

SAUDI ARABIA



KUWAIT



QATAR



BAHRAIN



UNITED ARAB EMIRATES



OMAN

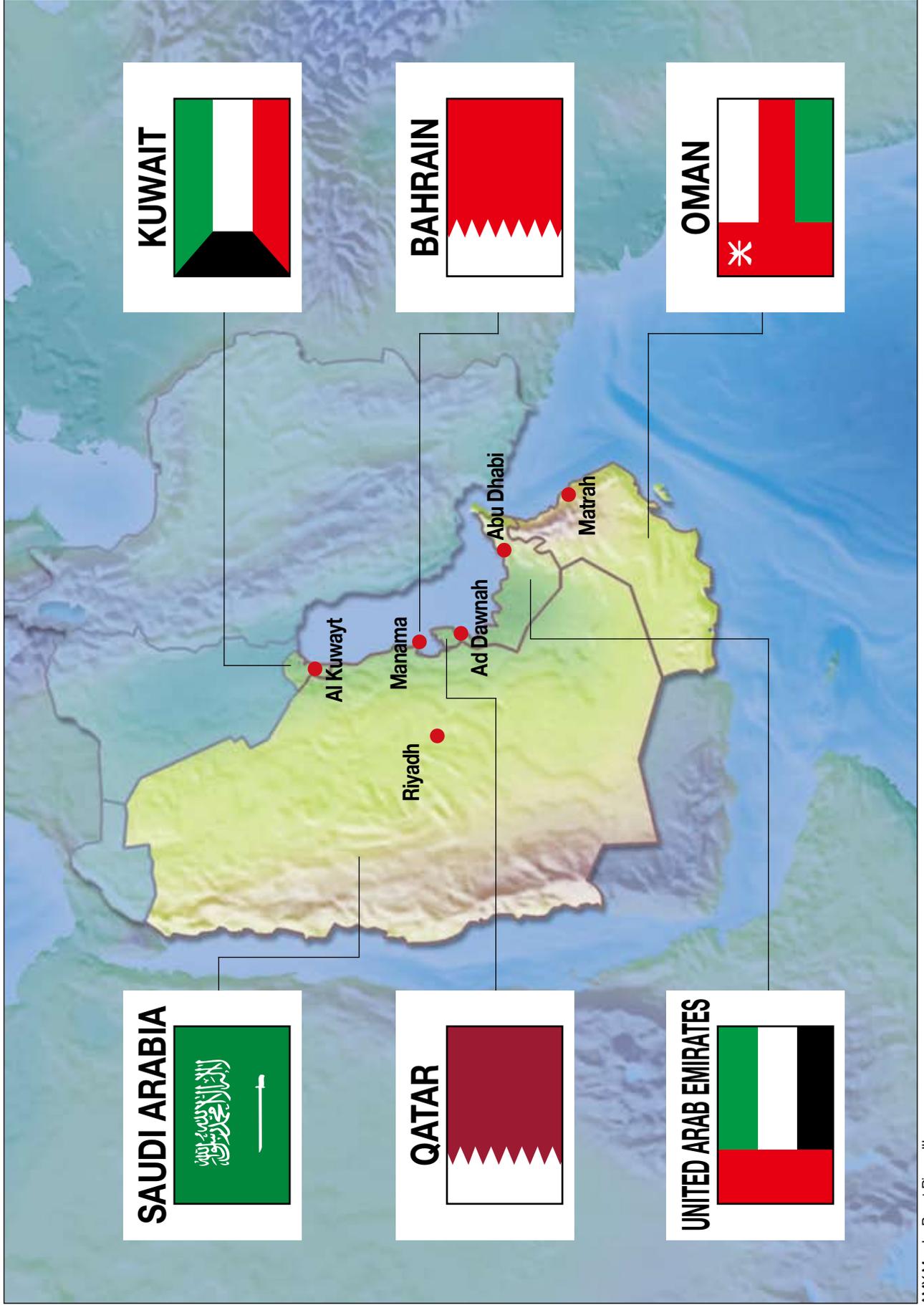




Photo courtesy of MSC

Sri Lankan prospective domestic workers, the vast majority of whom seek work in the Middle East, attend a pre-departure training seminar. Matugama, Sri Lanka, March 2005.

