

Empowering Domestic Workers in the Gulf States:

First Steps Towards Organizing

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January-February 2021

Executive Summary

In 2016 the Gulf States were home to more than 3.77 million migrant domestic workers. Domestic workers in this region are incredibly vulnerable to exploitation due to their lack of legal protections and the repressive kafala system in place in most Gulf countries. Furthermore, physical isolation, largely facilitated by social norms, prevents workers from redressing their exploitation. In spite of the growing global domestic labor movement, the unique physical, social, and legal barriers facing domestic workers in the Gulf States have largely prevented formal organizing. This paper explores barriers in the Gulf States that disempower domestic workers and articulates possible solutions. Additionally, the paper investigates the potential role of technology in decreasing domestic workers' vulnerability. Cell phones and social media can lay the groundwork for labour organizing through informal networks on Facebook and WhatsApp, increase employee access to hotlines, and replace recruitment agencies. We recommend that governments abolish the kafala system, ensure that labor hotlines operate efficiently, increase awareness and behavioural change programs targeting employers and strengthen programs protecting migrant workers in order to mitigate the vulnerability of domestic workers in the Gulf States. These solutions will allow domestic workers to begin informal organizing, potentially facilitated by technology, setting the stage for workers to advocate through more formal organizations and collective bargaining.

Description of Policy Challenges and Issues

While domestic workers were largely seen as “unorganizable” only a few decades ago, today the International Domestic Workers Federation has 78 affiliates from 61 countries, representing over 590,000 domestic/household workers. However, domestic workers in the Gulf

States remain largely unorganized, as these workers face significant legal and political challenges (IDFW). Among these states, only Bahrain includes domestic workers in labor laws, yet they remain excluded from the majority of provisions (Burrow 13). While Gulf States embarked on labor reform under domestic and international pressure following the Arab Spring, the prospect of reform for domestic workers remains bleak. There is no pressure on these governments to address the rights of migrant workers because the problem of worker abuse does not impact the vast majority of their citizens (Murray 483). The path toward domestic workers' rights is only feasible if domestic workers are able to organize and advocate for themselves. Organization of workers has always been an important tool in ensuring the protection of workers through advancement of their collective needs (Hobden 1). While formal organization of domestic workers in the Gulf might not be immediately possible, grievance-airing mechanisms and informal organization are important first steps toward worker empowerment.

Domestic workers in the Gulf States face significant physical, legal, and social barriers to any form of organization or empowerment. The nature of domestic work in the Gulf makes any organization difficult. Because these workers mostly live where they are employed, it is difficult for them to communicate with other domestic workers. This isolation can become extreme. Workers are often denied their legally required day off, aren't allowed to leave the house for any personal business, and in extreme cases may be locked in a room without means to contact the outside world. Isolation and abuse of domestic workers is likely to have increased during the COVID-19 pandemic, with lockdowns and a documented increase in domestic partner violence (Begum). Domestic work also takes place in private households in which the homeowner, or in some cases a judge, must grant permission to be inspected (Kagan 12). Domestic work is therefore largely unregulated by labor inspections or other state oversight (Hobden 1).

Additionally, legal barriers in many Gulf States prevent formal unionization of domestic workers, particularly migrants. The most significant barrier is the kafala system, which ties a migrant worker's legal status to an individual sponsor. This means that domestic workers cannot enter or leave the country, quit the job, or change employers without their employers' permission. Because individual employers are responsible for the domestic workers and don't want to lose out on their "investment" (as the process of getting another domestic worker is lengthy and expensive), they often go to extreme measures like taking away workers' passports and essential documents, and isolating and abusing them inside the home (Kagan 5-6).

These physical barriers are frequently facilitated by social barriers, as even in cases where restricting a domestic worker's movement is illegal, employers often do so anyway, perceiving the violation as culturally acceptable (Kagan 6). This issue is particularly relevant for migrant domestic workers, whom many employers see migrant domestic workers as "property" for which they have paid for in the form of travel, recruitment fees, and housing (Duong). Many domestic workers stay silent about their harsh conditions, as most of the Gulf States' immigration laws treat domestic worker victims of abuse as lawbreakers (Zimmerman). Migrant domestic workers also face social challenges to organizing, as they can be unfamiliar with language, customs, and rights; many have their passports confiscated by employers or fear deportation if they lose their jobs (Tayah 96).

