and decent treatment of their nationals, their bargaining strength and process would look quite different since Gulf countries are dependent on blue collar emigrant labour to sustain their economic miracle.

Since the inauguration in 2004, the Ministry of Overseas Indian Affairs has acted in right earnest to support the cause of blue collar NRI’s in the gulf countries. Its latest initiative is the opening of three Overseas Indian Centres (OICs), one of which will be in Dubai, “to ensure that Indians staying abroad were not exploited and to make them aware about their rights and obligations.” India should realise the enormous significance of remittances from NRI's and PIO's (the highest in the world at $
24.6 billion in 2006) and the government is putting in place institutional mechanisms to preserve the inflow of funds.⁴

If India were to launch inter-governmental co-operation with the six other migrant-supplying states, i.e. Sri Lanka, Bangladesh, Pakistan, Philippines, Thailand and Nepal, greedy companies in the gulf would have no substitute worker sources. Blue collar NRI's in the Gulf rub shoulders and share quarters with expatriate workers of other Asian countries. Their destinies are inseparable. A piecemeal bilateral response to the travails of NRI's will not yield desired redemption.

03.01.03. General Profile & Social Life Status of Indian Emigrants in GCC

As far as the occupational composition of the Indians migrating to the Gulf during this period is concerned, most of the Indians are absorbed by large oil companies or its subsidiaries or its sub-contractors who are recruited as clerical staff, skilled artisans or semi-skilled manual workers. Engineers and highly placed management positions are much less in number.(which has been neither covered or evaluated by this survey and analysis)

In a review of educational background of the lower income emigrants in the region from southern part of India, we find a good proportion with technical qualifications such as diploma, or under-graduate certificates in different subjects. And the majority of them have secondary level education (Table-3.2)

Among those who responded to our survey, unskilled hands represented a mere 4.30% of total respondents, whereas, category of others formed 5.88% and those with no opinion made up 5.68%. To sum up, the above three categories put together form just 15.86% of total respondents. The educational break-down of respondents shows that most of the lower class emigrant workers from southern India are literate at upper primary level and 18.94% emigrants are diploma-holders in various disciplines. Graduates and post graduates represent 13.21% and 12.61% respectively (Table-3.2).
When asked about their view of the Indian community organizations in the region, most of the lower income emigrants replied that they are by and for upper class community. A very low percent take the view that such socio-cultural organizations in GCC play any role in employment grievance issues. Some of them even cite having had bitter experience when they approached them for their employment issues.

There was a sample case in the matter referred to above. Once a Federal Minister came over to Qatar and one programme was organized by a prominent body representing an Indian political party in Qatar. The Minister was handed over a big memorandum about the travel issues related to Indian Airlines schedules and services. But soon after the minister left Qatar, the memorandum was found in the trash bin by a Kerala emigrant who worked as a room boy in the same hotel where the Minster stayed. Such incidents reflect the neglect shown by the political leaders and parties and their inaction towards the welfare of Indian emigrants and their burning issues.

<table>
<thead>
<tr>
<th>Sno.</th>
<th>Country</th>
<th>No. of Nationals</th>
<th>%</th>
<th>No. Of Non Nationals</th>
<th>%</th>
<th>Total Work force</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UAE</td>
<td>577.14</td>
<td>17.74</td>
<td>2738</td>
<td>82.26</td>
<td>3315.14</td>
</tr>
<tr>
<td>2</td>
<td>BAHRAIN</td>
<td>216.81</td>
<td>41.42</td>
<td>306</td>
<td>58.58</td>
<td>522.81</td>
</tr>
<tr>
<td>3</td>
<td>KSA</td>
<td>685.21</td>
<td>35.43</td>
<td>4894</td>
<td>64.57</td>
<td>7579.21</td>
</tr>
<tr>
<td>4</td>
<td>OMAN</td>
<td>309.42</td>
<td>33.87</td>
<td>605</td>
<td>66.13</td>
<td>914.42</td>
</tr>
<tr>
<td>5</td>
<td>QATAR</td>
<td>240.68</td>
<td>43.31</td>
<td>315.34</td>
<td>56.69</td>
<td>555.71</td>
</tr>
<tr>
<td>6</td>
<td>KUWT</td>
<td>291.81</td>
<td>18.3</td>
<td>1302.79</td>
<td>81.7</td>
<td>1594.63</td>
</tr>
<tr>
<td>7</td>
<td>ALL GCC</td>
<td>2321.07</td>
<td>31.68</td>
<td>10161.13</td>
<td>68.32</td>
<td>14481.92</td>
</tr>
</tbody>
</table>

