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Arab Gulf States: Recruitment of Asian Workers

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Arab Gulf States: Recruitment of Asian Workers

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Abstract: This paper addresses a neglected area in studies of migrant labor in the Gulf States showing that exploitation of migrant workers occurs before deployment. Evidence from interviews conducted in the five major labour sending countries to Qatar (Philippines, Nepal, Bangladesh, Sri Lanka, and India) suggests that the recruitment procedures and corrupt practices by recruitment agencies and employing company personnel in the receiving country place unskilled workers in a highly vulnerable position prior to departure from their home countries. As a consequence of practices such as deception, false promises, substitute contracts, bribery, and extortion, there is evidence of debt bondage, forced labor, and trafficking within the normative framework of labor migration. Reform measures that are currently underway in Qatar include the banning of workers paying recruitment fees and charges to agents.

Keywords: Laws and regulations, Human rights, Labor rights, Recruitment, Trafficking, Labour market, Foreign labour, Unskilled labour, Low-skilled labour, Visa and fees, Qatar

Introduction

Since the 1980s, the Gulf region has been one of the largest recipients in the world of labour migration flows. Using the available data for 2010 and 2013, the GLMM database estimates some 23 million non-nationals (48.1 per cent) in the six countries.¹ Of the GCC states, and indeed the world, Qatar has the largest proportion of foreigners in its population with nationals representing no more than 12 per cent and even less (6.2 per cent in 2012) of its workforce of approximately 1.34 million;² Qatari males constitute only 4.7 per cent of the total male workforce and 1 per cent of the private sector workforce.³

Few analysts have addressed the procedures and problems in the recruitment of low-skilled (male) migrant workers for the construction industries of the Gulf States. Most observers and human rights critics target the governments of the migrant receiving countries, pressing for legislative reform and implementation of international labour standards. Recent critical reports on the state of migrant workers in Qatar by international organisations⁴ have largely neglected any detailed analysis of the rights violations and corruption that occurs prior to migrant workers' departure and on immediate arrival.

This paper is based on a qualitative study commissioned by the Qatar Foundation to look into the recruitment processes that lead to debt bondage, forced labour, and human trafficking.⁵ In addition to Qatar, the five main labour-sending countries were visited – Philippines, Nepal, Bangladesh, Sri Lanka, and India. A total of 148 interviews were conducted with migrant workers, government representatives, recruitment agencies, academics, NGOs and international organizations involved with migrant rights. The recruitment practices that lead to the violations addressed were largely the same for all five countries.

In Qatar, as elsewhere in the Gulf States, large construction and services projects are tendered out by the state, or “clients” of the state that include organisations such as the Qatar Foundation, Q-Rail, Ashgal (the Public Works Authority) or Q22 (the Supreme Committee for the 2022 soccer World Cup). Companies and corporations who are contracted to carry out these projects may be local, foreign or internationally based, but the establishment of a company in Qatar usually requires that majority ownership (51 per cent) should be held by a Qatari national partner (whether individual or corporate).

The vast majority of employees recruited by these contractors (and their sub-contractors) are foreign, primarily from other Arab states and South Asia. The so-called low-skilled and semi-skilled workers for the construction industry, the main focus of this paper, come from the five South Asian countries studied. While there are no official statistics showing the nationality or ethnicity of the population or workforce in Qatar, a study by Gardner et al. (2013) with a random sample of 1,000 male, low-income migrant workers,⁶ found the main countries of origin were from Nepal (38.5 per cent), India (28.5 per cent), Bangladesh (11 per cent), Sri Lanka (8.5 per cent) Philippines (5.3 per cent), Pakistan (3.3 per cent) and Egypt (3 per cent). The study also showed that 71.9 per cent of the workers were married, and 88.1 per cent of them had children.⁷ Despite their marital status, none of these workers are allowed to have family members accompany them because their income is below QR 10,000 (\$2,700) per month.⁸ It has been estimated that as of 2011, around 450,000 blue-collar workers were employed in the construction industry in Qatar, with around 64,000 employed in the Qatar Foundation's various capital projects that it tenders out to private sector contractors.⁹ These figures have most likely increased since 2011 and may be doubled over the next few years as the construction projects for the World Cup are launched.

