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Migrant Labor and the Kafala System in GCC States: Continuity of Exploitation or a Contemporary Form of Slavery?

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To those we hold close whether by our side or in our hearts ,your presence endures in every step of this journey.

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Abstract

This dissertation explores the complex realities of modern labor practices in the Gulf Cooperation Council states(GCC), questioning whether they present a continuity of historical exploitation or constitute a novel form of slavery . The study uses a historical analysis to explore the historical legacy of slavery in the region and its transition into modern labor frameworks. The study then critically examines the kafala (sponsorship)system , analyzing its fundamental mechanics and their implications for migrant workers. Drawing upon survey data that captures the lived experiences of these workers and using secondary data from reports, case studies and international organizations, the dissertation analyzes the extent to which their human rights are upheld or violated. This indicates that the research follows a mixed-methods approach, combining historical analysis with survey- based quantitative data. Furthermore, it evaluates recent labor changes in the Gulf states. This work provides a refined comprehension of the challenges and complexities inherent in the Gulf's labor environment and identifies pathways for reform to ensure more equitable and rights-respecting labor practices. The findings of the research show that migrant workers often face legal insecurity, limited access to justice, and unequal power dynamics with their sponsors which highlights persistent patterns of exploitation under the kafala system. While some reforms have been introduced their implementation remains inconsistent and often superficial.

Key words: modern labor practices in the Gulf states, historical exploitation , modern-day slavery , the kafala sponsorship system , migrant workers, challenges , lived experiences.

Résumé

Cette thèse explore les réalités complexes des pratiques de travail modernes dans les États du Conseil de coopération du Golfe (CCG) , en se demandant si elles s'inscrivent dans la continuité de l'exploitation historique ou si elles constituent une nouvelle forme d'esclavage moderne. L'exploitation historique ou si elles constituent une nouvelle forme d'esclavage moderne. L'étude utilise une L'étude utilise une analyse historique pour explorer l'héritage historique de l'esclavage dans la région et sa transition vers des cadres de travail modernes. Dans les cadres de travail modernes. L'étude examine ensuite de manière critique le système de la kafala (parrainage), en analysant ses mécanismes fondamentaux. En analysant ses mécanismes fondamentaux et leurs implications pour les travailleurs migrants. En s'appuyant sur des données d'enquête qui reflètent les expériences vécues par ces travailleurs et en utilisant des données secondaires provenant de rapports Secondaires provenant de rapports, d'études de cas et d'organisations internationales, le mémoireAnalyse la mesure dans laquelle leurs droits de l'homme sont respectés ou violés et évalue les changements récents en matière de travail dans les États du Golfe. Les récents changements en matière de travail dans les États du Golfe. Ce travail permet une compréhension fine des défis et des complexités inhérents à l'environnement du travail dans le Golfe et identifie des voies de réforme pour garantir des pratiques de travail plus équitables et plus respectueuses des droits. Les résultats de la recherche montrent que les travailleurs migrants sont souvent confrontés à l'insécurité juridique, à un accèslimité à la justice et à une dynamique de pouvoir inégale avec leurs sponsors, ce qui met en évidence des schéma spersistants d'exploitation du travail dans le cadre du système de la kafala. Bien que certaines réformes aient été introduites, leur mise en œuvrer est eincohérente et souvent superficielle.

Mots clés : pratiques de travail modernes dans les États du Golfe, exploitation historique, L'esclavage moderne, le système de parrainage kafala, les travailleurs migrants, les défis, les expériences vécues.