*Table-3.3, Data Source: GCC Labour Migration Governance By Mohammed Ibrahim*
Nobody can ignore the vital factor of local community responses towards accommodating emigrant workers in their home town where they have to face emigrants in all their day-to-day dealings in the street, offices, other public places and even in the hospitals and public security forces. Situation in this aspect varies from one country to another. For example, local community response recorded in KSA is rated as highly anti-emigrant, whereas in UAE it is recorded as most welcoming towards foreigners and in this respect Qatar is placed second after UAE.

03.02. Why GCC is the ideal Destination for the Indian Emigrant labourers

Despite all strategy and plan implemented by the GCC governments for work force nationalisation furnished in detail in Chapter-VII in this dissertation, GCC still remains an ideal destination for Indian migrants specifically south Indians at least for a further 10 to 15 years because of various factors.

Due to the regional employment market need for technical hands, (Ref. Table-3.4) the Indian emigrant strength in the region
has kept increasing year by year. Earlier part of this chapter analysed the status of foreign work force during 1990-2000 period. Hence if we analyse the status for a more recent period of 2000-2007 to review the recent trends, Qatar tops the list of increased inflow of this workforce, with an increase percentage of 634 in 2007 over the year 2003. However, UAE still was the recipient of the highest number of Indian emigrants during the 2003-07 period (with 312.69 thousand in 2007). KSA has been maintaining a balanced increase but Oman & Qatar recorded a high percentage in increase.

Annual Country-wise distribution of Labour flow from India towards GCC countries
Report 2003-2007 status, Numbers estimated in 000's

<table>
<thead>
<tr>
<th>Sno</th>
<th>Country</th>
<th>Year 2003</th>
<th>Year 2004</th>
<th>Year 2005</th>
<th>Year 2006</th>
<th>Year 2007</th>
<th>% in increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UAE</td>
<td>143.84</td>
<td>175.26</td>
<td>194.42</td>
<td>254.78</td>
<td>312.69</td>
<td>124%</td>
</tr>
<tr>
<td>2</td>
<td>KSA</td>
<td>121.44</td>
<td>123.53</td>
<td>99.88</td>
<td>134.59</td>
<td>195.48</td>
<td>57%</td>
</tr>
<tr>
<td>3</td>
<td>QATAR</td>
<td>14.26</td>
<td>16.34</td>
<td>50.23</td>
<td>76.33</td>
<td>95.48</td>
<td>634%</td>
</tr>
<tr>
<td>4</td>
<td>OMAN</td>
<td>26.42</td>
<td>33.28</td>
<td>40.94</td>
<td>67.99</td>
<td>95.46</td>
<td>384%</td>
</tr>
<tr>
<td>5</td>
<td>KUWAIT</td>
<td>55.01</td>
<td>52.06</td>
<td>39.14</td>
<td>47.44</td>
<td>48.76</td>
<td>-17%</td>
</tr>
<tr>
<td>6</td>
<td>BAHRAIN</td>
<td>17.18</td>
<td>22.98</td>
<td>30.06</td>
<td>37.68</td>
<td>29.96</td>
<td>73%</td>
</tr>
</tbody>
</table>

Table-3.4, Data source: Ministry of Overseas Indian Affairs, Pravasi Report 2007-2008

![figure; Annula labourers flow towards GCC from India](image)

Emigrant flow to Kuwait registered a significant decrease, i.e. 17% less in the year 2007 than that of year 2003. Bahrain's territorial area is the smallest in the region, but it has been
receiving Indian emigrants of considerable numbers, registering 73% increase in 2003 over year 2007. (Table-3.4).