Recruitment Process

Contractors, their subcontractors, as well as labour supply companies¹⁰ and placement agencies in Qatar are largely responsible for the recruitment of migrant workers within the guidelines of visa regulations, labour law, and sponsorship law.¹¹ They mainly use private recruitment agencies in the countries of origin, but also individual migrant networks, often through their own employees who act as individual brokers. Sometimes government-to-government labour supply agreements are made between Qatar and

the sending countries, particularly where there are government recruitment agencies such as the Bangladesh Overseas Employment and Services Limited (BOESL) and the Sri Lanka Foreign Employment Agency (SLFEA).

The most formal corporate procedure is to produce a labour “demand letter” that details the positions available to be filled and specifying the preferred country of recruitment. The demand letter is sent to the Ministry of Labour to obtain visa approval for the positions. In Qatar, however, there is a nationality quota system whereby the ministry may deny a position applied for and reject a particular nationality (quota details are not made public). For example, in 2012-13, contractors in Qatar complained that they were unable to get visas for Indian workers who are the most numerous in the country. This often results in visas being granted for positions and nationalities that are counter to a contractor’s requirements. Thus, if there are not enough visas for masons available, a contractor will use an available scaffolder visa and have the worker doing masonry, a situation that places workers in a vulnerable position of having occupations other than those listed in their visa and residence permit.

Governments of all five labour sending countries visited have legislated a fee structure that workers pay local recruitment agents. The Philippines, Nepal, and Sri Lanka stipulate a one-month salary, Bangladesh three months’ salary and India, one and a half months (45 working days) salary.¹² These charges, however, are only for the agent’s commission, and other charges (largely unmonitored by the authorities) are foisted upon workers that may include the visa fee, local transport and accommodation, airfare, medical examination, advertising, pre-departure seminar, and various government taxes. Interviews with recruitment agencies in these countries showed a range of charges, from \$600-1,500. However, interviews with workers in Qatar and returnees in their home countries showed many paying more, from \$600-3,000 and up to \$5,000. These are very large amounts for the poor low-skilled workers who most often sell family assets and take out loans at usurious interest rates – from 30-60 per cent.¹³

Contracts and Deception

Most migrant workers do not understand the provisions set out in their contracts, other than the amount of wages they will receive. Most do not sign a contract before their departure. Some are provided with a “job offer” in the form of a letter, but this is not a contract and is not signed by the worker. Most contracts that are given prior to departure are often signed under duress – at the airport, for example, when the impetus to leave has already been established, or on immediate arrival in the country of destination. Contracts are rarely written in the native language of the migrant worker and employing companies rely upon recruitment agents to convey the contractual arrangements, but there is rarely any proof that this is carried out adequately or honestly. It is also common for companies to ignore these contracts and issue a substitute contract with wages and conditions that are less than originally promised. Workers are either not given a copy of their original contract or told to destroy it when they arrive to eradicate evidence of contract substitution.

In the case of Filipina migrant domestic workers, substitute contracts have become standard practice since 2006, when the Philippines government legislated their minimum monthly salary to \$400. As few employers in receiving countries are willing to pay this amount, recruitment agencies routinely have them sign two contracts, one at the \$400 rate (to leave the country legitimately) and another with

whatever the employer is willing to pay, such as \$250-300, or less. Workers are never given a copy of the substitute contract as prevention against possible legal action against the agency.¹⁴ The Philippines minimum wage requirement for domestic workers thus became a moral hazard.¹⁵