Policy Options for Addressing Challenge

Due to these significant barriers, organizing and empowering domestic workers in the Gulf States remains an elusive goal requiring multiple solutions that address the physical, legal and social barriers. Technology can address some physical barriers to organizing. Mobile phones

can provide workers the means to overcome their physical isolation and connect them to an online community of support. Workers with access to cell phones were able to connect to other migrant workers via apps such as WhatsApp and Facebook (Almendral). These connections can help educate domestic workers on their rights, reduce isolation, report abuse, and lay the groundwork for more formal organizing. This access benefits both the workers and employers. Less experienced workers can use their phone to communicate and learn from other workers by asking questions to expand their skill sets. Unfortunately, many employers refuse to allow their workers to have phones, citing privacy or productivity concerns, and recruitment agencies may also confiscate phones from workers in training centers. As a former forced domestic worker reported, “They wouldn’t let you buy your own phone, even if you could afford it. You wouldn’t be able to get one on your own because their presence would be required” (January 2021 interview). In an attempt to prevent worker isolation, governments and NGOs have pressured Gulf states to allow domestic workers a right to their mobile phone with some success. For example, India requires employers in the Gulf to provide workers with a phone and a SIM card. Additionally, an NGO named Migrants Rights is working to ensure that domestic workers have access to mobile phones for communication (Migrant Rights). We recommend that this practice be made standard for all domestic workers.

Informal organizing made possible by social media has already led to nascent grassroots organization in the Gulf region. In 2018, Filipino workers in Kuwait formed the region’s first local affiliate to be recognized by the International Domestic Workers Federation, the Sandigan Kuwait Domestic Workers Association. They currently boast 400 dues-paying members, and use Facebook and YouTube to recruit new members and educate domestic workers about new laws, human rights, and the customs and norms of the region (IDFW). The connections and support

that informal organizations provide via social media platforms can foster an emerging labour movement in the Gulf States.

Technology can also be an important tool for facilitating dialogue between workers and employers, an important stride towards preventing workers from entering situations of forced labour. Apps have been proven to help reduce forced domestic labour in countries across the globe as they provide for communication between employer and employee before the start of employment. An app named HelperChoice, developed in Hong Kong, provides a platform for employers to connect with domestic workers and discuss contracts before the start of employment (HelperChoice). This and similar apps are starting to replace traditional recruitment, providing employers a wider pool of employees without the exorbitant recruiting fees, while limiting employees' vulnerability to abuse and trafficking that occurs in recruitment.

Grievance airing mechanisms are also important tools for empowering domestic workers. While several governments in the Gulf have made progress in this area, there are significant problems with existing hotlines. In a 2020 report, Amnesty International noted that Qatar's hotline is not toll-free, a barrier to many domestic workers who cannot afford to call. It also exposed that the hotline is not anonymous and as many domestic workers live in their employer's home, this is a serious barrier without adequate safe shelters and workers could face retaliation from employers for filing complaints (Amnesty 26). For hotlines to be most effective, we recommend that the Gulf States further promote their hotlines to ensure domestic workers know they exist and feel entitled to use them. Additionally, all hotlines should be anonymous, toll-free, operational 24/7, and available in multiple languages. Follow-up should be quick, reports of abuse should be investigated thoroughly, and remedial action carried out fully so workers are not left for long periods without wages and fearing retaliation from employers (71).

Qatar's abolition of the kafala system and implementation of the Domestic Workers Law in 2020 represents a strong first step in addressing legal barriers, and we recommend that the other Gulf countries adopt similar legislation. Qatar's new legislation allows domestic workers to freely change employers and freely leave the country without explicit permission from their employers (ILO [Landmark]). The government also addressed employers' concerns by setting up a system in which a new employer is required to reimburse any recruitment costs to a previous employer, thereby protecting the latter's "investment." The new legislation implements a non-discriminatory minimum wage to all migrant workers and requires that employers provide them with decent housing and food. Additionally, the government requires employers to pay allowances to domestic workers of at least QAR 300 (US\$82) and QAR 500 (US\$137) to cover costs not provided directly (ILO [Dismantling]). The legislation also ensures workers have a maximum 10-hour workday, a weekly day off, and three weeks off annually, protecting workers from many common forms of exploitation. Another recommendation is for governments to allow domestic workers to set up their own organizations, whether formally or informally, in order to connect them to law enforcement and the judiciary (Rullo). Signing on to these structural changes will signal the Gulf States' commitment to sustainable development (Everist).

We recommend that Gulf States invest in behavioural change campaigns encouraging employers to respect domestic workers' rights. My Fair Home is a global ILO initiative that aims to change the behaviour and attitudes of employers; however, of the 936 employers who have signed the My Fair Home pledge, only 1% are from the Gulf States (My Fair Home). The initiative should increase promotion in the Gulf States, replicating best practices from promotion in Lebanon as 22% of signatories of the pledge were Lebanese. Additionally, the Gulf States should invest in campaigns educating youth (the next generation of employers) to respect people

regardless of nationality, gender or class, as research has shown these types of discrimination often motivate employers' misperceptions of their domestic workers (Kagan 7). We further recommend an increase in awareness programs hosted by both civil society groups and labor-sending and labor-receiving countries to help eradicate migrant workers' barriers to organization. In the Philippines, a multi-sectoral coalition called the Technical Working Group on the Promotion of Decent Work for Domestic Workers hosts educational workshops, national-level summits, and tripartite consultations with workers and employers aimed at educating workers on their rights while abroad (Rulow). Governments should also invest in mass-media campaigns using television, SMS, and embassy outreach aimed at educating domestic workers in languages of the migrant domestic workers in the region (Begum).