GULF (GCC)

Political and Economic Update

Global geopolitical events, particularly related to the US occupation of Iraq and ‘war on terror’ continued to dominate news reports on the Gulf region and the Middle East in general, in 2005.

A worrying assessment of how the ‘war on terror’ was impacting domestic politics and society in the Gulf region was provided by Amnesty International (AI) in mid-2004. In a major report titled “The Gulf and the Arabian Peninsula: Human rights fall victim to the War on Terror”, AI criticized the ‘war on terror’ for providing a framework for the rapid erosion of civil and political rights in the region. The group

noted that the US and Gulf countries displayed a “disturbing disregard for the rule of law and fundamental human rights standards,” pointing out programs of domestic repression, as well as the fact that one-third of the detainees at the US prison camp at Guantanamo Bay were from the Gulf region.¹ The situation was particularly frustrating, the group noted, given that significant progress had been made by several Gulf states over recent years towards increasing protection of basic human rights. Later on that year, the Arab Human Rights Committee also voiced criticism over rights abuses in the Gulf States and around the Arab world.

Examples of domestic repression and this “disturbing disregard” for human rights were certainly seen throughout the year across the region. Much of this repression was in relation to organizing efforts and demonstrations against US actions in the region. In mid-2004, for

example, police in Bahrain attacked a protest against the presence of US troops in Iraq; the fallout from this particular incident led to the sacking of the Bahraini interior minister. At the end of 2004, four Arab human rights groups sent an open letter to heads of state in the Gulf region, calling for faster political reforms. This call was certainly ignored in Kuwait, where a new law giving police and authorities sweeping new powers to search for and detain militants was passed in early 2005. Accompanying this were widespread reports of the torture of 'suspected militants' and journalists, forced confessions, and the targeting of human rights activists such as Khalid al-Dosari for purportedly encouraging militant activity. Serious questions were raised after a detainee died in police custody in February 2005, upon which the Kuwaiti government went so far as to warn local newspapers that they could be closed for publishing any information related to 'militant suspects.' In April 2005, a Kuwaiti court also convicted a lawyer after he accused authorities of torturing militant suspects in custody.

In Saudi Arabia, a five-year sentence was handed to an Islamic academic, Said bin Zair, in September 2004 for encouraging dissent and anti-government activities. A planned rally against the monarchy in December 2004 was labelled illegal by the government, and a series of arrests were carried out before and after the attempted gathering.

Repression in the Gulf was not limited to militant suspects and crackdowns on actions against the 'war on terror', however. A widespread campaign for democratic reforms in Bahrain, for example, was met with an aggressive response from the government, eventually leading to what the King called a "crisis" situation in the country. In September 2004, the Bahrain government shut down a human rights NGO after arresting its director, Abdul Hadi al-Khawaja for "inciting hatred against the regime." This particular arrest led

to large demonstrations calling for Abdul Hadi al-Khawaja's release, which were in turn met by a heavy handed response from the police. Given the high profile of the case, Mr. Abdul Hadi al-Khawaja was eventually pardoned by the King, but campaigns for civil and political reforms continued. After the dismissal of several cases by torture claimants in Bahraini courts in mid-2005, for example, the Bahrain Centre for Human Rights urged the government to repeal a royal decree that gave de facto immunity to police torturers. In a relatively rare occurrence, the Interior Ministry was also ordered by a court in March 2005 to pay damages for the killing of a demonstrator. This was matched by demonstrations calling for the prosecution of officials responsible for torture in the 1990s. Still, arrests and repression continued, and in July 2005 a law curbing the activities of political groups was passed by the King.

Kuwait also saw domestic campaigns for political change over the year, and at the end of 2004 a new political group, the Justice and Development Movement, was created by activists with the aim of promoting democratic reform. Demonstrations also took place over the year demanding women's suffrage, when a government plan to extend political rights to women was met by opposition from certain sectors of society. Important political developments did take place in Kuwait, and in May 2005 full political rights were given to women, a step that was welcomed by the United Nations.