In general, Indian emigrant flow towards GCC countries keeps accelerating. This can be attributed to internal and external factors. Internal reasons themselves are to be classified into individual reasons and general reasons. Individual reasons are factors such as the educational status and hands-on skill, fund mobilisation capacity to meet travel expenditure and so on. As has been noted earlier, Western countries entertain only highly qualified professionals or technically competent hands for inward migration whereas GCC countries welcome even unskilled labourers to meet their basic requirements of infrastructural development activities.

As regards external factors such as immigration formalities in the receiving countries, in GCC countries immigration regulations are generally weighted in favour of employers even if they will hurt the interest of employees. The newcomers are compelled to bear the risk of short-cutting immigration regulations by themselves since there is no other option. However, such short cut ways cannot even be dreamed when it comes to emigration to western countries.

Secondly, the receiving country and the society in general are ready to accommodate demographic density of different
nationalities created by foreigners since they are not keen to take over labour class jobs, especially outdoor jobs under direct sunlight when local temperature goes above 40-45 degree Celsius. Moreover, the new local generation in GCC receiving countries prefer lower cost Indian labour force to that from Arab nationals who are also less obedient; and they are more expensive considering their cost versus performance parameters.

03.02.01. Public Sector Expansion in GCC and Prospect of Indian Immigrants

As we witnessed over the last decades, GCC countries are on the verge of their public service expansion, such as public health, secondary education & higher studies, electricity & water, other utility services, public organizations and independent authorities etc. which have launched various projects in order to expand and cater to future needs.

As we are aware through various studies conducted in UAE about their development scenario and strategies, as well as the study under the auspices of Kerala Govt, about UAE emigrants from India and their issues by Prof. S. Irudaya Rajan, under "Migration Monitoring Studies" in CDS, UAE is now in a bind-up phase of infrastructural development projects. But such analysis ignores the need of public sector expansions in other emirates of UAE.

On the other hand, Qatar started their infrastructural development projects in 2001 which needs a large number of skilled and unskilled work-force and labour support to meet their scheduled targets. In Qatar there are major construction projects declared recently such as Qatar Bahrain cross way, Mesaieed and Ras Laffan Industrial City, Qatar Metro Railway services just to give a few examples. The existing picture of expansion gives a positive sign towards more employment opportunities for Indian hands.

At the same time, KSA already accommodates a high number of Indian workers in their job market and has registered increase during the period from 2003 to 2007. (Table-3.4). Moreover, upcoming infrastructural development projects such as highways, interchanges, Holy Places development projects as well as rural agricultural industry development strategies are green signs towards emigrant flow for the future.

In addition development of Jubail and Ras Tanura Industrial cities also will offer thousands of lower class employment opportunities in the Kingdom. Sustained expansion in the field of public service is characterised by requirement of huge manpower support with modern technical skill and experience. Although the GCC states have implemented highly systematic nationalisation strategy in this sphere, due to the shortage of technical hands in...
the indigenous community, poor proximity of available sources in the regional manpower pool poses a barrier. Hence, for emigrant work force as a whole, especially for South Indian manpower job opportunities in the region still remain high.

**03.02.02. Globalisation Process of GCC & Foreign Employment Opportunities**

Regional Arab economic analysis still places the economies of Arab countries and GCC in one category over the past several decades. Perhaps classifying Arab countries in one category was justified years ago, but after petrodollar revenue started flowing in the 1970’s many qualitative changes have taken place in the economic and social structures of GCC countries during the past 3 decades. This new oil revenue has widened the gap between Arab countries and GCC in terms of economic and social indices.