Conclusion and Recommendations

The kafala system must be eliminated so that domestic workers can change employers and have freedom of movement, helping them to avoid becoming victims of forced labor, and governments in the Gulf should also pursue stronger enforcement and labour inspections. Hotlines need to be fully operational 24/7, free, anonymous, and advertised and accessible to domestic workers. Public awareness and pre-departure training programs, supported by the governments and NGOs, should teach those considering becoming domestic workers abroad, as well as employers in the Gulf States, about the harms of forced labor, and how to seek protection. Technology like mobile phones and the internet are integral to exposing forced labor and to facilitate informal organizing amongst domestic workers to prevent it from occurring. Governments need to make this technology more accessible to domestic workers, and to allow the workers to organize freely and collaborate with established organizations for their protection.

Works Cited

Almendral, Aurora, et al. "For Domestic Workers, Apps Provide Solace - but Not Justice." *Rest of*

World, 4 Aug. 2020, restofworld.org/2020/migrant-workers-virtual-solidarity/.

Amnesty International. "Why Do You Want To Rest." *Ongoing Abuse of Domestic Workers in Qatar*. Amnesty International, 2020,

<https://www.amnesty.org/en/documents/MDE22/3175/2020/en/>.

Begum, Rothna. "Domestic Workers in Middle East Risk Abuse amid COVID-19 Crisis." *Al Jazeera*, 4 Apr. 2020,

www.aljazeera.com/opinions/2020/4/4/domestic-workers-in-middle-east-risk-abuse-amid-covid-19-crisis.

Burrow, Sharan. "Facilitating Exploitation: A Review of Labour Laws for Migrant Domestic Workers in Gulf Cooperation Council Countries." International Trade Union Confederation, 6 Sept. 2017,

www.ituc-csi.org/IMG/pdf/migrant_domestic_workers_in_gulf_final-2.pdf.

"Dismantling the Kafala System and Introducing a Minimum Wage Mark New Era for Qatar Labour Market." *Changes in the Labour Market in Qatar*, International Labour Organization, 30 Aug. 2020,

www.ilo.org/beirut/projects/qatar-office/WCMS_754391/lang--en/index.htm.

Duong, Yen. "Overworked, Abused, Hungry: Vietnamese Domestic Workers in Saudi" *Al Jazeera*, 19 Sept. 2018,

<https://www.aljazeera.com/features/2018/9/19/overworked-abused-vietnamese-domestic-workers-in-saudi>

Everist, Audrey, et al. “Working for Labor Laws to Protect Domestic Workers in the Gulf.” *IPI Global Observatory*, 15 Mar. 2018,
theglobalobservatory.org/2018/03/labor-laws-domestic-workers-gulf/.

Former Forced Domestic Worker. Personal interview. 20 January 2021.

Gallotti, Maria. vol. 9, International Labour Organization, 2015, pp. 1–11, *Making Decent Work a Reality for Migrant Domestic Workers*.
www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_724052/lang--en/index.htm

HelperChoice. “HelperChoice Official Website: Find Reliable Domestic Helpers.”
HelperChoice, www.helperchoice.com/.

Hobden, Claire. vol. 2, International Labour Organization, 2015, pp. 1–9, *Improving Working Conditions for Domestic Workers: Organizing, Coordinated Action and Bargaining*.

International Domestic Worker Federation: Affiliates. 24 Sept. 2020, idwfed.org/en.

Kagan, Sophie. “Domestic Workers and Employers in the Arab States.” *Promising practices and innovative models for a productive working relationship*. International Labour Organization, 2017,
https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_619661.pdf.

Landmark Labour Reforms Signal End of Kafala System in Qatar. International Labour Organization, 16 Oct. 2019,
www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_724052/lang--en/index.htm.

Migrant Rights. “Ensure Access to Communication For Domestic Workers.” Migrant Rights,
www.migrant-rights.org/campaign/ensure-access-to-communication-for-domestic-workers/.

“Qatar: New Law Gives Domestic Workers Labor Rights.” Needs Enforcement Mechanisms,
Human Rights Watch, 28 Oct. 2020,

www.hrw.org/news/2017/08/24/qatar-new-law-gives-domestic-workers-labor-rights.

Rullo, Matthew, and Nisha Varia. “Claiming Rights,” Human Rights Watch, 25 July 2019,

<https://www.hrw.org/report/2013/10/27/claiming-rights/domestic-workers-movements-and-global-advances-labor-reform>

Tayah, Marie-José. “Decent Work for Migrant Domestic Workers.” *Moving the Agenda*

Forward. International Labour Organization, 2016,

https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_535596.pdf.

Zimmerman, Sarah. Mending the Protection and Prosecution Divide: Looking at Saudi Arabia

Human Trafficking Flaws and Possibilities, 15 WASH. U. GLOBAL STUD. L. REV.

533 (2016), https://openscholarship.wustl.edu/law_globalstudies/vol15/iss3/9