

Role of the State on the Care of Low-Income Migrant Workers in Qatar

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1. Introduction

International Labor Organization (ILO) classifies the international migration for employment into 2 majors; *settlement migration* and *contract migration*. Settlement migration is the one that migrant workers are involved to secure jobs and settle there. This migration is from underdeveloped economies to developed countries and identified as the “brain drain of the high skilled people” in underdeveloped countries. In the type of contract migration, migrant workers are granted permission to enter a country and a contract is issued on their behalf or between them and their employer. According to ILO, contract migration has outnumbered the settlement migration (Zachariah and Rajan, 2004). In the case of Qatar, contract migration is dominant in which migrant workers need an entrance visa and an employer’s permission in order to work in Qatar.

Qatar is a country that rapidly grows in global history in terms of urbanization, citizen wealth and its integration to global economy. Migrant workers who have immigrated to Qatar through a contract and a sponsorship relationship are incorporated into economic structure of Qatar, but excluded from the social structure. This paper seeks to analyze the role of the State of Qatar on the management of low-income migrant workers. It will be argued that international labor migration to Qatar and Qatar’s responses for managing the migrant workers cannot be understood only within the economic and demographic context such as revenues, investments, small population size and low labor force of Qatar. Rather, the political and cultural structure of Qatar must be taken into consideration to understand the management practices of Qatar institutions.

As well as the economic factors including the stability of the economy, trade, foreign investment, and the income distribution effects of migration, non-economic factors such as cultures, values, human capital, political affiliation, social integration, and neighborhood safety play decisive role on the migration management policies of Qatar. Throughout the years, Qatar government could not be able to stop the migration flows to their countries since there is a reciprocal dependency between them due to the construction projects of the state. Policies and practices of the Qatar government are actually based

on minimizing the impact of foreign workers on local culture, values, traditions, and customs since the cultural integrity and homogeneity of Qatar has been seen as crucial for the survival of the state and considered as being challenged and threatened by the migrant flows (Babar, 2011).

2. History of the Labor Migration in Qatar

In Qatar today number of migrant workers has outnumbered the Qatari citizens by more than nine to one (Gardner, et al., 2014). In order to understand the immigration flows to Qatar, pre-oil era and post-oil era need to be differentiated from each other. As Gulf Cooperation Countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and UAE) share many similarities in terms of the development of their socio-economic and political structures, immigration issues have caused similar effects on their economy and policy decisions. After the discovery of oil in the GCC countries, their economies have been identified as petrodollar economies and prosperity level of those countries rapidly rose (Khaalaf and Saad Alkobaisi, 1999).

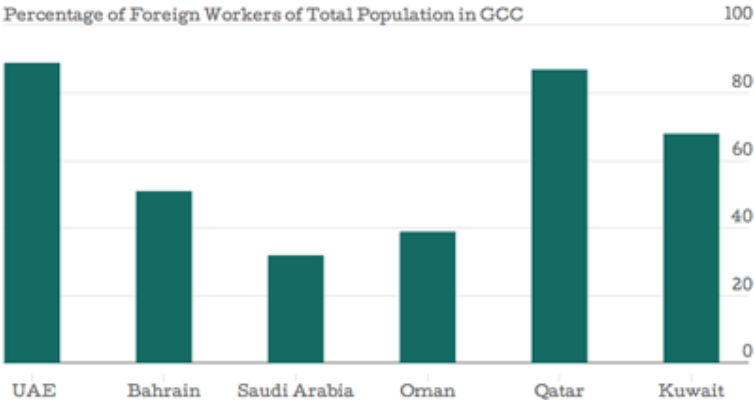


Figure 1: Percentage of Foreign Workers of Total Population in GCC (Source: Kuwait Diplomatic Institute-2011).

History of migration to the GCC countries expanded upon by the British colonial apparatus and then expanded further by the discovery of oil wealth (Gardner, et al., 2014). The discovery of petroleum wealth had a transformative impact on GCC countries' economies. A flush of oil income rapidly paved the way for modernization and changed the region's sheikdoms into modern nation states (Gardner, et. all, 2013). As rapid modernization had a significant effect on the material aspects of life, it has brought the need of the importation of labor in all level of skills. Qatar with its small population size and low level of labor participation had to seek alternative sources of labor. Since the local population is small

and historically lacked the technical skills needed for modernizing their traditional societies, importation of labor at all levels of skills has been adopted as state policy (Khaalaf and Saad Alkobaisi, 1999).

