Protection of Migrant Workers

What is the issue?

The stories of exploitation and labour violations faced by Indian workers in the Gulf countries should be looked at by remembering the five-decade history of migration to the region.

How about the picture of migration in India?

- Globally, **India ranks first** in terms of international migrants and remittances.
- 6 countries in the Gulf alone account for close to 50% of Indian migrants.
- As per the latest Kerala Migration Survey (2018), close to 2 million Keralites reside in the Gulf.
- The **Kafala or sponsorship system** in the Gulf enables employers to wield significant power over the lives of migrant workers.
- Under the Kafala system a migrant worker's immigration status is legally bound to an individual employer or sponsor (kafeel) for their contract period.
- The migrant worker cannot enter the country, transfer employment nor leave the country for any reason without first obtaining explicit written permission from the kafeel.
- Often the kafeel exerts further control over the migrant worker by confiscating their passport and travel documents, despite legislation in some destination countries that declares this practice illegal.
- The exploitation of migrants led Parliament to enact the **Emigration Act of 1983**.

What is the accusation on GCC countries?

> *The GCC is a political and economic union of Arab states bordering the Gulf. It was established in 1981 and its 6 members are the United Arab Emirates, Saudi Arabia, Qatar, Oman, Kuwait and Bahrain.*

- Gulf Cooperation Council (GCC) countries have been accused of not providing healthcare services, employment and social protection for workers during Covid-19.
- This led to large-scale repatriation during the pandemic.
- The Return Migration Survey conducted among 2,000 Vande Bharat returnees to Kerala revealed that among 47% who lost their jobs, 39% have reported non-payment of wages and reduction in wages.
- During the Dubai Expo 2020, there were several reports of non-payment of wages, contract violations and intimidation of workers.
- There are concerns over the rights violations and deaths of migrant workers during the construction of stadiums for the football World Cup to be held in Qatar.

- The countries are also implementing nationalisation policies, which could lead to forceful job termination.

What efforts were taken in this regard?

- Due to the massive reporting of labour rights violations and criticism of the Kafala system, GCC countries are trying to reform labour laws.
- **The Abu Dhabi Dialogue**, a regional forum, is keen on developing information orientation programmes for workers, promoting technology platforms, and reforms in domestic workers' laws.
- The Government of India's portal **"Madad"** has enabled migrant workers from the country to file their grievances.

What is the need of the hour?

- As much as the country of destination, the country of origin must also be responsible for the current situation.
- The draft Emigration Bill of 2021 (originally drafted in 2019) should be tabled fast.
- The bottlenecks in the countries of destination and origin imply a need for a joint effort to address the issues of migrants.
- India should play a leading role in building regional alliances in the South Asia-GCC corridor.
- A joint effort of all stakeholders including government, trade unions, recruitment agents and civil society can bring notable changes.

References

1. The Indian Express | How we can protect migrant workers
2. ILO | The Kafala System

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