The recent global financial crisis and economic recession especially in the US and other western countries, unemployment problem and manpower reduction trends including job-cuts in multinational companies and government sectors did affect Western employment opportunities. However, for this reason, potential Indian emigrants with high technical skilled hands recently have been looking forward to opportunities in the GCC countries that are closer and easy to explore.
As regards Saudi Arabia, as analysed by Mr. Farhan Mohammed (KSA) and Mr. AbdulRahman Al Jeraisy Chairman of Chamber of Commerce and Industry in KSA-Riyadh, the coming 10-15 years will be the period of big budget projects for the Kingdom's infrastructural and capital development activities such as Holy Cities Development Railway linked with GCC railway line and other major interchanges and highways in the nation which is estimated to cost around 2400 Billion Saudi Riyals.⁸

In Qatar, according to the data released by Qatar Chamber of Commerce and Industry in 2008, in the 2003-2005 period, the country registered 137 international property management companies in Qatar. Most of them are launched in Qatar with multi-billion dollar project investments and activities. In addition, 40 international three and five stars hotels and multinational sports & recreational companies have been registered and commenced their activities in Qatar.⁹

The above report is an indication of future prospects of the major country which accommodates more south Indian emigrant workforce in the region, and belies predictions and groundless fears coming out through certain websites about the fall of Qatar's local market. Moreover, local and international banks, operating in the country particularly Islamic banks play a vital role in the
development of wholesale banking sector in the State. Such economic opportunities and expansion provide a large number of employment opportunities in Qatar for the local people as well as Indian emigrant job-seekers and even their next generation.

In regard to UAE, going by the Planning Council Report, year 2007, Abu Dhabi's economy could grow to $179.1bn by 2010 more than double its level in 2005. The economy of the capital emirate of the UAE – the world's fifth largest oil exporter – should expand 54.4% in real terms over the five-year period, and could almost double again between 2010 to 2020. However, inflation in Abu Dhabi hit 11.9% in the first quarter, almost on par with its level in 2007. And for the whole country, UAE's inflation of 11.1% in 2007 was the highest in at least 20 years.10

In addition GCC construction industry which accounts for 40% or DH 587.7 billion ($160 billion) of the current Dh1.5 trillion ($400 billion) worth of real-estate projects in Dubai, has been "temporarily suspended" or on hold due to the increasing price of core building materials in the country which is not solely attributable to the recession effect.11

RAKaa ( is a Public Ltd. Company based in UAE) which also has operations in the Sudan and in the US, quoted "some developers" and published data saying that the value of land
transactions in Dubai jumped 70 per cent during the year 2008 with sales and mortgages rising 142 per cent and 40 per cent respectively.\textsuperscript{12}

in addition to all the above, ADCB (Abu Dhabi Commercial Bank) purely an Islamic finance facilitator in the region, declared their multi-billion investment proposal in the region within the upcoming 5-10 years.\textsuperscript{13}

Geopolitical issues like war on terror and recent interventions of USA in the region, racial attack witnessed in Australia and public protest in UK against emigrant communities are discouraging the new generation from selecting western countries as their destination for jobs. Political liberalization process and state policies which play a vital role in the development process of the region also benefiting for foreign workers.

In fact, GCC countries have a reputation for relatively clean administration with little corruption and absence of red-tapism. Analysis indicate that with administrative control in the hands of local aristocratic families in the region, the political situation is generally recorded as stable in the GCC so far. In terms of political liberalisation process, particularly if we analyse the issue from an expatriate perspective, Qatar and UAE have allowed freedom to emigrants to maintain their original cultural and religious identity in their individual as well as public life.
03.02.03. Petroleum, Natural Gas Industry
Development in the region & Job Seekers

Gulf region has undergone rapid economic and political changes in the last several decades since petrol & natural gas got world market value. This had a deep impact on the quantity, quality, objectives and tasks of public enterprises in the Gulf region. The rapid industrialisation of society in the Gulf region has led to the transition of the main axis of social and economic activities from the rural and bedouin [tribal] to the modern and urban.

This change has also correlated with the extensive rise of the role of industrial organizations, in the public and private sectors, that determined new life styles, and new employment and income for social units. "Manpower capital" or real investment in the development of manpower is still limited in the Gulf countries in general, and particularly in KSA, Qatar and UAE. One of the most difficult tasks of managers of public enterprises in the Gulf region, specifically in KSA, Qatar and UAE, is the establishment and development of a local manpower pool to be capable of operating modern technology and systems in their operating country. This difficulty is well reflected in the use of technical experts and foreign companies in public enterprises engaged in the petroleum industries, mining, chemicals, and computer facilities attached to public organizations.14 This analysis remains optimistic about the
future role of emigrant work force in the regional petroleum and natural gas industry.

