

# **Submission to the UN Special Rapporteur on contemporary forms of slavery on the role of workers' organisations in preventing and addressing contemporary forms of slavery**

*Submitted by the **Coalition on Labor Justice for Migrants in the Gulf**,  
which is hosted by Global Labor Justice-International Labor Rights Forum and includes Anti-Slavery  
International, Equidem, International Domestic Workers Federation, and others*

29 March 2024

*This submission is presented by the Coalition on Labor Justice for Migrants in the Gulf<sup>1</sup> (hereinafter “the Coalition”), a new coalition of international civil society organisations, including global union federations representing independent trade unions, that is calling for governments and employers to respect the agency of migrant workers in Gulf Cooperation Council (GCC) countries to exercise their fundamental human and labour rights throughout recruitment, migration, employment, and return.*

*The submission focuses on the rights to freedom of association, organising, and collective bargaining – and the role that workers' organisations have to play in protecting these rights – for migrant workers in **Bahrain, Kuwait, Qatar, and the United Arab Emirates (UAE)**. The evidence provided shows an almost non-existent ability of migrant workers to exercise such rights in these countries and indicates an amplified vulnerability to contemporary forms of slavery.*

## **Question 1:**

Although trade union rights exist to varying degrees in the domestic legislation of Bahrain, Kuwait, Qatar, and the UAE, migrant workers have limited ability to exercise their right to freedom of association, to organise and collective bargaining.

Trade union rights are limited for migrant workers in **Kuwait**.<sup>2</sup> Even when they fulfil the criteria required to join trade unions,<sup>3</sup> migrant workers cannot hold leadership positions nor be members of union boards, nor participate in collective bargaining. Migrant domestic workers are not given the explicit right to join nor establish unions.<sup>4</sup>

Migrant workers in **Bahrain** (including domestic workers) have the right under the law to join trade unions and form their own unions but can face significant hurdles to realise this right in practice.<sup>5 6</sup> Even though the right to freely associate exists, migrant domestic workers in particular are structurally excluded from the full range of labour protections under Bahraini laws.<sup>7</sup>

On paper, **Qatar** does have several rules and procedures governing collective negotiation, representation, and establishment of joint agreements.<sup>8</sup> The right to freedom of association is

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<sup>1</sup> By directly engaging with workers and bringing forth transnational pressure, the Coalition on Labor Justice for Migrants in the Gulf is uniting to ensure that the needs, rights, and dignity of migrant workers – specifically those employed in domestic work, hospitality, and construction sectors – are guaranteed and respected, from recruitment in countries of origin through employment in the GCC countries.

<sup>2</sup> ILO, '[Regulatory Framework Governing Migrant Workers: Kuwait](#),' (Dec 2023).

<sup>3</sup> See Private Sector Labour Law, [No. 6 of 2010](#).

<sup>4</sup> ILO, '[Comments adopted by the CEACR: Kuwait](#),' (2022).

<sup>5</sup> ILO, '[Regulatory Framework Governing Migrant Workers: Bahrain](#),' (Dec 2023).

<sup>6</sup> For more detail, see response under Question #5 of this submission.

<sup>7</sup> Domestic workers are only subject to 15 of the 197 articles of the [Labor Law for the Private Sector](#) (No. 36 of 2012).

<sup>8</sup> See [Qatar's Law No. \(14\) of 2004](#) on the promulgation of Labour Law Part 13 esp. arts. 124-127 and 129.

vaguely articulated in Article 45 of Qatar’s Constitution, but only applies to citizens;<sup>9</sup> and de jure, the Labour Code only permits one trade union to exist (the General Union of Workers of Qatar), which only Qatari workers may join.<sup>10</sup> For migrant workers, the rights to freedom of association, organisation, and collective bargaining remain incredibly limited. Labour Law No. 14 of 2004 permits migrant workers to join Joint Committees,<sup>11</sup> which also include worker representatives chosen by direct election.<sup>12 13</sup> In reality, advocates report that workers who are elected are often hand-picked by management and workers are sometimes not aware of them.<sup>14</sup> Joint Committees remain separate from trade unions and are not sufficient to guarantee workers’ rights protection. Migrant domestic workers do not have access to such representation given their employment in private homes.

In the **UAE**, trade unions are banned by law.<sup>15</sup> While “there is no prohibition on committees at the company level” and migrant workers are technically able to serve as representatives,<sup>16</sup> these types of committees alone do not amount to true independent and impartial freedom of association. Migrant domestic workers cannot engage with such committees. Furthermore, employers can temporarily suspend workers without pay in the event of a strike,<sup>17</sup> and a one-year employment ban can be given for any involvement in an illegal strike or for inciting a strike.<sup>18</sup>

### **Question 3:**

In **Bahrain**, International Domestic Workers’ Federation (IDWF) and the General Federation of Bahraini Trade Unions (GFBTU) collaborate on an annual multi-stakeholder conference on social protection for domestic workers, which is inaugurated by the Labour Minister.<sup>19</sup> In **Kuwait**, Solidarity Center, Human Line, and the Social Work Society joined together with the Ministry of Interior to create the One Roof Campaign to raise national awareness about domestic workers’ rights.<sup>20</sup>

### **Question 4:**

There are a few workers’ organisations operating within **Bahrain, Kuwait, and Qatar**. IDWF has affiliates in Kuwait and Qatar (Sandigan Kuwait Domestic Workers Association and Bayanihang Domestic Worker Qatar respectively).<sup>21</sup> In Bahrain, despite many challenges, the GFBTU attempts to defend the rights of migrant workers, sometimes through direct cooperation with the Ministry of Labour. Building and Woodworkers International (BWI) also assists workers in many GCC countries including in Qatar, but like all trade unions in the region, faces obstacles as migrant workers are denied full freedom of association rights.