الملخص

تستكشف هذه الاطروحة الحقائق المعقدة لممارسات العمل الحديثة في دول مجلس التعاون الخليجي, متسائلة عما اذا كانت تمثل استمرارية للاستغلال التاريخي او انها تشكل شكلا جديدا من اشكال العبودية الحديثة. تستخدم الدراسة تحليلا تاريخيا لاستكشاف الارث التاريخي للعبودية في المنطقة و انتقالها الى اطر العمل الحديثة. ثم تفحص الدراسة بشكل نقدي نظام الكفالة و تحليل الياتها الاساسية و اثارها على العمال المهاجرين. بالاعتماد على بيانات المسح التي تجسد التجارب الحية لهؤلاء العمال, و باستخدام بيانات ثانوية من التقارير و دراسات الحالة و المنظمات الدولية, تحلل المذكرة مدى احترام حقوقهم الانسانية او انتهاكها و تقييم التغيرات العمالية الاخيرة في دول الخليج. يوفر هذا العمل فهما دقيقا للتحديات و التعقيدات الكامنة وتظهر نتائج في بيئة العمل في الخليج و يحدد مسارات الاصلاح لضمان ممارسات عمالية اكثر انصافا و احتراما للحقوق البحث أن العمال المهاجرين غالباً ما يواجهون انعدام الأمن القانوني، ومحدودية الوصول إلى العدالة، وديناميكيات السلطة غير المتكافئة مع كفلائهم، مما يسلط الضوء على استمرار أنماط الاستغلال في العمل في ظل نظام الكفالة. وفي حين تم إدخال بعض الإصلاحات، إلا أن تنفيذها لا يزال غير متسق وغالباً ما يكون سطحياً.

الكلمات المفتاحية ممارسات العمل الحديثة في دول الخليج, الاستغلال التاريخي, العبودية الحديثة, نظام الكفالة, العمال المهاجرين, التحديات, التجارب الحية.

Table of Content

Acknowledgment **i**

Dedication 1 **ii**

Dedication 2 **iii**

Abstract **iv**

Résumé **v**

الملخص **vi**

Table of Content **vii**

The List of Abbreviations and Acronyms **xii**

List of Figures **ix**

General Introduction **1**

Chapter One **6**

The Historical Context and Legacy of Slavery and Labor Exploitation in the Gulf

1.1 Slavery as a Historical Institution: a Global Perspective **6**

1.1.1 Universality of Slavery : **7**

1.1.2 The Role of Slavery in Pre-modern Economies and Societies: **10**

1.1.3 The Abolition of Slavery and the Rise of New Labor Systems: 12

1.2 Slavery in Islamic Societies: Legal, Social and Economic Dimensions: 13

1.2.1 The Islamic Legal Framework on Slavery (Quran _Hadith): 14

1.2.2 The Social and Economic Roles of Slaves in Islamic Societies: 16

1.2.3 The Gradual Decline of Slavery in Islamic Societies: 17

1.3 Slavery in the Gulf : Historical Context and Practices: 19

1.3.1 The Origins and Sources of Slaves in the Gulf: 20

1.3.2 The Economic Importance of Slavery in the Gulf: 21

1.3.3 The Social and Treatment of Slaves in the Gulf Societies: 23

1.4 The Transition from Slavery to Modern Labor Systems: 24

1.4.1 Indentured Labor and Early Migrant Workers: 25

1.4.2 The Impact of Colonialism on Gulf Labor Structures: 26

1.4.4 The Foundation of the Kafala System (Brief Introduction): 27

Conclusion 28

Chapter two 30

Overview and Mechanisms of the Kafala System

2.1 Definition and the Origins of the Kafala system 30

2.1.1 The Historical and The Legal Framework 32

2.1.2 Purpose and Justifications for the System 33

2.2 Structure and Mechanisms of the Kafala System 35

2.2.1 The Role of The Kafeel (Sponsor) 35

2.2.2 Sponsorship and Employment Ties 36

2.2.3 Visa Control and Residency Regulations 38

2.2.4 Wage Payment and Financial Dependencies 39

2.3 Legal Framework and Government Regulations 40

2.3.1 Variations of Kafala Across the Gulf States 40

2.3.2 Key Laws Governing Migrant Labor Under Kafala 42

2.3.3 Recent Reforms and Their effectiveness 43

2.4 Recruitment and Migration Process 45

2.4.1 Role of Recruitment Agencies 45

2.4.2 Costs and Fees Paid by Migrant Workers 46

2.4.3 Contract Substitution and Misrepresentation 48

2.5 Control, Restrictions, and Worker Vulnerabilities 49

2.5.1 Restrictions on Job Mobility and Changing Employers 49

2.5.2 Passport Confiscation and Exit Visa Policies 51

2.5.3 Issues of Forced Labor and Human Rights Violations 52

Conclusion **54**

ChapterThree **55**

Migrant Workers' Experiences, Human Rights, Pathways to Refom and the Future of Labor in the Gulf