Opec-member Kuwait has been pumping at around 2.5mn BPD (Barrel per day) of crude oil and achieved the capacity of capacity to 3mn BPD in the first half of 2009. The world’s seventh-largest oil producer is sticking to the production target of 2.53mn bpd set by the Organisation of the Petroleum Exporting Countries (Opec) and has about 200,000 BPD of spare capacity, said Saad Al-Shuwaib, the chief executive of state oil firm Kuwait Petroleum Corp (KPC). “We are producing around 2.5mn bpd, at the quota,” he told Reuters in an interview. It is observed that the above countries stay on sustainable growth even in the year 2011 although, official data about the actual status is yet to be released.

Qatar commenced its natural gas industry expansion in Ras Laffan once it declared its first LNG shipment in the 1st quarter of 1996. Ras Laffan project in Qatar will last about 15-25 years as a full-fledged industrial city with the biggest natural gas export harbour in the region as Jabel Ali port in UAE expands into two. Like other landmark projects, the Qatar-Bahrain causeway project with estimated PIP for 3 years are potential slot for emigrant work force in the region, especially for the South Indian emigrants.
03.03. Indian Immigrant workforce; Implications of Labour & Human Rights Issues in the GCC

According to the report released HRW (Human Rights Watch) millions of migrants who work in KSA and neighboring GCC countries lack real legal protection. In letters to the six states of the Gulf Cooperation Council (GCC), Human Rights Watch strongly urged their leaders to endorse the International Convention on the Protection of the Rights of All Migrant Workers and members of their families. Nearly ten million foreigners, are working in the GCC states.

In Section 2, HRW defines concepts used in labour rights which include internationally agreed fundamental principles and rights at work, workplace safety and decent working conditions of workers, in national policy. Legal empowerment is a process through which people are provided rights in an appropriate legal framework, which they can claim, and thus improve employment opportunities. It is a process applicable both formally (legally) and informally (legitimately).

We define decent work as that available to all men and women, and grounded on conditions of freedom, security and dignity. It has four pillars (a) fundamental principles and rights at work under international labour standards; (b) employment and income opportunities; (c) social protection and social security, and (d) social dialogue and tri-partism.¹⁷

"The World Conference on Human Rights encourages the establishment and strengthening of national institutions, having regard to the "principles relating to the status of national institution" and recognizing that it is the right of each state to choose the framework which is best suited to its particular needs at the national level".  

There are two major issues in the region resulting from foreign domination that represents approximately 85 percent of the workforce. One is that there are serious cases of exploitation, and, secondly this nurtures seeds of corruption in the public sector. 'Administrations' in the GCC region are concerned about corruption and in 2003, they started a major initiative to combat corruption in government procurement. However, government agencies and state-owned entities were increasingly sensitive to appearances of corruption and worked to establish more open and transparent processes. However, their attention to foreign employee exploitation by public and private employers is very limited.

03.03.01. Indian Emigrant Workers  
& Human rights issues in KSA

The Kingdom of Saudi Arabia is a monarchy, ruled by the Al Saud family, with a population of 22.7 million, including 6.1 million foreigners. Since 2005, King Abdullah bin Abd Al Aziz Al Saud has been ruling the Kingdom and serving as custodian of Islam's
two holiest sites in Mecca and Medina. The government bases its legitimacy of governance on its interpretation of Islamic law (Shari'a) and the 1992 Basic Law. But since the country started receiving foreign labourers for their development activities, human rights issues also started getting the attention of the international community.

According to US Country Report on HRP (Human Right Practices) during the year 2007, the following significant human rights problems were reported among the citizens of KSA: no right to peacefully change the government; arbitrary arrest and detention, denial of fair public trials; political prisoners; exemption for the rule of law for some individuals and lack of judicial independence; restrictions on civil liberties such as the freedoms of speech, movement, and religion; corruption and lack of government transparency. 20

In the above context, we can predict the working condition of poor Indian labour force and their rights in general. The two licensed domestic human rights institutions, the governmental HRC and the NSHR operate in a restricted ambit, and are reliant on government support. But even such efforts get diluted by rigid government regulations and court interpretations. On the other hand, government authorities keep denying all reports by the international media and NGO's about the human rights violations,
as with the contention that they are only propaganda by media syndicates.