Women were not allowed to vote in Saudi Arabia's first municipal elections in 40 years, in February 2005, and though they were hailed by the international press as an important step and "turning point" in the country's political history, the enthusiasm was slightly less among the country's enfranchised population, of whom only 25% registered to vote. The development was also dampened by the fact that Saudi Arabia's unelected Shura Council was expanded and given wider powers towards

Gulf (GCC) Significant Events July 2004 - December 2005

2004

April

Nada Haffadh appointed Bahrain's Minister of Health, becoming the first woman appointed to the head of a government ministry.

July

Jordan completes an International Monetary Fund reform program, fifteen years after it was undertaken.

Saudi Arabian officials report a 56% decrease in the number of employment visas from last month, due to government measures to reduce the number of migrant workers.

(2) Amjad Hafeez, a 26-year old Pakistani migrant, is released from captivity in Iraq after having been taken hostage on June 27.

(5) Around 80,000 Indonesian migrants in the Middle East registered to take part in Indonesia's first-ever direct presidential elections.

(5) UAE's Labor Ministry, announces it will form an independent body on occupational safety and health., in collaboration with the ILO.

(7) Kuwaiti government prohibits employment of migrant women in cafes, internet shops and billiard halls with male customers.

(14) Ministerial order issued in Oman, stating that only Omani women would be allowed to sell the abaya, the mandatory dress for women, in parts of the capital Muscat.

(14) UAE government allows local women married to foreigners to sponsor their husbands to be able to work in the emirates.

(17) Bahrain's Labor and Social Affairs

Undersecretary Shaikh Abdul Rahman bin Abdulla Al Khalifa announces that officials will hold regular meetings with foreign migrant workers to discuss issues affecting them. This comes after Bahrain created four special committees related to migrant workers and to human trafficking.

(21) According to officials in Qatar's Interior Ministry, some 8,000 irregular migrants had availed of the country's amnesty program and left the country.

(30) UAE approves a proposal allowing UAE citizens and certain migrants to join trade unions and take part in union activities.

August

(9) Kuwait's government issues a temporary ban on Filipino and Indian migrants entering Iraq, after receiving requests to this effect from the Philippine and Indian governments.

(10) Bahrain's Interior Ministry changes its rules to allow migrants to return to Bahrain immediately after finishing a contract, whereas they had previously needed a release letter from their previous employer.

September

(14) Bahrain and the US sign first-ever free trade agreement, a move criticized by other GCC countries.

(26) Total expatriate population of Saudi Arabia is reported as 6.14 million at the end of 2004, much less than the 8.8 million claimed last year.

(27) Five South Asian migrant workers are killed after an accident during the construction of a new airport terminal in Dubai. Twelve other workers are also injured.

November

Sheikha Lubna Khalid Sultan al Qasimi becomes the first woman minister in the UAE.

(2) Death of Zayed bin Sultan al-Nahyan, President of the UAE for over 30 years.

(21) Bahraini dissident Abdul Hadi al-Khawaja and thirteen other activists are given a one-year sentence for “inciting hatred” against the government. They are later released after intervention from the King.

December

Justice and Development Movement formed in Kuwait, aiming to bring about greater reform.

Four Arab human rights groups send an open letter to heads of state in the Gulf region, calling for faster political reforms.

GCC Summit is boycotted by Crown Prince Abdullah of Saudi Arabia, due to Bahrain’s free trade agreement with the US.

(6) Five migrant workers among those killed during an attack on the US embassy in Saudi Arabia.

(19) Islamist academic Said bin Zair is given a 5-year jail sentence for encouraging anti-government activities in Saudi Arabia.

2005**January**

(30) National Human Rights Committee in Qatar sets up a hotline for migrant workers.

February

First municipal elections in 40 years held in Saudi Arabia.

(1) New security law passed in Kuwait, allowing authorities greater room to arrest and detain suspected militants.

(20) Indonesia suspends deployment of migrant workers to Saudi Arabia, Kuwait, Oman, the UAE and Jordan for one month, as recruitment procedures are restructured.

April

Around ten people are killed during a three-day gun battle between militants and Saudi authorities

(24) Angry over unpaid wages, more than 700 Bangladeshi migrant workers storm the Bangladesh embassy in Kuwait, causing damage to the building.