3.1 The Lived Experiences of Migrant Workers in the Gulf: **55**

3.1.1 Recruitment Practices and Promises vs Realities: **55**

3.1.2 Working and Living Conditions **58**

3.1.3 Social Isolation, Exploitation and Abuse **62**

3.2 Human Rights Challenges for Migrant Workers **66**

3.2.1 The Denial of Belonging: Citizenship, Legal Identity and Marginalization **66**

3.2.2 Access to Justice and Barriers to Redress : **67**

3.2.3 Gendered Experiences: Women Workers Vulnerability **71**

3.3 Efforts and Initiatives for Reform **75**

3.3.1 Government Reforms : Labor Laws and Kafala Modifications **75**

3.3.2 The Role of International Organizations (ILO, UN, NGOs) **78**

3.3.3 Domestic Reform Efforts and National Human Rights Institutions **80**

3.4 Pathways to Achieving Sustainable Reform **82**

3.4.1 Strengthening Legal Frameworks and Enforcement Mechanisms **82**

3.4.2. Empowering Workers advocacy **85**

3.4.3 Future Prospects: Towards Rights-Based Labor Systems **87**

Conclusion **89**

General Conclusion **91**

Works Cited **94**

Appendix (A) **109**

The List of Abbreviations and Acronymes

FIFA: Fédération Intérnationale de Football Association

GCC : Gulf Cooperation Council

HRW : Human Rights Watch

ILO : International Labor Orgranization

LMRA: Labor Market Regulatory Authority

LRI: Labor Reforms Initiatives

MDW: Migrant Domestic Workers

NGO : Non- Governmental Organization

NOC : No Objection Certificate

UAE : United Arab Emirates

UN : United Nations

WPS: Wages Protection System

List of Figures

Figure 1: Migrant Workers Recruitment Methods. **56**

Figure 2: The Responsibility for Recruitment Costs of Migrant Workers in the Company. **58**

Figure 3: Provision of Accomodation for Migrant Workers in the Company. **60**

Figure 4: Salary Payment Methods for Migrant Workers. **61**

Figure 5: Timing of Employment Contracts Provision for Migrant Workers. **62**

Figure 6: The Structure of Working Hours for Migrant Workers . **65**

Figure 7: Provision of Rest Days and Annual Leave for Migrant Workers. **65**

Figure 8: Company Policies on Retention of Workers Passports. **70**

Figure 9: Mechanisms for Handling Workers Complaints and Grievences in the Company. **71**

Figure 10: Industry Sector of the Company Operation. **72**

Figure 11: Proportion of Migrant Workers in the Company's Workforce. **73**

Figure 12: Conditions for Allowing Migrant Workers to Change Job Before Contracts Completion. **78**

Figure 13: Implementation of Progress ti Improve Migrant Workers Well-Being in the Company. **80**

Figure 14: Changes to Company Labour Policies in Responce to New Laws or Public Concerns . **82**

Figure 15: Perceptions of Govrenment Policies on Migrant Labour in the Country . **85**

Figure 16: Major Challenges Faced by the Company in Managing Migrant Workers. **89**

General Introduction

The movement of individuals across borders in search of work has become a definingfeature of the contemporary global landscape. Within this complex dynamic, the Gulf region stands out as prominent destination for vast international workforce comprising migrant workers who originate from diverse regions across Asia, Africa and beyond . Understanding the complexities of these systems necessitates a critical examination of their historical roots, particularly the transition from earlier forms of labor organization, including the well-documented history of slavery within the region and beyond . While different studies have shed light on different aspects related to the universality of slavery.

This dissertation initiates such an inquiry, seeking to reveal the enduring aspects and fundamental shifts in labor exploitation as the Gulf States evolved from traditional societies to modern resource -rich nations.The central focus of this dissertation lies in the critical analysis of modern labor practices in the Gulf, specifically questioning whether these practices represent a departure from historical exploitation or constitute contemporary manifestation of slavery . To address this question, the research delves into the mechanisms of the Kafala system; a prevalent and dominant regulatory framework for foreign laborers in countries such as Saudi Arabia, the United Arab Emirates, Qatar, Kuwait ... that governs the relationship between migrant workers and their employers .