On the other hand, pre-oil economy of the Gulf Sheikhdoms were described with their vulnerability since pearling industry was the only income source of the Gulf that determined the political, cultural and social institutions of the Gulf region (Niblock, 1980). The tribal structure of the region also shaped the conduct of those economic activities based on trust, loyalty and discipline. This economic structure of the region was followed by the economic dependency on the oil sources which produced importance of capital and manpower, extensive social services and a new life style of the Gulf societies. Afterwards, oil and natural gas provide a fundamental source of capital for Qatar that developed its economy rapidly and required labor forces with the rise of oil prices in 1973-74 and in 1978-1979. This development resulted in large transfers of capital from oil importing countries to oil exporting countries (Birks and Sinclair, 1982). Expansion in demand for labor and exhaustion of traditional labor supplies forced labor importers to look for additional supplies, especially in the Indian sub-continent (Schuurman and Raouf Samir, 1990).

With the 'oil boom' in 1973, the GCC countries that had been the major oil-exporting countries had to deal with a dilemma regarding investing their vast revenues. Consequently, they decided on three major economic and social fields in which to invest. The first field was the development of infrastructure, governmental ministries and services. The second field was the development of the industrial and agricultural sectors with the aim to diversify their economies. The third field was the substantial improvement in the health care and education systems as well as other social services (Winckler, 1997). Those infrastructural developments and economic growth in the twentieth century paved the way for the formation of migration industry in GCC countries and allowed them to expand their respective foreign labor forces (Gardner, et. all, 2014).

In early 1980s, labor migration had transformed the workforces of GCC countries. It rose up to 70% in Kuwait, 40% in Bahrain, 85% UAE, % Saudi Arabia and 81% Qatar (Humprey, 1993). After 1982 with the end of the oil decade (1973-1982), substantial change occurred in those countries. In 1981, the World Bank stated that migrant workers were consuming too much water, fuel, food and electricity which was costly for governments to provide wages and subsidizing public services for migrant workers (Winckler, 1997). Authorities began a rigid control over the admission of migrant workers because of the slowing down of economic development after 1982 and increase in unemployment. In 1990, the Iraq invasion of Kuwait resulted in dramatic demographic changes; for example, especially departures of

migrant workers in Kuwait and Saudi Arabia rapidly increased while other GCC countries and Qatar remained the same.

In terms of the conservative and traditional form of its socio-cultural and political organizations, Qatar as a small oil exporting society is different from developed capitalist industrial societies. “Dialectical paradox” is the term that can be used to explain this difference. Wealth and prosperity which came through the oil resources, have paved the way for the dual characteristic of rapid economic modernization. Prosperity level of the country has increased but traditional elements in the political-legal and cultural branches have remained. This affects how society react the scopes of international labor migration (Khaalaf and Saad Alkobaisi, 1999). Therefore, Qatar as a city state (Halliday, 1977) which has a few sources apart from the oil and gas has experienced the deepest impact of the migration with the Kuwait and UAE. Due to the dual characteristics of rapid economic development, since the 1970s, skilled and professional migrant workers have increased but the foreign labor force is still dominated by workers who are employed in the construction sector (Seshan, 2012).

3. Kafala System and Governance of Labor Migration in Qatar

Kafala system is the central institution in Qatar that defines the rights and obligations of the migrant workers. This system also creates a structural dependence by rooting the migrant workers to the employer rather than the state. Qatar authorities prefer individual, informal policies to broader legal policy and consider workers as economic and contract matters rather than of civil and political rights (Mednicoff, 2012). Migrant workers required to obtain their current employer’s permission before changing jobs (known as a ‘no objection certificate’), they are required to have their employer’s permission before leaving the country (exit permit), they are not allowed to form or join trade unions and they are excluded of certain categories of workers, including domestic workers, from the protections of the Labor Law meaning that under Qatari law there are no limits on their working hours, they cannot complain to the Ministry of Labor if their rights are being breached. Moreover, the “kefeel” has ability to hold migrant’s passport and tremendous power in the hands of initial sponsor (Amnesty International, 2013). In the case of GCC countries, foreign workers are employed with local contracts and they are not maintained on their home country social system (Sandrine, 2012). Throughout the time, those practices and attitudes towards the migrant workers have been normalized in the socio-cultural context of Qatar and other GCC countries (Gardner, 2014). This fact shapes the long standing norms concerning the relations between the migrant workers and employers.

