

Editorial

The awarding of the mandate to host the 2022 FIFA World Cup to Qatar has been in the media spotlight and highlights a central problem – the living and working conditions of migrants in the Gulf States. The FIFA construction sites are just the tip of the iceberg. In fact, there are no fewer than 25 million migrants working throughout the Middle East – on building sites, in the service sector, textile industry or as domestic staff. The media attention and political pressure surrounding the World Cup will lead, with any luck, to some improvements. But what is needed are profound changes and a strong political will to put an end to the exploitation and discrimination. Switzerland's response to this situation is committed. The SDC works in the countries of departure and destination and at the international level to ensure that the conditions under which workers migrate are decent. This means that it supports development in the countries of origin as migrants send a large part of their wages to their families who have remained there. At a time when the number of internally displaced people and refugees has reached a (tragic) record level because of persecution and conflict, the working conditions of economic migrants must not be forgotten – as they too contribute their part to development and peace.

I hope you enjoy reading this publication.

Dominique Favre
Deputy Assistant Director General

Leaving to find work



Twenty-five million migrants work in the Middle East in often difficult conditions. The vast majority of them are from South Asia. The SDC's Global Programme Migration and Development is committed to protecting them in their countries of origin and of destination.

Finding work. That is the motivation of nine out of ten migrants in the world, if the families that sometimes accompany them are also included. Migrants from South Asia leaving for countries in the Middle East are part of the migratory flow resulting from the supply and demand of labour brought about by globalisation. They leave without their families, are generally poorly educated, work in the construction or textile industries or as domestic staff and are exposed to a high risk of abuse. But they make a decisive contribution to their country's economy – in Nepal, for example, up to 25% of GNP.

Migrant workers represent the most visible part of a system involving a large number of stakeholders, from recruitment agencies to employers and including governments and civil society. The involvement of these stakeholders occurs at all levels, from local to global and at different stages of migration

(considered as a cycle): pre-departure, in the destination country and back in the country of origin.

The asymmetry of power among stakeholders is reflected in the low wages paid to migrant workers. This imbalance, coupled with the international nature of the process leads to a serious risk of exploitation. To benefit all parties, avenues of migration must be safe and regular. In other words, migrants should have access to information on their rights, benefit from fair recruitment, from appropriate training and from the application of international standards which ensure decent living and working conditions. And they must be guaranteed access to justice in the event of abuse.

This is far from being the case for the majority of Asian workers in the Gulf States, in Jordan and in Lebanon. The SDC's Global

Programme Migration and Development (GPMD) intervenes in the countries of origin and destination at local, regional and global level to ensure that the migration of workers takes place in decent conditions. This intervention at several levels is necessary in order to obtain a systemic change. At the same time, experience has shown that small improvements can already make a real difference for migrants.

The start of opening up

Most Middle East countries have laws governing migrant labour but they are rarely enforced. Domestic workers – who are mainly female and isolated – are generally not covered by such legislation, making them even more vulnerable. Furthermore, the activity of non-governmental organisations (NGOs) is restricted, if not forbidden in the majority of these countries.

Despite this narrow margin for manoeuvre, the SDC supports certain NGOs working directly with migrants and seeks dialogue with the governments who, for their part, are showing signs of opening up. The SDC recently supported the training of labour inspectors in Qatar. The International Labour Organization, the International Organization for Migration and UN Women are valuable partners in the Middle East and in Asia.



A Bangladeshi labourer in his room in Doha, Qatar.

Photo: Pattabi Raman

Three priority countries of origin

In South and Southeast Asia, the Global Programme Migration and Development is active at regional level, but is mainly involved in Nepal, Bangladesh and Sri Lanka. Competitors on the Middle East labour market, these countries draw up bilateral agreements – often behind closed doors – with the countries of destination. They are negotiated between unequal partners, potentially undermining the protection of migrants. Instead of this type of arrangement, Switzerland advocates transparent and if possible regional agreements. The GPMD has already enabled talks between governments with a view to establishing such agreements and sharing best practice.