May

World Economic Forum held in Jordan

June

(12) Kuwait’s first female cabinet minister is appointed; the move follows one month after parliament passed a law giving women the right to vote and run for public office.

August

(1) Death of King Fahd of Saudi Arabia; the 84-year-old ruler is succeeded by his half brother, Crown Prince Abdullah.

(8) US embassy in Saudi Arabia closed due to increased frequency of militant attacks in the country.

December

(11) Saudi Arabia becomes a full member of the WTO.

(16) The UAE is to hold its first elections, which will allow 1% of around 800,000 people to vote for half of the members of the Federal National Council.

Source: BBC News, Al Jazeera

the beginning of 2005.

In Bahrain, as well, developments took place regarding the political position of women in the country. After a cabinet reshuffle in April 2004, Nada Haffadh became the first woman appointed to the head of a government ministry when she was appointed as the country's health minister. Bahraini newspapers also described it as "historic" when later that month, Alees Samaan became the first woman to chair a parliamentary session anywhere in the Arab world. Towards the end of 2004, the UAE also appointed its first female government minister when Sheikha Lubna al-Qasimi became the country's economic and planning minister.

Over the year, political changes were also precipitated by the deaths of major elite figures in some countries of the region. In November 2004, for example, the UAE President and founder of the nation, Sheikh Zayed bin Sultan al-Nahyan, died in his 80s. And in August 2005, the death of King Fahd of Saudi Arabia, a major figure in the region and a key strategic ally of the US, was marked by heads of state around the world. Sheikh Zayed was succeeded the following day by his son and current President of the UAE, Sheikh Khalifa bin Zayed bin Sultan Al Nahayan, who proposed the idea of limited elections to the country's Federal National Council. King Fahd, meanwhile, was succeeded by his half-brother King Abdullah bin Abdul Aziz Al Saud.

The security situation in Saudi Arabia in particular continued to be tenuous or deteriorate over the course of the year, and Kuwait opened the year with two armed attacks in the month of January. Militant attacks against the Saudi regime by a variety of disaffected groups, including bombs and gunfights in major cities such as Riyadh and Jeddah, were reported with increasing frequency in 2005. The number and scale of attacks on government and foreign targets rose to the point where the Saudi government took to broadcasting propaganda

advertisements on the radio, affirming the country's "commitment to the war on terror." In December 2004, gunmen attempted to storm the US embassy in Riyadh, and in April 2005 more than ten people were killed after a three day gun battle between militants and Saudi troops. By the end of 2005, global oil prices had hit a new high in the wake of the attacks and the subsequent closure of the US embassy on August 8.

Among those killed in the attack on the US embassy in December 2004 were five migrant workers, highlighting the extraordinary dangers faced by migrants working in the region. In other parts of the Middle East, particularly in Iraq, the question of migrant workers being employed and facing significant dangers has become a major point for sending country governments to consider. In July 2004, for example, a 26-year old Pakistani migrant was released from captivity in Iraq following a series of government-level negotiations, after having been held hostage for nearly a week. Also in July was the famous case of Angelo dela Cruz, whose abduction by militants in Iraq was met by an announcement from the Philippine government that it would withdraw its troops from the country to secure his release. Later that year, sending country governments attempted to ensure the safety of their citizens by negotiating travel bans to particularly dangerous areas with governments in the Gulf region. The Kuwaiti Foreign Ministry, for example, temporarily banned the entry of Filipinos and Indians to Iraq through its border, following a request from the sending-country governments. The effectiveness of such measures is highly questionable, however, as there was no significant drop in the number of migrants working in places such as Iraq. Critics also said that such measures sought at best to deal with symptoms of the overall problem rather than the root of migrants' desire to work in such dangerous environments.