The Kafala system recently has come under criticism by human rights groups, who characterize it as a modern slavery. The migration governance system of Qatar has mostly been described with its injustice practices about the migrant workers’ rights. In January, *the Guardian* published a Human

Rights Watch Report and described the 2022 World Cup which is the most ambitious project of Qatar as “a crucible of exploration and misery” (Gaith, 2013). This report has shifted attention to the issue of migrant workers in Qatar. Their living and working conditions have started to be investigated in terms of human rights principles. The Qatari government has started to be criticized for exploiting migrant workers due to its infrastructure projects.

Ministry of Interior and the Ministry of Foreign Affairs are the official institutions who are responsible for the governance of the expatriates in Qatar. For the governance of the labor, the central authority that has primary responsibility is Qatar’s Ministry of Labor (MOL). It implements policies for the use of labor, settles labor disputes in accordance with the Labor Law of Qatar, develop career programs and develop programs to increase the number of Qatar nationals in the workforce (Qatar Ministry of Labor). In addition, the Department of Labor Relations of the Ministry of Labor and Labor Court are two legal institutions that migrant workers can apply when they are exposed to any problems related to their employer and workplace.

Since civil society in Qatar is extremely limited, there are quasi-governmental organizations such as The Doha International Family Institute (DIFI), Qatar Foundation for Education, Science, and Community Development that are engaging with the labor migration and addressing the migrants’ rights and workers’ rights in Qatar (Babar, 2011). Qatar Foundation for Combatting Human Trafficking (QFCHT) is another organization deals with the victims of human trafficking. The Qatar National Human Rights Committee (NHRC) can be seen as the prominent quasi-governmental organization which was established in 2002 in order to demonstrate Qatar’s commitment to prioritizing rights for all residents, and to engage with human rights as a good global citizen (Babar, 2011). The NHRC is mainly engaged with assisting the complainants and preparing annual reports every year.

All of these initiatives can be interpreted as responses for the increasing international scrutiny against Qatar regarding the conditions of migrant workers. Due to the 2022 FIFA World Cup, much attention has been drawn to the implementation of the labor law and the kafala system (Babar, 2011). Human Rights Watch, Amnesty International, and the International Trade Union Confederation regarding the treatment and conditions for workers can be seen as the institutions that showed their condemnation to the labor law implementations in Qatar. As a response to these condemnations of the human rights organizations, the Qatar 2022 Supreme Committee has started preparing a ‘migrant worker charter’, which has been announced to be implemented for all World Cup-related infrastructure projects (Babar, 2011). The stance of Qatar 2022 Supreme Committee can be considered as a commitment to ensure the safety, health and dignity of all workers and their welfare and rights (Babar, 2011).

In the GCC countries, the segmentation and polarization of the labor force has been drawing sharp divisions between the national workers and foreign workers (Malecki and Michael C. Ewers, 2007). The vast majority of national workers are employed in governmental jobs and do not prefer to work in private companies. Similarly, private companies tend to recruit foreign workers because they accept working in flexible hours with a lower salary than the nationals demand. In recent years, governments have attempted to implement some strategies such as bringing quotas for the companies to make them to recruit national workers for the nationalization of the labor force. These strategies are actually named as Saudization, Omanization, Bahreinization, Emiratization, Kuwaitization and Qatarization.

As stated in Qatar's National Vision 2030 plan, rapid economic and population growth causes serious problems in every aspects of life in Qatar. Recruiting that large number of migrant workers motivated the Qatari government to take steps to weigh up the potential consequences of migrant labor. Therefore, Qatar like other GCC countries, avoided seeing itself as a destination for permanent settlement, and aimed to build a citizen workforce by alleviating ongoing dependency on foreign labor (Babar, 2011). Despite the labor nationalization strategies of the Gulf countries, national labor market is currently dominated by the foreign workers. Therefore, the kafala system can be interpreted as a process to manage the large numbers of migrant workers that are an essential component of the national labor market. Kafala system and restrictive migration management policies of Qatar reflect the fear of loss of the national identity and also as a result of the great demographic imbalance in the fabric of Qatar society and in the national labor environment.