Taking action before departure

Potential migrants are often poorly qualified and have little knowledge of their rights. The SDC helps them obtain information and supports training, particularly in construction trades, which are in high demand in the countries of destination. This will facilitate their recruitment and integration and help them to earn a better wage thus reducing their vulnerability. Once they have gained experience abroad, this qualification should also help them reintegrate when they return to their country of origin.

In South Asia, approximately 80% of potential migrants go through a recruitment agency. If all goes well, the agency will make sure that they obtain a proper contract. But this procedure is often unclear and even when governments do set up official structures, potential migrants have to rely on dubious intermediaries. Fake documents, corruption and prohibitive fees are rife. Relevant legislation often exists but enforcement is lacking. In the countries of destination, although most abuse concerns unpaid wages and confiscated passports, it can also include violation of the workers' physical and mental integrity.

Back in the country of origin, the question arises of appeals in the courts for compensation, whether relating to damages suffered prior to departure, such as a fake contract, or because of the employer.

Policy dialogue

GPMD efforts in the areas of recruitment, training and access to justice support the activities of civil society in the field and instigate policy dialogue with the governments that have created structures to address these issues. In Asia, the "Colombo Process" (supported by Switzerland) brings together eleven countries of origin in Asia. The aims of this consultative platform created in 2003 include the sharing of best practice based on experience in the protection of migrants and the improvement of relations between countries of origin and destination. It is in close contact with the "Abu Dhabi Dialogue", which seeks to develop a partnership with its 18 members: the countries involved in the Colombo Process and seven destination countries in the Arab Peninsula. The dialogue focuses in particular on the protection of migrants and recognition of their qualifications.

Its concrete engagement and its presence in the countries of origin and destination lend Switzerland particular legitimacy, especially as it is one of the few countries to have included migration as a priority area in its development cooperation. It uses its privileged position and its experience to bring about change at regional level. As a sign of recognition, it was the only non-member state to be invited as an observer to the ministerial meeting of the Abu Dhabi Dialogue in November 2014.

This position also allows Switzerland to make a wider impact. It played a large part in the preparation of the Sustainable Development Goals, which will guide UN activities for the next fifteen years. In partnership with other countries, Switzerland is committed to the inclusion of migration – and in particular the protection of migrant workers – in this document. ■

Policy in Sri Lanka for the protection of migrant workers

In Asia, the Global Programme Migration and Development (GPMD) supports work in the field through NGOs and networks such as the Migrant Forum Asia. This latter organisation brings together associations and trade unions from more than 15 countries in the region. Civil society is heavily involved in helping migrants access information, training and psycho-social and legal aid, and also in lobbying governments. In 2014, more than 50,000 households in Sri Lanka benefited from these efforts.

Furthermore, much remains to be done at institutional level. In Sri Lanka, the government launched its National Labour Migration Policy in 2009 to ensure that both the

national economy and migrants can benefit from migration while respecting international standards.

The Swiss Agency for Development and Cooperation has signed a memorandum of understanding with the government of Colombo to help implement this policy, with the support of the International Labour Organization (ILO). The GPMD is lending financial and technical support.

Among the on-going projects, a code of practice for fair recruitment aimed at recruitment agencies is being drawn up. Even voluntary, such a code represents progress. The ILO has also prepared courses for public

employees at district level in order to ensure better services for potential migrants. In their countries of destination, Sri Lankans facing problems should receive better help from their embassy, in particular in the Gulf States, thanks to appropriate training of staff. As part of the same cooperation, the Sri Lankan government and the ILO have put an action plan in place for the return of migrant workers and their reintegration.

Despite the complexity of the subject and the diversity of interests at stake, there has been visible progress and the GPMD will strengthen its commitment in the coming years. ■

Three questions for ...