International issues also took center stage

economically towards the end of 2004. In mid-2004 Bahrain reached a free trade agreement with the US, one of the first of its kind, and something which did not win the support of other GCC countries. In November 2004, as the annual GCC summit loomed closer, criticism of the Bahrain-US free trade agreement became more vocal, with officials saying that this sort of deal would violate existing regional agreements that Bahrain had signed. Crown Prince Abdullah of Saudi Arabia, for his part, refused to attend the GCC summit in December 2004 as a result of the Bahrain-US agreement. By June 2005, however, the GCC had relaxed its rule regarding the US and its relation to regional trade agreements, and by the end of that year an 'FTA Committee' was established to bring the Bahrain-US agreement through to ratification.

Another major piece of regional news in terms of economic agreements was the completion of an IMF program by Jordan in July 2004, fifteen years after it had been forced to accept the program following a serious economic crisis. The following year, in May 2005, Jordan hosted the World Economic Forum, and King Abdullah II called for similar reforms in the wider Arab world.

Several major regional deals and ventures were made by the government and companies from the UAE over the year. After signing major deals with both Boeing and Airbus for the supply of aircraft to two UAE carriers, the telecommunications Etisalat announced that it would be spending over USD1 billion to expand into Saudi Arabia, after winning mobile phone licenses in the country. Plans for the world's largest waterfront development were also announced for Dubai, plans that would add 850km of artificial coastline with luxury developments. It was reported that the first phase of this massive construction project, with its obvious implications for migrant labor, would be completed in the next five years.

Migration Update and Responses

The abuse of migrant workers, both physically and in terms of their employment, continued to be a constant theme in the Gulf region. Despite reports issued by rights watchdogs such as Amnesty International and Human Rights Watch, which have criticized the Gulf states' human rights records in general and highlighted the highly vulnerable and abusive situation of migrants in Saudi Arabia in particular (See AMY2004 for details). Stories of widespread abuse of migrants by employers, authorities, and local institutions across the Gulf were once again reported throughout 2005.

A typical case, this time in Bahrain, saw an Indian migrant domestic worker, Malar Sara Banan, beaten and sexually assaulted by her employer. Upon reporting this to her recruitment agency, she was subject to further beatings. When a complaint was filed on her behalf at the Indian embassy by a local NGO, Banan was taken out of the country by the recruitment agency in order to avoid her reporting the incidents to embassy officials. Although this is one individual case, it is part of a pattern throughout the region. The Philippine Overseas Labor Office in Bahrain, for example, blacklisted 23 companies and individuals for their proven abuses against Filipino workers in the country this year. The abuse of Sri Lankan migrant workers grew into something of a diplomatic incident, with the Sri Lankan Consul General in Dubai stating that his government did not encourage the recruitment of domestic workers to Gulf countries where there was a high number of cases involving abuse and non-payment of salaries. The country singled out for such abuses against Sri Lankan workers was Kuwait, followed by Jordan and Saudi Arabia. And the deaths in 2004 of five South Asian migrant workers at a construction site of a new airport terminal in Dubai highlighted the often precarious situation of migrants in terms of industrial safety.

Although in the case of Malar Sana Banan the recruitment agency was fined and had its license revoked by the government, human rights groups have pointed out that the abuses are made worse by the Bahraini legal system, another institutionalized problem that can be seen across the region. The Society for the Protection of Migrants' Rights in Bahrain pointed out that the legal system made it extremely difficult for migrants to bring cases against their employers or recruitment agencies to their conclusion. Aside from language difficulties, delays, and red tape, the group also noted that migrant workers had no way to support themselves while their cases were being heard, thus making them unlikely to report even an extremely abusive situation. The case of Anita Devi Verman, for example, saw the migrant worker still waiting for a verdict more than a year after the hearings in court.

Suggested solutions for the rampant abuse of migrant workers in the Gulf included adopting the UNIFEM standard contract, and the inclusion of migrant workers in the local labor laws of Gulf countries. Certainly the need to effectively counter this abusive situation is all the more urgent when we consider that the Gulf region has one of the highest concentrations of foreign domestic workers in the world.

In May 2004, Kuwait took the concrete step of issuing a law that outlined a minimum wage, weekly rest-day, definition of working hours and payment of overtime for foreign domestic workers. This was the first law of its kind in the country and was quite unique for the region as a whole.