Costs of Recruitment

Those workers who take out loans to pay for recruitment charges (46 per cent of those in the Gardner et. al. study) are vulnerable to debt bondage, forced labour, and trafficking. For example, many construction workers interviewed did not get the salary and/or food allowances they were promised prior to their departure. When they complained to the company after their arrival, they were told that if they did not accept the situation, they could return to their home country, at their own expense. The companies are well aware that the worker may be in debt, having paid for the recruitment costs, and that he will not have enough money to pay for the return airfare and will be reluctant to shamefully return home without providing the financial support for his family.¹⁶ Thus, the worker must accept what is offered and that it will take him longer to repay the loan (normally between 4-6 months, but up to one year). Under these circumstances, the worker is caught in debt bondage, even though the debt is not directly owed to the employer. They are also forced to work for a salary, or possibly in a job, that they are unhappy with.¹⁷ The company is exploiting the situation of such workers and profiting from it. Thus, the company is complicit in debt bondage, forced labour, and a case of trafficking that includes the three elements of: 1) transportation by 2) means of deception for 3) economic exploitation or forced labour.¹⁸

There are a number of different arrangements that are negotiated between companies recruiting workers, placement agencies or individual brokers, and recruitment agencies in the origin countries. First, the employer may pay all the fees and charges to bring workers into the country. Second, the fees and charges may be shared between the employer and employee. In this arrangement, the employer usually pays for the cost of the interview, visa, work permit and the airfare. The employee pays for all other costs, including the agency's commission. In the third type of arrangement, the worker pays for all costs and charges, except for the visa and work permit. Qatari law, for example, requires employers to pay for visa charges and also forbids employers or placement agencies in Qatar to deduct any wages for recruitment or placement fees.¹⁹ It is well known, however, that recruitment agencies in the origin countries do charge workers for visas and work permits as well as the fees for placement agencies in Qatar prior to departure and remit money to placement agencies in Qatar using the informal hawala system of monetary exchange to circumvent the law.²⁰ Having workers pay for the recruitment costs and charges reduces the overheads for the employing company making them more competitive in tendering for construction or services projects.

It is widely accepted that workers pay for recruitment fees and charges. Indeed, where employers pay the recruitment costs and fees, many agencies also charge workers, receiving payment from both. Neither employers nor employees ask one another if they have paid the agency or how much; nor do regulatory bodies in the origin or destination countries question migrant workers about how much they have paid. Recruitment agencies merely state the regulatory requirements in their documentation.

Critical analyses by organisations such as Human Rights Watch²¹ and Amnesty International²² have pointed to “excessive” or “illegal” charges (that is, above the maximum allowable by sending country governments) rather than questioning whether they should pay anything at all. Accepting that migrant workers must pay more than they can afford, in Nepal and Bangladesh, the Probashi Kallyan Bank provides non-collateral loans for recruitment fees, receiving wages directly (an important means to record delayed or non-payment of wages) and facilitating remittances. Even the World Bank report on financial flows between Nepal and Qatar recommended that workers pay these loans from their wages through monthly deductions by their employers and remitted to the manpower agencies in Nepal, a practice that would presumably contravene current Qatari labour law.²³

Competition and Corruption

It is not clear when it began, but according to interviews with ministries and recruitment agencies, the period of the financial crisis in 2007–2008 and the consequent slowdown of construction projects in the Gulf States created a fierce competition between recruitment agencies in the labour sending countries. They began with offers to contractors to supply workers at lower wage rates. Offering to supply workers free of charge followed this. That is, the agencies would charge workers all the costs and commissions, rather than the employing company. While Manolo Abella has argued that “what the recruiter gets is not a fee for the recruiter’s service but a ‘bribe’” to procure the job,²⁴ these “bribes” are solicited or extorted by recruitment agencies and individual brokers and backed by government regulations in the sending countries that allow recruitment agents to charge workers for their fees. Yet most skilled and professional employees do not pay recruitment costs, charges or fees. It is largely the poorest, low-skilled migrant workers, the vast majority of migrant labour in the Gulf States, who are paying and going into debt, due to their desperation to secure work.