As referred to my field survey, Indian emigrant workers in KSA are facing three major human rights issues. Those are (a) local sponsorship programme and its abuse, (b) fake work contract and poor wages, restriction on work change, and (c) problems of "free visa" illusions. The labour law in Saudi Arabia, in effect since 1969, requires every foreign worker to be under contract with and guaranteed by, a sponsor (kafeel in Arabic). "We do not have immigrant workers, but workers by contract," is the way Saudi Arabia's Minister of Labour and Social Affairs, Dr. Ali Al-Namlah, explained the system.

About false work contract and poor wages witnessed everywhere in the country, a senior Indian diplomat in Riyadh conceded that manpower recruiting agents in India were "extremely corrupt and very exploitative," but for this he also placed the blame squarely on Saudi sponsors and employers. He said that Indian workers typically sign contracts with local recruiting agents but these contracts are often confiscated when workers arrive in the kingdom. They are then forced to sign a new Arabic contract without knowing its content.

**Case study-1,** An Indian migrant worker told us about his experience in 2002, on his third employment visa to Saudi Arabia.
as a driver. At that time, he was thirty-seven years old, and he was the sole source of support for his wife and three children in a village near Calicut, in Kerala state. He said that he paid 85,000 Indian Rupees - about $2200 - to a manpower agency for a visa to work with a private company. The agency told him that the monthly salary was 1,500 Saudi Riyals, or about $400. He said that he signed a contract in Arabic, which he could not read except for the numerals of his promised salary. When he arrived in the kingdom, he was informed that his actual salary was only 800 Riyals, about $210 and never received a copy of the contract from his employer.

One of the most striking features of some of the testimony that we obtained from migrant workers was their belief that the exploitation they experienced in Saudi Arabia was an aberration. Another issue facing Indian emigrant workers in KSA is the restriction in work change and forced labour. Sometimes the jobs promised to migrant workers do not exist, and once in the kingdom they are forced to accept alternative work that does not match their skills or the job description they believed was specified in their initial employment contract. Saudi Arabia's labour law specifically bans this practice unless the worker agrees in writing to perform other work. The relevant article of the law states: "[E] except in cases of necessity and as dictated by the
nature of the work, a workman may not be called upon to perform a work which is essentially different from the work agreed upon." Employers of low-paid migrant workers widely disregard this provision of the law.

Finally, the "Free visa" illusions: the lucrative nature of illegal employment. Some migrant workers pay large sums of money to manpower agents in their home countries to secure what they believe are advantageous "free visas" that will allow them the flexibility to find their own jobs in the kingdom with only a nominal sponsor. These ostensibly legal documents are generated when Saudi citizens or companies apply for and are granted, visas for foreign workers that they have no intention of employing. When the visas are secured, sponsors sell them to intermediaries who are linked to recruiters in sending countries. The migrants who arrive in the kingdom with "free visas" typically must find their own work with an employer and remit monthly payments to the Saudi sponsor.

There is no category of visa called a 'free visa' according to [Saudi] law. A senior Indian diplomat, described these visas as "a bogus concept," Hence, the arrangement of allowing the worker to work freely with any other sponsor is illegal. The worker in this category, if caught working with a person other than his sponsor,
is repatriated back to his country." Some 5.5 million are employed in Saudi Arabia, where foreigners comprise one-third of the population. "Saudi Arabia have a special responsibility to participate in all international efforts to guarantee rights and justice for this vulnerable population," said Hanny Megally, executive director of the Middle East and North Africa division of Human Rights Watch.²¹

03.03.02. Indian Emigrant Workers & Human rights issues in UAE

The United Arab Emirates (UAE) is a federation of seven semi-autonomous emirates with a resident population of 4.2 million. The rulers of the seven emirates constitute the Federal Supreme Council, the highest legislative and executive body. There are no democratically elected legislative institutions or political parties.