Several other governments took the step of creating new bodies, panels, and agencies to investigate and deal with these abuses. In Saudi Arabia, Crown Prince Abdulla, created an independent panel to investigate the situation, separate from the recently created National Human Rights Association. In Bahrain, the Ministry of Labor and Social Affairs approved the creation of a human rights watchdog

comprised of former members of migrant-related NGOs, which sought to "resolve issues between migrant workers and their sponsors and push for the establishment of a shelter for abused migrant workers." This was alongside the creation of four bodies in Bahrain in July 2004 to deal with the issue of human trafficking. The Labor Ministry of the UAE also agreed to form an independent body on the issue of occupational health and safety, in conjunction with the ILO.

However, in the past, the appointment of similar bodies by regional governments in response to publicity on the abusive situation of migrant workers has led to little qualitative change. Alongside the observations of human rights groups on the role of legal and government institutions in exacerbating the situation, it would be somewhat naïve to consider these official moves as achievements or even as the beginnings of an effective response.

Aside from the role official bodies such as local governments and the embassies and consulates of sending countries play in aiding migrant workers, non governmental groups were also important to this effect in some countries in the region. The Migrant Workers' Group in Bahrain, for example, helped several migrant workers litigate their cases in court, provided shelter, legal advice, and served as liaisons with the press to publicize the issue. In the UAE, certain projects had elements which addressed the issue of abuse. One such program was a religious education campaign by the Ajman Social Development Center (ASDC), which aside from teaching migrant workers "Islamic values", also sought to engage employers and increase their awareness on the "humane treatment of domestic workers and respect for their dignity."

Perhaps most effective, however, were certain collective actions taken by workers themselves. Staying in the UAE, the end of 2004 saw 1,300 protesting workers of the Abu Dhabi-based company, Road and General



Photo courtesy of MFA

MFA representatives attend a meeting held by the Middle East Council of Churches regarding migrants in the Gulf region. Dubai, UAE, November 2005.

Contracting (Rapco) allowed to transfer their employment sponsorship while their case was ongoing. The unusual move was said to be due to the government's "humanitarian concern" for the workers, a concern surely accelerated by the relatively large-scale demonstrations and blockades of streets carried out by the Rapco workers, who had stopped working in February 2004 to protest a 12-month non-payment of their wages. In April 2004 in Kuwait, over 700 Bangladeshi workers stormed their country's embassy and caused damage to the building, unable to bear the ineffectiveness of embassy officials in dealing with the non-payment of wages by the cleaning company who employed them. The incident received widespread press attention, bringing focus more generally on the abusive situation faced by migrants, and almost certainly increased the urgency with which local and Bangladeshi officials dealt with this situation.

In terms of government policies related to migrants and migration, the theme of 'localization' was once again prominent in the

Gulf region. A point of discussion at the GCC summit in 2004, for example, was a proposal by Bahrain to impose a five-year limit on migrant workers staying in any GCC country, perhaps in response to calls by international organizations for the GCC states to afford migrant workers the same rights as local citizens.

A July 2004 survey on the structure of the economy of the Dubai Municipality suggested that discontent among locals because of high unemployment rates was a major factor in the continued popularity of this 'localization' theme among government officials both there and regionally. Press reports noted that UAE nationals were "underrepresented in the private sector," making up only 2.4% of its total employees. Another interesting finding was that while 89% of Dubai's private sector workforce was male, there was an increasing number of female migrant workers in the municipality. In Kuwait over the year it was also reported that overseas migrant workers and their families accounted for two-thirds of the country's population.

In Bahrain in February 2005, around 1500 Shia protestors took to the streets demanding “decent jobs for all,” decrying both the unemployment situation and the discriminatory treatment they felt they were receiving from the government.

Supposedly in response to this situation were various ‘localization’ policies, which included the restriction of certain professions to local workers, measures to promote careers in sectors where the number of local workers was low, or the prohibition of women working in certain sectors where employment by migrant women workers was high.

In Oman, for example, a ministerial order was passed stating that only Omani women would be allowed to sell the abaya, the mandatory dress for women, in parts of the capital. In July 2004, the contracts of twenty-four migrant teachers at the Bahrain Training Institute were not renewed after they came to an end. The Kuwaiti government also prohibited the employment of migrant women in workplaces such as cafes and billiard halls which were frequented by male customers. In Bahrain, employment in fields such as travel agencies and as ship’s captains became restricted to only locals.