LINDA AL-KALASH, founder and director of Tamkeen Fields for Aid, an NGO dedicated to helping workers, including migrants. Tamkeen is based in Amman in Jordan.

What are the main problems in Jordan facing migrant workers from Asia and how can you help them?

The two sectors where Asian migrants work are domestic employment, with 75,000 women, half of whom are without papers, and the garment industry, with 50,000 workers, of whom almost a third are undocumented. They come mainly from Bangladesh, Sri Lanka, India, Nepal and Myanmar. Their main problems are confiscated passports, deprivation of liberty, long working hours and verbal, physical and sexual violence. Migrant workers are sometimes also victims of human trafficking.

Another problem arises from political and official practices, such as administrative detention without trial. Domestic workers who cannot afford a return ticket are sometimes kept in detention. We help them by offering legal assistance and plane tickets if necessary. We raise public awareness and provide training to civil servants to change their behaviour.

Jordan has ratified the main conventions on human rights and labour rights. How do you explain the failure to implement them?

There are many reasons for this. Many of these treaties have not been enshrined in national laws. Civil servants do not have enough knowledge to implement them. The negative attitude towards migrants in general also plays a role.

You coordinate the Arab Network for Migrants' Rights which is active in eight countries. What are the main differences between the situation in Jordan and that in the Gulf States?

Jordan is the only country in the region where labour legislation covers domestic staff, but the violations are the same in all countries. The problem stems from the attitude of the people and governments, who consider migrants to be an inferior class and forget the important role that they play in the economic development of the countries of origin and destination. ■

Policy dialogue in the Middle East

The International Labour Organization (ILO) has estimated that in 2012, there were 600,000 victims of forced labour and human trafficking in the Middle East. Since then, governments have started to take action, mainly under pressure from civil society and the media. The Global Programme Migration and Development (GPMD) intervenes at two levels, as in Asia: supporting NGOs, and policy dialogue. For example, the GPMD supports the Al Hassan Workers' Center. Al Hassan is the largest industrial zone in Jordan for the garment sector (17,000 employees, 80% of whom come from South Asia). The centre was established in February 2014 at the instigation of the ILO. It is run by an association whose executive committee is composed of representatives from all interested parties, including the Labour Ministry and the Garment Exporters' Association.



Indrani Ekanayaka, 29 years old, worked 16 hours a day for nine years as a maid in Lebanon without being paid. She fled and is fighting to get back the money she is owed.
Photo: Robin Hammon/Panos Pictures

The Al Hassan Workers' Center provides a protected space where workers can contact trade unions, find training solutions and receive legal aid or health advice.

Policy dialogue is of particular importance in the context of the Middle East. The ILO is a strategic partner and the GPMD is supporting a regional programme which includes lobbying governments, studies on migration to boost advocacy, and support to trade unions where they are allowed.

Switzerland also uses the credibility it has gained in order to engage in more direct dialogue. It signed a memorandum of understanding with the National Human Rights Committee of Qatar in July 2014 with the aim of "strengthening cooperation (...) in the area of migration and development". For the GPMD this means sharing information and intensifying collaboration with regard in particular to the recruitment process and the working and living conditions of migrant workers. ■

The SDC's focus

The SDC

- is active in the countries of origin and destination of migrant workers, in particular in West and North Africa, in the Middle East and in South and Southeast Asia;
- strengthens the capacity of civil society in order to offer migrants a range of services including preparation and the necessary pre-departure information as well as legal and psychological assistance. The SDC pays particular attention to the needs of women and families remaining in the country of origin;
- provides a network and promotes dialogue between governments, civil society and the private sector on subjects of common interest, such as ethical recruitment, recognition of training and standardised contracts;
- supports media awareness of human rights issues relating to migrant workers;
- is actively engaged in global policy dialogue, for example in the Global Forum on Migration and Development and in the 2030 Agenda for Sustainable Development. Experience gained in the field feeds policy dialogue and makes the SDC a credible partner who is listened to.

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