As already observed, in UAE unlike KSA, domestic work force issues are comparatively less but most of the cases are related to human trafficking and forced labour. Migrants in undocumented or "irregular" situations are among the most vulnerable. Recruiters in their home countries traffic migrants, promising them jobs and salaries that never materialize. These workers have often paid recruiters significant sums to secure what they believed were legally enforceable contracts and work visas.

Deeply in debt and with no other options once they arrive in the emirates, that effectively amount to forced labour or servitude.

The International Human Rights Watch convention stipulates that migrant workers and members of their families may not be held in “servitude” or “required to perform forced or compulsory labour.” Article 68(1) calls for co-operation among states’ parties to prevent and eliminate such “illegal or clandestine movements and employment,” and requires states to undertake serious measures against such circumstances. However, there is no strict regulation in changing employer unlike KSA & Qatar.

In 2006, Human Rights lawyer, and UAE University Law Professor Dr Mohammed Al-Roken was arrested twice in three months in 2006. On 23 August, members of the state security services arrested him at his office and released him without charges soon afterwards. In June 2006, Mohammed Al-Mansoori, a prominent lawyer and human rights defender was arrested after he spoke critically on an Arabic satellite channel about the country’s human rights situation.

According to an Amnesty report a court in Ras al-Khaimah sentenced Mohammed Rashed Al-Shehhi, the owner of an internet website (majan.net), to one-year imprisonment and a fine in August 2006 for defaming a local official. The court ordered the website to be closed. 22
Labour ministers from 22 Asian and Middle Eastern countries met in Abu Dhabi in Jan 2008 to discuss Asian contract migrant workers. They had to discuss widespread violations of migrant workers' rights. Both labour-sending and labour-receiving countries benefit from migration, but abuse of workers' rights remain. These abuses include recruitment-related deception, unpaid wages, confiscation of passports and, in some instances, physical violence also. On January 21 and 22 in the Year 2008 the United Arab Emirates hosted the labour ministers in the latest round of the Colombo Process, a series of regional consultative meetings of government officials focused on issues relating to Asian contract migrant workers. On January 23 and 24, these discussions continued in the Gulf Forum on Temporary Contractual Labour. This was the first time a labour-receiving country was hosting the Colombo Process.

"It is encouraging that representatives from countries that send and receive migrant workers sit at the same table," said Nisha Varia, senior researcher for the women's rights division of Human Rights Watch. "To make the talks successful, officials must tackle badly flawed immigration policies and gaps in labour laws that expose migrants to abuse." Furthermore, UAE imposed their expatriate workers a six-month ban on return to the country for other employers which however may look more fair.
compared to KSA and Qatar where the ban is for two years. Once such a ban is imposed it breaches the career life of a normal employee when he decides to quit his/her present job.

**03.03.03. Indian emigrant workers & Human rights issues in the State of Qatar**

Qatar is a hereditary emirate ruled by the Al-Thani family. Shari’a (Islamic law) is a main source of legislation, and the ‘Emir’ legislates by issuing decrees, generally after consultation with leading citizens, an arrangement institutionalized in the appointed 35-member Advisory Council (Majlis Al-Shura) that assists the Emir in formulating policy on legislative issues.

A state which has given priority to democratic values and human rights in their socio political sphere of the nation, cannot keep quiet about emigrant workers issue at all. But as we described in the case of UAE and KSA, human rights issues and cases in Qatar keep increasing year by year. A study on Qatar Human Rights issues done by Dr. Muhammed Eltayeb, a well known social activist in the state titled as “Search for Evaluation”, highlights various factors on why the human rights issues and emigrant workers rights issues keep increasing.

Based on the statistical data furnished by Dr. Mohammed, reports on arbitrary arrest, issues of Residence Permit (RP) as well as injury and compensation cases keep increasing at a high
percentage if we go by the status reflected in the year 2001. (Table-3.5). The said data does not represent actual statistics as it lists only the cases recorded with the authorities.