Through the analysis of the legal, social and economic dimensions of this system, this study ultimately argues that while slavery in its legal forms has been abolished, the core structures of power imbalance, restriction, and exclusion continue to shape the experience of many migrant workers in the Gulf. These dynamics demand a critical reassessment of how labor is regulated and whether ongoing reforms are capable of challenging the deeply embedded.

These objectives give a rise to a set of research questions that seek to explore the core issues underlying modern labor practices and the kafala system in the Gulf.

1) To what extent do modern labor practices in the Gulf reflect the continuity of exploitation, or demonstrate a new form of slavery under the international human rights standards?

2) How does the kafala system impact the daily lives and fundamental rights of migrant workers on the Gulf, and what does this reveal about contemporary labour practices?

3) How do reforms in the Gulf labor law impact the lived experiences of migrant workers in terms of protection, independence and right?

In response to the research questions, the following hypotheses are made to guide the analytical framework of the study

1) Modern labour practices in the Gulf still reflect deep-rooted exploitation and resemble a new form of slavery, despite formal adherence to international human rights standards.

2) The Kafala system severely limits migrant workers' freedom and rights, revealing that current labor practices on the Gulf prioritize control over protection.

3) While recent reforms in the Gulf labour laws appear promising on paper, they have had minimal positive impact on the actual experiences of migrant workers in terms of protection and independence.

The Gulf region serves as global center for swift economic growth and ambitious development projects driven by massive natural resource wealth. This wealth is supported by employing millions of migrant workers who have variety of working reasons and conditions. These conditions have attracted significant academic attention , due to the persistent mechanisms of Labor exploitation in the Gulf . The latter can be better understood when seen through historical and contemporary lens. Ehud Toledano ‘s”As if silent and absent :bonds of enslavement in the

Islamic middle east", offers a detailed account of the legal and emotional framework that sustained slavery in Islamic societies, emphasizing how power relations, silence and control were ingrained in the daily lives of the enslaved .This historical analysis finds contemporary relevance in Kevin Bales" Disposable people new slavery in the global economy", where he argues that contemporary forms of bondage while lacking legal ownership. They retain the core dynamics of coercion, profit-driven exploitation and how people are treated as disposable. These structural continuities are echoed in" Labor migrants and access to Justice in contemporary Qatar "by Andrew Gardner, Sylvia Pessoa and Laura Harkness, which reveals systemic barriers to Justice, including language exclusion, employer control and legal inaccessibility in which all are central to the kafala system. Meanwhile, the analogy "The Gulf: High culture / Hard labor", edited by Andrew Ross, brings these issues into sharp relief by juxtaposing the region's cultural aspirations with the hidden struggles of the migrant workforce sustaining its development.Together, these works suggest that modern labor governance in the Gulf does not merely echo past hierarchies, but actively perpetuate them in a new shape.

This study adopts quantitativereserach approach aiming to explore the lived experiences of migrant workers in the Gulf region. This approach is appropriate for understanding the personal and social dimensions of labor migration. It helps the reader comprehend the workers' perceptions. challenges and expectations in a more descriptive way.

In addition to the quantitative approach and to gather primary data, the sudy employed an online survey designed via Google Forms. The survey encompassed closed questions followed by one open-ended final question which encouraged participants to share their personal experiences in details. The survey discussed several topics:

- Working and living conditions.

- The relationships between the employer and the employee.
- Access to social sevices.
- Suggestions for policy or social improvements.

Furthermore, the study integrates **historical analysis** to trace the development of labor practices over time and **comparative analysis** to contrast policies and lived experiences across different Gulf states.

The participants were selected using purposive sampling, focusing specifically on south-east Asian workers currently or previously employed in the Gulf Cooperation Council (GCC) countries. The total respondents participants is 28 in the study. These participants were recruited throught a combination of direct contact and via LinkedIn; a professional networking platform. LinkedIn was chosen as a tool due to its accessibilityand relevance in connecting with professionals and workers. All the data was collected anonymously and will be stored securely and used exclusively for academic purposes.