Charges to workers are not the only form of bribery and corruption that exists in the labour recruitment industry. It is also common that personnel of the employing company, such as human resource managers and engineers, travel to the sending countries to conduct trade or skills testing and selection of prospective workers. Many recruitment agencies interviewed complained that they were obliged to pay for their hotel bills, food, “entertainment” in casinos and brothels, and sometimes airfares. Sometimes, the receipts from the hotels and restaurants are taken back for company reimbursement, even though the agents have paid for them.

In addition, recruitment agents regularly offer (or are required to offer) “kickback” bribes to the employing company personnel making the recruitment decisions, such as choosing the agent and providing the labour supply contract. The amounts paid vary between \$300–600 per worker and sometimes go up to \$1,000 per worker. In other words, a labour supply contract for 100 workers at \$600 per head will yield \$60,000 as a cash gratuity “with no paperwork.” The source for these and the other payments made by recruitment agents is the unwitting migrant workers who are unaware of what their “recruitment fees” are for and how they are being dispersed. Receipts are almost never given to workers for the amounts they pay the agents, and certainly no detailed breakdown of the costs is provided. It is not clear to what extent the senior executives of these companies are aware of these transactions. However, one recruitment agent

revealed that he paid these funds directly into a company's account, for his own records. Presumably, this company treated the payment as legitimate income.

Reform Measures

These findings and recommendations, revealed in the early stages of the study, have resulted in reform measures on recruitment in the Qatar Foundation's Mandatory Standards for Migrant Worker Welfare for Contractors and Subcontractors (QF Mandatory Standards), published in April 2013.²⁵ The document covers the whole migration cycle, from recruitment, deployment, living and working conditions, and repatriation home and includes standards for recruitment, contracts, termination provisions,²⁶ supply of food, accommodation, health and safety, and transportation. These new standards have high-level support from the Qatari state authorities.

As a commercial requirement, rather than legislation, the new standards will apply to all future contract tenders from the pre-qualification stage, requiring potential contractors to agree with them and demonstrate willingness to comply. The QF Standards have been adopted by Q-Rail and others, including the Supreme Committee for the FIFA World Cup in 2022 (Q22) and have been acknowledged as path breaking and "inspiring" by international organisations like the United Nations Special Rapporteur for Migrant Rights, Amnesty International, and Human Rights Watch. Teams of welfare officers have been established to monitor and audit the implementation of the standards, with commercial penalties for non-compliance. The details of penalties have not yet been made public but can include disqualification for future contracts and financial penalties.²⁷ At the time of writing, discussions are being conducted for a set of national standards for migrant worker welfare that will be based upon, but supersede, the QF and Q22 standards. It is hoped that in time, other countries of the Gulf will follow suit.

In brief, the migrant worker welfare standards in Qatar will require all future contractors to pay for the recruitment charges and fees, mandating that workers are not to pay anything, other than perhaps the cost of their passports, birth and education certificates, and possibly insurance policies mandated by their governments. They should arrive in the country debt-free. Statements to this effect are to be made explicit in the advertisements for jobs in the origin countries, and in pre-departure orientation seminars.²⁸ Where workers can be proven to have paid recruitment fees, the employer will be obliged to reimburse them and place a ban on further business with the recruitment agent.

The implementation of these new arrangements will require the use of accredited "ethical recruitment agencies." Among other characteristics, these are agencies who will not take money from prospective workers and who will circumvent the use of independent sub-agents in the origin countries. Sub-agents are relied upon to recruit from outlying regional areas away from the predominantly urban-based agency offices. Although they are often known, trusted and prominent people at the local level, they are also the source of misinformation, deception, and further bribery costs.²⁹

The principle underlying the reform is that state authorities, along with their contractors and subcontractors, have a responsibility to actively intervene in the recruitment process in the sending countries in order to prevent the corruption and exploitative conditions by prohibiting migrant workers from paying fees in the origin countries. The new standards in relation to recruitment were not designed to

change the law, or establish new legislation, but as an ethical-contractual agreement in the course of commercial business practice. It is an intervention to change the recruitment practices of the international labour market.