4. Disintegration of Low-Income Migrant Workers to Qatar Society

According to Human Rights Watch Report (2012), Nepalese has the largest proportion with 39% of the low-income migrants in Qatar. Indians are 29%, Sri Lanka and Bangladesh are 9%, Philippines are 5%, Pakistan and Egypt are 3% and other nationalities account 2% of the low-income migrant workers' population. In the labor force of Qatar, nationals are mainly work in public sector and highly skilled migrant workers dominate the private sector technical jobs while less skilled migrant workers dominate the construction and domestic works. Since Qatar economy is lack of a free labor market, there is a high dependency on imports (labor, capital goods and know-how) and there is no national capital accumulation process because of the lack of national market (Schuurman and Raouf, 1990). Importing migrant workers brings costs beside benefits for supporting its development projects. As migrant workers can be brought easier and quickly for project-basis jobs and can be sent back to their country when there is no more need, cultural and political costs of the migrant workers are seen as potential threats to Qatar society which declares itself as conservative and family-oriented. Migrant workers are

considered as threats to national heritage of Qatar and cultural values of Qatar and even to political stability of Qatar (Kamrava and Babar, 2012).

According to Human Rights Watch Report (2012), the most serious issues relating to the treatment of construction workers in Qatar are stated as: poor living and working conditions, low wages and failure to pay wages on time or in full, high fees charged by recruiting agents in the labor sending countries, false promises to workers about the salary, benefits and nature of the work to be performed. The life conditions of the low skilled migrant workers should be underlined in order to understand the implications of the kafala system on the migrant labor in Qatar. According to a research that was conducted with the low-income migrant workers in Qatar, the workers recorded that 40% of them was located in dormitory-style camps, followed by 25% in villa camps, apartment flats 16%, port cabins 7%, private homes 5%, and other types of accommodations 7%. Most of them share their accommodation with over six people. Moreover, the supplies of electricity, water, and the provision of air conditioning are provided in very limited standards for them (Gardner, et. all, 2013).

Low-income migrants in Qatar are mostly exploited and deprived of their main economic and social rights. Migrant workers are entering the Qatar through a sponsorship agreement and in most of the cases the contract that had offered to them does not match with the conditions such as the amount of the salary and the type of job that they encounter with in their workplace. However, workers are forced to accept those conditions because they are entering the Qatar through contacting with a labor brokerage in their sending country and if they go back to their country they need to pay those labor brokerages. In addition, they need their sponsor's authorization to leave Qatar which makes the process more challenging for them.

The separation between the higher-skilled and high income migrant workers and low-income, lower-skill workers need to be emphasized as an important aspect of the labor migration issue in Qatar. Although the cultural treats of the high skilled foreign workers towards the fabric of Qatar society are not being neglected, their supposed threat is not considered as a direct threat to the states' security. The threat of the high skilled predominantly Western foreign workers is associated with the advancement of locals within the job market. Since the Gulf countries are lack of human capital, high skilled foreign workers compete in getting the jobs which would appeal to Gulf nationals. In contrast, low skilled foreign workers who are predominantly from Asian and African countries are perceived as posing greater threat to the state security. According to the 2009 "Inter-Arab Labor Mobility Report", low skilled migrant workers tend to engage in crimes, potential to spread communicable diseases, and civic

disruption through migrants' violent protest (Babar, 2011). As for the Arab workers who share the similar linguistic and cultural affinities with the Gulf countries, they have been perceived as the segments that have a politically destabilizing influence in Qatar. This perception of Qatar and other Gulf countries as well towards the Arab migrant workers such as Egyptians, Syrians can be viewed as a traditional threat perception which has been based on the idea that they tend to disperse political ideas and ideologies threatening to the state and the status quo. While the Westerners, Asians and Africans are viewed as posing cultural threat to the fabric of Qatar society, Arab workers are considered as posing political threat to the status quo in Qatar.