Partners involved in the Coalition are also active in the region: they conduct focus groups sessions with migrant workers in Bahrain and Kuwait, to understand migrant workers’ experiences, including on recruitment and work, and to educate them on indicators of forced labour. Coalition partners engage regularly with migrant workers’ associations and nationality-based community groups, and

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<sup>9</sup> State of Qatar, ‘[The Constitution](#),’ art. 45, (2004).

<sup>10</sup> [Qatar’s Law No. \(14\) of 2004](#) on the promulgation of Labour Law, Part 12., art. 116.

<sup>11</sup> Joint Committees can only be established in companies with 30 or more workers.

<sup>12</sup> ILO, ‘[A guide to the roles and responsibilities of joint committee representatives in Qatar](#),’ (1 Feb 2021).

<sup>13</sup> ILO, ‘[Regulatory Framework Governing Migrant Workers: Qatar](#),’ (Dec 2023).

<sup>14</sup> Business & Human Rights Resource Centre, ‘[After the final whistle: Migrant workers speak out on exploitation during the Qatar World Cup 2022](#),’ (June 2023).

<sup>15</sup> ILO, ‘[Regulatory Framework Governing Migrant Workers: UAE](#),’ (Dec 2023).

<sup>16</sup> Ibid.

<sup>17</sup> UAE Federal Law [No. 8 for 1980](#), art. 112.

<sup>18</sup> Art. 13, UAE Ministerial Decision [No. 707 of 2006](#).

<sup>19</sup> Bahrain News Agency, ‘[Labour Minister: Bahrain keen on ensuring protection for all workers](#),’ (25 Oct 2022).

<sup>20</sup> [One Roof Campaign](#), (2024).

<sup>21</sup> IDWF, ‘[Affiliates - Mena](#),’ (2024).

have undertaken field investigations, exposing systematic practices of severe exploitation in Qatar and the UAE.<sup>22</sup>

While on-the-ground worker organisations are key to bringing violations to the forefront and addressing immediate needs, security issues for staff members and personnel capacity limit their ability to advocate to governments. Supported by workers' organisations, the work of the Coalition is key: because of its international nature, it can leverage evidence to exert external pressure on governments in all four countries, to improve laws and policies that protect the rights of migrant workers. One way in which it does it, is through engagement with UN and ILO supervisory mechanisms.

### **Question 5:**

Evidence collected by the Coalition in the field<sup>23</sup> and available in public investigative reports<sup>24</sup> reveals that migrant workers suffer significant human and labour rights abuses in Kuwait, Bahrain, Qatar and the UAE, often amounting to contemporary forms of forced labour.<sup>25</sup> The inability of migrant workers to enjoy their right to organise, freedom of association and collective bargaining enables vulnerability to contemporary forms of slavery: with no avenue to resort to and isolated, workers are silenced by a culture of fear made of continuous intimidations, threats and violence while employers continue to act with impunity.

Violations of workers' rights are exacerbated by operational barriers that trade unions face that limit their ability to support workers, as has been the case in **Bahrain**. In June 2023, a Bahraini domestic workers union, the General Domestic Workers Trade Union (GDWTU), was established under the GFBTU. However, GDWTU has been waiting for its registration to be finalised for over a year and is still waiting as of the drafting of this submission. In July 2023, the Bahraini House of Representatives issued a statement questioning the need for establishing a union, and stated that it is more important to protect the employer's rights and that the rights of "servants" are sufficiently protected.<sup>26</sup> Such statements, particularly when combined with the government's delay in finalising the union's registration, raise serious concerns that burdensome registration requirements and bureaucratic delays are pretexts to disallow unions in practice.<sup>27</sup>

The prevailing norms of threats, intimidation, and isolation create further barriers to migrant workers' ability to exercise their rights to freedom of association and collective bargaining. For example, the lack of a day off restricts workers' freedom of movement and prevents them from physically accessing unions or support organisations, heightening their vulnerability to contemporary forms of modern slavery. Absconding cases are also used as a tactic to limit workers' ability to exercise their freedom of association. In **Qatar**, a domestic worker was deported after attending an IDWF regional meeting out of the country: upon her return to Qatar, she learned that her employer had filed an absconding case against her, even though she had received prior consent to attend. She was arrested, imprisoned, and deported within days without opportunity for recourse.<sup>28</sup>

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<sup>22</sup> Equidem, ["If we complain, we are fired": Discrimination and Exploitation of Migrant Construction Workers on FIFA World Cup Qatar 2022 Stadium Sites](#), (2022); Equidem and GLJ-ILRF, ["We work like robots": Discrimination and Exploitation of Migrant Workers in FIFA World Cup Qatar 2022 Hotels](#), (2022); Equidem, ["Unjust Transitions: Climate Migration, Heat Stress, and Labour Exploitation in the United Arab Emirates"](#), (2023).