The implementation of the new recruitment standards will also require government-to-government agreements to change the existing regulations in the sending countries that allow recruitment charges to be paid for by workers. The Qatar government has signed labour agreements with many countries since the 1980s, but more recently with Nepal, the Philippines, Bangladesh, Sri Lanka as well as Jordan, Lebanon, Mauritius, Yemen and, possibly, Tunisia. These may be seen more as memoranda of understanding rather than bilateral agreements that have monitoring mechanisms and responsibilities specified. The principles of ethical recruitment, however, must be standardised through bilateral or multilateral arrangements such as the Colombo Process that has made several overtures towards ethical recruitment, but has not committed to any details, particularly along the lines that have now been established in Qatar.³⁰ Indeed, it is possible that apart from private ethical recruitment agencies, government recruitment agencies can be utilized, such as the Bangladesh Overseas Employment Services Limited (BOESL) and the Sri Lankan Bureau of Foreign Employment (SLBFE), which are now increasing their operations and may be more conducive to ethical recruitment because of direct government control and an interest in the welfare of their nationals. In India, each state has its own government recruitment agency. The Gulf governments or their clients could also establish their own ethical recruitment agencies in the sending countries, in collaboration with their embassies.

Using Internet data exchange of worker profiles and visa permits, inter-governmental labour recruitment and placement agreements are increasing and bypassing private recruitment agencies, but although figures are unavailable, it is likely they are not significant at the present time. The Qatar Ministry of Labour recently announced a programme for an electronic information base for job applicants, from which employers in Qatar can select candidates and provide a more transparent regulatory system.³¹ Similarly, India's Ministry of Overseas Indian Affairs has established an "e-Governance" or "e-Migrate" program for, greater levels of efficiency, transparency and accountability in the emigration system. ... [automating] emigration clearance, registration and employers' permits, dispense with discretion, mitigate harassment of emigrants and remove corruption. ... interlinking with recruiting agents, employers, immigration counters, Indian Missions abroad, insurance companies and state governments, etc.³²

Conclusion

The banning of recruitment fees and other charges to workers is one of the most important reforms required in the labour markets from South Asia to the Gulf States. In principle, it should eliminate most of the corrupt practices between recruitment agents in the sending countries to agents and employing companies in receiving countries; and with government vigilance it should also dry up the market for visa trading, the costs of which are usually born by migrant workers. The money that workers pay is at the heart of the unjust practices and conditions that make them vulnerable to debt bondage, forced labour, and trafficking. To bring about this reform, solutions are required to establish cross-national jurisdictions between origin and destination countries. This will include discussions and agreements over

joint liability³³ and how blame can be apportioned when things go wrong between recruitment agencies, employees, employers, and governments.

A serious and systematic campaign needs to make clear to all labour sending countries (prospective migrant workers, governments, recruitment agencies, brokers and their associations) and receiving countries in the Gulf (authorities, employing companies and organisations, labour suppliers, placement agencies and embassies) that migrant labour must arrive debt free and without having paid recruitment fees, costs, and charges before departure, or after arrival from their salaries. The campaign also requires the infrastructural facilities for the sustainable implementation, monitoring, and policing of the new ethical standards for migrant worker welfare as has been developed in Qatar – countrywide and internationally. Perhaps the most urgent requirement is the establishment of an accreditation and training system for private and public ethical recruitment agencies.

There is a great deal of cynicism among international agencies regarding Qatar's willingness and ability to implement serious reforms for migrant worker welfare. The new standards offer a promising strategy to restructure and re-orient recruitment practices to eliminate the human and labour rights violations and corruption detailed earlier. These standards, when adopted at the national level, should oblige the Qatar government to implement them as a matter of policy, along with the other provisions regarding working and living conditions of migrant workers. The reform process has begun, but it remains to be seen how long it will take and how well it will be implemented, monitored, policed, and sustained.