Many of them are in a situation that could be described as forced labor under international law, and even quasi-slavery in some cases, particularly in the domestic sector (Molitor, 2014). The new building sites for the World Cup and the abuses that are taking place in the cases of low-income migrant workers have drawn the attention of the global media. Although the problems facing low-income migrants in the Gulf are not new, NGOs and international organizations like Human Rights Watch, Amnesty International and the International Trade Union Confederation (ITUC) have documented many reports which enlighten the situation of the workers.

As in most of the GCC countries, in Qatar migrant workers are defined as potential threats to the state security, social stability, demographic balance, and their propensity to crime and a challenge to the civic order. Since migrant workers are remained out of structured political movements, their threat to the political stability is considered as less important than the cultural and security threats. Their contribution to the state economy and development readily has been neglected by the state of Qatar. According to Babar, these threat perceptions of Qatar towards the non-nationals are part of the public mind-set around the discourse of labor migration in the Gulf (Babar, 2011). This kind of discourse has a potential for a negative treat of the state and society towards the non-nationals and migrant workers.

The result of the migration management of the Gulf countries and Qatar is the engagement of the state in problematizing migration and placing it in securitized debates. This attitude of Qatar can be explained by the political structure of the Gulf monarchies. Internal threat perception has highly dominated the state ideology and policy towards the non-Qatari segments of the society. It should be kept in mind that Qatar is not a democratic regime and participation is limited with the ruling elite. In that sense, state of Qatar's security mission dominates the discourse of the migration management as well as the social stratification based on the ethnicity and class.

5. Conclusion

Qatar as a rapidly growing economy in the Arab world has much more to do in order to cope with labor migration issue and ensure the low-income migrant workers' rights. The main reform that Qatar needs to implement is the kafala system which restricts migrant workers' life conditions. Migrant workers must be provided the right to change their jobs without the permission of their current employer and also to leave the country without the permission of their current employer. The fact that they do not have a right to complain and change their jobs if they face with the problems in their workplace paves the way for the employees to maintain unofficial regulations.

The kafala system has been implemented at the junction between law and custom, and reinforced by legal contracts between the migrant worker and his employer (Gardner, et. all, 2013). In recent years due to the international criticism for the management of migrant labor issue in Qatar, the kafala system has been the focal point of discussions about the global human rights. Qatar as the other GCC states has long been trying to alter the aspects of this system in response to these human rights-based critiques. The critiques are mainly concerning the passport confiscation, lack of documentation, job switching, salary withholding, and problems related to labor camps and living conditions common to low-income foreign workers in Qatar and the neighboring states (Babar, 2011).

Growing migrant population in Qatar makes the management of the labor migration central point for the policy making. Beside the role of economic forces and actors in the management of migration, political factors cannot be underestimated for their role in shaping and developing migration policy of Qatar. Migration policy in Qatar is mainly identified in a broader state discourse and the anxiety of the government because of the 'demographic imbalance' present in the national labor markets and population structure (Sharon, 2006).

It can be emphasized that in recent years the GCC states have begun to take a more proactive role in addressing the issue as a bloc, although they have not succeed in harmonizing their policies regarding the migration management. The GCC states are facing similar concerns around migration and they are at the center of the international criticism for their policies related to the migrant workers. As long as the GCC countries continue to be lack of human capital in their national labor market, population growth of nationals will continue to provide a growing number of entrants to the labor force (Shah, 2012). At this point, policies that the GCC governments implement to manage the labor migration issue, remains as an important element. While they are trying to encourage the national workers to engage in labor force especially in the private sector where the foreign workers are mainly employed, they should improve the foreign workers' rights and take steps to alter the kafala agreement.

Last but not least, it is an inevitable fact that Qatar will continue facing up to the reality of labor in the following years and spatial boundaries between the nationals and non-national workers will be more

crystalized. Despite of the fact that Qatar as well as the other GCC countries has been exposed an international migration flow which is not faced by any other country in the world, the constructive steps that Qatar will take in order to regulate the migrant workers' labor rights and also positive steps to diminish the concerns of the Qatari nationals about the national identity, state security and cultural conflicts will determine the Qatar's place as a rapidly developing country in the world context.

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