<sup>23</sup> Data held on file by coalition partners.

<sup>24</sup> Equidem, (2022); Equidem and GLJ-ILRF (2022); Equidem (2023).

<sup>25</sup> ILO, ["Profits and poverty: The economics of forced labour"](#), (2024).

<sup>26</sup> MC Doualiya, ["Establishing the first union for domestic workers in Bahrain, and a representative questions its usefulness and demands defending the rights of the sponsor"](#), (14 July 2023).

<sup>27</sup> Data held on file by Coalition partners.

<sup>28</sup> Ibid.

Migrant workers across the GCC countries who attempt to strike or otherwise use their freedom of expression, assembly or association rights to access justice to demand wages or better working conditions are often not only fired or deported, but also end up in detention or face serious criminal charges for “security” violations.<sup>29</sup> Even workers who simply hold peaceful walkouts to demand to be paid<sup>30</sup> are often detained, charged with national security violations, and face harsh penalties. This is especially the situation for migrant workers in Qatar and the UAE.

### **Question 6:**

Our recommendations to governments in **Bahrain, Kuwait, Qatar, and the UAE** are as follows:

1. **Bahrain, Qatar and the UAE** must ratify and effectively implement ILO C087 and C098.
2. **All four governments** must ratify ILO C189 to protect migrant domestic workers’ right to organise; C190 to protect all workers from gender-based violence and harassment in the world of work; and C029, the updated ILO Protocol and Recommendation on Forced Labour.
3. **All four governments** must ensure that migrant domestic workers can enjoy a day off each week, which can allow them access to unions, advocacy organisations, and accountability mechanisms, and to meaningfully exercise their right to freedom of movement.
4. **All four governments** must pass and implement legislation recognising workers’ right to freely associate, organise, bargain collectively and form a trade union in line with international labour conventions. This includes allowing migrant workers to form their own unions, hold leadership positions in unions, and participate in worker collective bargaining committees.

Recommendations for individual countries include:

#### **Kuwait:**

- Eliminate the requirement that migrant workers in the private sector must have a work permit and five years of residence in Kuwait in order to join a trade union.
- Allow migrant workers to form their own unions, hold leadership positions, and participate in collective bargaining. Migrant workers should be allowed to vote, nominate, and represent workers in all unions.
- Extend the same labour rights protections to migrant domestic workers that are afforded to private sector workers, including providing domestic workers with equal freedom of association rights.
- Ensure the full recognition in law and in practice of the right of domestic workers to establish and join trade unions.

#### **Bahrain:**

- Extend the same labour rights protections to migrant domestic workers that are afforded to private sector workers.

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<sup>29</sup>BBC, [‘Qatar deports migrant workers after wage protest,’](#) (22 Aug 2022); Bishop G., [‘The World has Moved On, but They Say Injustices from Qatar World Cup Remain.’](#) *Sports Illustrated*, (3 Aug 2023); Pattison, P., [‘World Cup security guards still jailed in Qatar after dispute over unpaid wages.’](#) *The Guardian*, (26 May 2023); Critchley, M., [‘Qatar’s World Cup, six months on: If ‘now is all’, what comes next?’](#) *The Athletic*, (18 June 2023); Mills, A., [‘Jailed, deported and blacklisted: Qatar’s outspoken World Cup guards.’](#) *Reuters*, (5 May 2023); Wallace, S., [‘World Cup migrant workers imprisoned for months in Qatar.’](#) *The Telegraph*, (18 May 2023).

<sup>30</sup> Bishop, G., [‘The world has moved on, but they say injustices from Qatar World Cup remain,’](#) (3 Aug 2023); Doha News, [‘Qatar tales legal action against security company following staff protest,’](#) (29 May 2023).

- Simplify and speed up processes for trade union registration by mandating that all such registrations are processed in a reasonable time frame, and that clear communication about the status of registration is provided to the applicant.
- Guarantee a day off to migrant domestic workers, to reduce barriers to trade union access.

**Qatar:**

- Enable all workers – including migrant workers in the private sector and migrant domestic workers – to enjoy their right to unionisation, freedom of association and collective bargaining.
- Ensure that migrant domestic workers have the right to establish trade unions; and non-union migrant domestic worker civil society associations receive formal recognition.
- Decriminalise strikes and eliminate employment bans for illegal strikes and instigations for migrant workers.

**UAE:**

- Enable all workers – including migrant workers in the private sector and migrant domestic workers – to enjoy their right to unionisation, freedom of association and collective bargaining.
- Decriminalise strikes and eliminate employment bans for illegal strikes and instigations for migrant workers.