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Endnotes

1. 2010 figures were for Bahrain, Qatar and UAE, 2013 figures for Kuwait, Oman and Saudi Arabia. See <http://gulfmigration.eu/total-population-and-percentage-of-nationals-and-non-nationals-in-gcc-countries-national-statistics-2010-2013/>.
2. <http://gulfmigration.eu/employed-population-15-years-and-above-by-nationality-qatar-non-qatari-and-sex-2007-2010-2011-2012-2/>; The Qatari 2010 Census placed Qataris as 14.3 per cent of the population (see GLMM Data Base: <http://gulfmigration.eu/population-by-nationality-qatari-non-qatari-census-1970-2010/>).
3. <http://gulfmigration.eu/employed-population-15-years-and-above-by-nationality-qatar-non-qatari-and-sex-2007-2010-2011-2012-2/>.
4. Such as Human Rights Watch (HRW), Amnesty International (AI), the International Labour Organisation (ILO) and the International Trade Union Confederation (ITUC).
5. Ray Jureidini, *Migrant Labour Recruitment to Qatar: Report for Qatar Foundation Migrant Worker Welfare Initiative*, Bloomsbury/Qatar Foundation (forthcoming).
6. Incomes less than QR 2,000 (\$540) per month.
7. Andrew Gardner, Silvia Pessoa, Abdoulaye Diop, Kaltham Al-Ghanim, Kien Le Trung, and Laura Harkness, "A Portrait of Low-Income Migrants in Contemporary Qatar," *Journal of Arabian Studies* 3, no.1 (June 2013): 1–17, <http://dx.doi.org/10.1080/21534764.2013.806076>.
8. In Bahrain it is the equivalent of QR 2,400, or \$650.

9. Abraham Karmak, "The Migrant Worker Effect," TedX Presentation, Unpublished, 2012.
10. These are firms that house, feed, and pay the wages of workers that they hire out, or lease, on short term basis to contractors and subcontractors. There is little or no oversight on these companies that may be involved in visa trading and trafficking. For example, when a contractor pays a local labour supply company, rather than directly employing the worker, there is currently no responsibility to check on how the workers were recruited. Employers who refuse to lift the corporate veil to ascertain the circumstances of the recruitment of migrant workers should be made accountable.
11. Labour Law State of Qatar, 2004; Law No. 4 of 2009 Regulating the Entry and Exit of Expatriates in Qatar and their Residence and Sponsorship.
12. It is not clear why the fee should be linked to wage level rather than cost of services, particularly when this is usually predetermined by the employer and largely based upon sending country minimum wage levels based on occupation.
13. See International Organisation for Migration (IOM), *Recruitment and Placement of Bangladeshi Migrant Workers: an Evaluation of the Process*, IOM & UNDP, Dhaka, Bangladesh, November 2002, 58; International Labour Organisation (ILO) *A Global Alliance against Forced Labour*, International Labour Office, Geneva, 2005; Gardner et al. "A Portrait of Low-Income Migrants in Contemporary Qatar."
14. In a recent case, however, a Philippines recruitment agency mistakenly gave the domestic workers a copy of "a grossly disadvantageous" substitute contract in Saudi Arabia and was deregistered. See Philippine Overseas Employment Administration, "POEA Cancels Recruiter's License for Contract Substitution," Press Release, October 25, 2013, available at: http://www.poea.gov.ph/news/2013/PR_Oct2013_All-Skills.pdf.
15. In 2013, a delegation from the Philippines government visited Qatar to press for the implementation of the \$400 minimum salary for domestic workers. The Qatari government refused, resulting in an informal ban on Filipina domestic workers. See *Doha News*, "In Response to Requests for Higher Pay, Qatar Imposes Temporary Ban on Filipina Visas," 28 November 28, 2012, [visashhttp://dohanews.co/post/36733881400/source-in-response-to-requests-for-higher-pay-qatar#ixzz2DaVoxtf7](http://dohanews.co/post/36733881400/source-in-response-to-requests-for-higher-pay-qatar#ixzz2DaVoxtf7) (accessed December 13, 2013).
16. In Bahrain, for example, the law makes it quite clear that even if the worker resigns, the employer is financially responsible for the air ticket home and for all work permit and visa-related expenses. See Labour Market Regulatory Authority, Articles 23, 27 and 36 of Act No. 19 for 2006 With Regard to the Regulation of the Labour Market, <http://portal.lmra.bh/english/faq/question/12#.UsfqGBaiVIA> (accessed December 16, 2014).
17. The ILO defines forced labour as, "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily" (ILO Forced Labour Convention, 1930, No. 29).
18. See UN Palermo Protocol (UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Transnational Organized Crime) that came into force on December 25, 2003: Article 3 (a)
19. Qatar Labour Law, 2004: Article 33 (1) "The person who is licensed to recruit workers from abroad for others shall be prohibited from doing the following: 1. To receive from the worker any sums representing recruitment fees or expenses or any other costs."