<table>
<thead>
<tr>
<th>Sno</th>
<th>Case Type</th>
<th>Year 2001</th>
<th>Year 2005</th>
<th>Year 2007</th>
<th>Increase %</th>
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<tbody>
<tr>
<td>1</td>
<td>Deportation Order</td>
<td>84</td>
<td>193</td>
<td>415</td>
<td>487.00%</td>
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<tr>
<td>2</td>
<td>Transfer of Sponsor</td>
<td>162</td>
<td>437</td>
<td>1104</td>
<td>861.00%</td>
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<tr>
<td>3</td>
<td>Labour Dispute</td>
<td>116</td>
<td>359</td>
<td>863</td>
<td>764.00%</td>
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<tr>
<td>4</td>
<td>Arbitrary Arrest</td>
<td>55</td>
<td>123</td>
<td>293</td>
<td>581.00%</td>
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<tr>
<td>5</td>
<td>R/P issues</td>
<td>69</td>
<td>309</td>
<td>655</td>
<td>884.00%</td>
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<tr>
<td>6</td>
<td>Medical/Health issues</td>
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<td>186</td>
<td>411</td>
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<tr>
<td>7</td>
<td>Injury/compensation</td>
<td>21</td>
<td>114</td>
<td>409</td>
<td>1895.00%</td>
</tr>
</tbody>
</table>

*Table -3.5, Data Source: QNHRC, Report 2007*

QNHRC (Qatar National Human Right Committee) is an organization funded by the government. An ‘Emiri’ decree established the QNHRC in 2002 to investigate and improve local human rights conditions. Its 12 members are all appointed by the government. The newly-established Labour Inspection Department at the Ministry of Labour launched an extensive, year-long campaign for checking violations by employers across Qatar.

Speaking to *Gulf Times* (*local English daily*), the department head Mohamed Saeed Al-Naimi said that for inspection purpose, the country had been divided into 26 zones, with as many teams inspecting at least 100 businesses a month to check on employees’ health and safety, conditions at labour accommodation and other benefits granted by the state’s laws.

Unlike the 1972 Amended Provisional Constitution, the new Constitution on 8th June 2004 contains a number of human rights provisions. Most of these provisions will depend, for their
practical effect, on existing or future laws. Qatar Government advanced the right of assembly in November with the enactment of Law No. 18, In May, the Government enacted Law No. 12, which regulates the right to form private societies and institutions. Law No. 12 also allows individuals, for the first time, to establish professional societies for the purpose of elevating the level of the profession.

During the last several years, progress was made in establishing the conditions for implementation of the new labour law, enacted in January 2005. Although this new labour law expands and protects workers' rights in some areas, in others the new law is restrictive. The law prohibits non-citizen workers from forming labour unions or associations, and restricts the rights to bargain collectively and strike. Also, in March the same year, the Government enacted Law No. 2, which guarantees the rights of persons with disabilities and ensured their entitlement to government services to include among others: Education, healthcare and employment.26

In spite of the facts in the above data, there are various cases reported and registered by the local Indian mission with the support of local socio-cultural organisations that work in Qatar. In most of the cases reported by domestic servants bear witness to the lack of proper communication.

Conclusion

In general, GCC countries are the nearest destination for the Indian poor emigrant workforce, especially emigrants from the southern states of India. USA, UK and other western countries are looking for only highly qualified emigrants. Therefore, future prospects of the Indian immigrants in the GCC region will remain bright.

As a human being, every man/woman is entitled to maintain liberty and human rights wherever they are living. Besides, labourers all over the world suffered a lot at the hands of their employers. In order to address the regional issues and seek remedial steps towards workers rights, regional authorities should be called upon to implement key reforms.

(a)Establish and enforce equal protection for domestic workers under labour laws. (b)Reform of the 'kafala' (sponsorship) visa system. Workers’ visas should not be linked to employers. (c) Implement stronger monitoring of labour-reRecruitment agencies. (d)Migrants should have access to justice and support services. (e)Ensure transparent mechanism to resolve wages disputes.

Recommendations pertaining to the workers rights cannot be put into effect unless the enforcing authorities are vigilant on it. Indeed, it depends on how the regional inherited weaknesses react to such issues, rather than what is written in the law book.
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