Saudi Arabia made perhaps the most extensive moves towards localization, which began in 2004 with the replacement of foreigners by locals in the jewel trade. The Kingdom’s Labor Minister went on to confirm that over the year, the government planned to reduce the number of migrants by not less than 100,000 annually. This was to be carried out, the minister said, by removing any exemptions to existing ‘Saudization’ laws, by providing training in certain skills to Saudi nationals, and by making the hiring of migrant workers much more expensive for employers. Indeed, by mid-June 2004, the number of employment visas issued by the Saudi government was just over 23,000, a full 56% lower than the previous month. By the end of 2004, the total population

of migrants and expatriates in Saudi Arabia stood at 6.1 million, much less than the 8.8 million claimed the year before.

Bahrain also sought to tackle the ‘localization’ agenda from another angle, by making the massive public employment sector less attractive to locals, thus trying to encourage local employment in the private sector. Proposals to this effect included changes to government sector working hours and a reduction in wages.

In most countries in the region, this increasing rhetorical and policy shift towards ‘localization’ was matched by a continued aggressive approach to entry and exit policies, and towards undocumented migrants. In the UAE, several news reports highlighted the increasingly high-tech approach to border control adopted by the country, using “state of the art radars, helicopters, speedboats, and heavy-duty vehicles,” compounded by the use of retinal scans and other technology at border crossings. In Bahrain, measures against deported migrants were stepped up, as the government made it legal to freeze all transactions by the sponsors of the migrants, and expanded the detention centers used to hold those facing deportation. It was reported in July 2004 that Bahrain was planning the introduction of a national ‘smart ID card’ containing personal details and other data on the holder. And in October 2004, Saudi Arabia also instituted changes to its already rigid citizenship laws which made it even more difficult for permanent residents to gain citizenship, although over 150,000 applications for citizenship were received over three days from the long-term, technically skilled foreign resident population in the country.

Aside from its political value, however, positive effects of ‘localization’ have largely not been felt in many of the local economies. The Bahrain Labor Ministry, for example said that the local unemployment rate continued to rise, in spite of the 11,000 new jobs offered to Bahrainis in 2004. In one incident in mid-

2004, the government campaigned for several jobs for Bahrainis at the multinational hotel chain Hilton, yet not a single application for employment was received. Government officials pointed at the issue of low wages in the private sector as the main reason, perhaps inadvertently pointing out the discriminatory system of wages that exists between locals and migrants in many Gulf countries.

Aside from having little of the positive effects promised, the 'localization' plans affected and alienated not only migrants, but also local businesses, as well as international agencies. Employers in Saudi Arabia, for example, urged the government to amend the wage levels and employment periods expected of local workers. The 'localization' drives had ripple effects internationally, with South Asian workers, particularly in the Indian state of Kerala finding it increasingly difficult to find employment overseas. Manpower agencies in Bangladesh also saw a significant decrease in their activities, and decreases in the flow of remittances back to these countries from the Gulf were also seen. Meanwhile, international agencies from the IOM, ILO, and international monetary institutions were critical of the 'localization' measures from both a labor and a 'free market' perspective. The realities of international trade and migration seem to suggest that superficial measures such as 'localization' are far removed from the comprehensive restructuring that the Gulf states' economies may require.

Resources

1. *Al-Jazeera*
2. Amnesty International, *The Gulf and the Arabian Peninsula: Human rights fall victim to the "War on Terror"*, 2004.
3. *Arab News*
4. *Bahrain Tribune*
5. *BBC News*
6. *Gulf News*
7. *Gulf Daily News*
8. Human Rights Watch, *Bad Dreams: Exploitation and Abuse of Migrant Workers in Saudi Arabia*, 2003.
9. *Khaleej Times*
10. *Times of India*

Endnotes

¹"Almost 600 detainees are still held there; more than a third are reported to come from the Gulf and the Arabian Peninsula." Amnesty International, *The Gulf and the Arabian Peninsula*, Introduction. 2004.