20. Esaku Endo and Gabi Afram, *The Qatar–Nepal Remittance Corridor: Enhancing the Impact and Integrity of Remittance Flows by Reducing Inefficiencies in the Migration Process*, World Bank, Washington, 2011.
21. Human Rights Watch, *Building a Better World Cup: Protecting Migrant Workers in Qatar Ahead of FIFA 2022*, Human Rights Watch, June 12, 2012, available at: <http://www.hrw.org/embargo/node/107841?signature=98030612146326550c609a5aaf96422&suid=6> (accessed July 2, 2012).
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23. Endo and Afram, *The Qatar–Nepal Remittance Corridor*, pp. xiii.
24. Manolo Abella quoted in Dovelyn Rannveig Agunias, *Regulating Private Recruitment in the Asia–Middle East Labour Migration Corridor*, August 2012, Migration Policy Institute and International Organization for Migration⁷, available at: <http://www.migrationpolicy.org/pubs/Labor-recruitment.pdf>.
25. See press release and download at <http://www.qf.org.qa/news/news?item=128>.
26. Most contracts do not make clear the terms and conditions for the termination of the contract. Qatar labour law has provisions for this, but there are ambiguities that need to be addressed. The termination provisions are also linked to the exit visa and No Objection Certificate (NOC) requirements, so that when a dispute arises, if the termination guidelines are not clearly specified, workers may be denied their freedom to leave the country or find another employer in Qatar.
27. See “Qatar Foundation Emphasises its Commitment to Enforcing Welfare Standards for Migrant Workers,” *Zawya*, April 7, 2014, https://www.zawya.com/story/Qatar_Foundation_Emphasises_Its_Commitment_To_Enforcing_Welfare_Standards_for_Migrant_Workers-ZAWYA201407115323/.
28. Labour sending country governments require pre-departure orientation programs for migrant workers. These are short half-day or one-day programs for a small fee paid by the worker, but are not particularly well organised. They are often conducted by recruitment agencies on their premises and not always taken very seriously.
29. See Dovelyn Rannveig Agunias, *Migration’s Middlemen: Regulating Recruitment Agencies in the Philippines–United Arab Emirates Corridor*, Migration Policy Institute, Washington, 2010.
30. See Colombo Process website, at: http://www.colomboprocess.org/index.php?option=com_content&view=article&id=4:asian-employment-agencies-agree-on-ethical-recruitment-&catid=2:latest; and also International Organization for Migration, *Migration with Dignity*, Report of the Fourth Ministerial Consultation of Overseas Employment and Contractual Labour for Countries of Origin in Asia: 19–21, April 2011, Dhaka, Bangladesh, 52.
31. Letter from Khalid Bin Jassim Al-Thani, Director of the Human Rights Department of the Qatar Ministry of Foreign Affairs, to Philip Luther, Interim Director of the Middle East and North Africa Programme of Amnesty International, October 7, 2013; see Annex 1, Amnesty International, *The Dark Side of Migration*.
32. Interview with T.K. Manoj Kumar, Joint Secretary, Ministry of Overseas Indian Affairs, Emigration Policy Division, Government of India.
33. Models of joint liability can be seen in the Philippines and in Ethiopia.

About the Author



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