Moreover, the study is guided by the idea of Power and Knowledge by Michel Foucault. It helps the reader to understand how power works through the ways people deal with forgien labourers. In addition, it explains how the system which governs the labour policies shapes what is seen as "normal" and "true" about migrant labour. This theory enables comprehending how power dynamics affect the everyday lives of workers.

The first chapter is devoted to the historical context and legacy of slavery and labour exploitation in the Gulf. The historical foundation helps to understand labour exploitation in the Gulf by tracing the global history of slavery, its legal and social dimensions in Islamic societies and its specific manifestations in the Gulf region. Moreover, it examines the transition from

slavery to modern labour systems setting the stage for a deeper discussion on the continuation of exploitative labour practices in contemporary gulf economies.

The second chapter provides a foundational understanding of the Kafala sponsorship system by defining the concept of kafala system and dealing with its emergence during the pre-modern and the colonial era; its origins, historical developments and justifications. Furthermore, the chapter discussed the historical evolution and the legal framework of the system that shaped it overtime. Finally, it explores the main reasons for adopting the system by the sponsors and the government in the Gulf.

The third chapter delves into the multifaceted experiences of migrant workers in the (GCC) states. It examines the challenges they face in their working and living conditions, including issues of exploitation and belonging, and how these impact their access to justice. The chapter also considers the particular vulnerabilities of women workers. Furthermore, it analyses current reform efforts by government and international bodies and discusses potential future pathways towards more equitable labor systems in the region.

Chapter One

The Historical Context and Legacy of Slavery and Labor Exploitation in the Gulf

Ensnslavement in all its forms, constituted and experience that slaves and unfree individuals endured as part of the transition into a modified social condition(Machado 359). The study of human labor across civilizations reveals a complex and often troubling past , where varying forms of exploitation have shaped societies and economies for millennia . This unfolding history of human labor spanning diverse cultures and regions from antiquity to modern era , provides a critical lens through which to understand contemporary labor systems and their vulnerabilities, particularly within the unique context of the Gulf.

1.1 Slavery as a Historical Institution: a Global Perspective

Slavery was first defined in an international agreement in the league of nations, slavery conventions of 25 September 1926 as, "the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised ".(Article1 p263). Slavery has been a widespread yet often complicated and flexible condition in most societies throughout history (Damian A.Pargas1). For most of its millennia long history from ancient kingdoms to colonial empires, slavery has been a crucial part for economic production and social hierarchy, across civilizations whether in the massive estates of Greece and Rome, serving in the grand palaces of the ottoman empire, in the plantations of the Americas, or being traded across the deserts of north Africa.

The thing that had been mentioned in the untitled opening page of The Cambridge world history of slavery volume 1,that historically most societies have had slaves and practically everyone at some point in their pasts have been both slaves and owners of slaves(Bradley and Cartlegde) . The same was shared byZeuske , under whatever culturally formed term , slavery

and the enslaved occurred in the history of all continents, nations , countries, territories, oceans and cultures across the world (7).

Throughout history, slavery has generally been understood as a system in which human beings were or still treated as property, bought, sold and transferred. Enslaved individuals are forced into unequal and exploitative relationships where they have little or no control over their own basic choices (Pargas 2). This goes with the African American slave Aaron's description of slavery as a Sin stating "Sin is the nature of the act which created it and in the elements which constitute it. Sin because it converts persons into things; men into property… because it constitutes one man the owner of the body, soul and spirit of other men (Aaron's history 7).

In "The Palgrave Handbook of Global Slavery throughout History ", the writers pointed to the role of slavery in linking societies through economic growth, trading routes , forced migration and wars establishing both sea and land routes around the world , justifying the current increase in slavery studies that fostered a significant appreciation of slavery as global and globalizing phenomenon in human history(2).Understanding slavery as historical institution leads to recognizing not only its widespread existence but also its deep influence on shaping economies and societies and even modern labor frameworks.

1.1.1 Universality of Slavery :

Slavery has been a near-universal institution from the very dawn of human history right down to the 19th century, in both the most primitive and most civilized human societies, shaping societies across different regions and time periods (Patterson, Preface). Evidence of slavery can be traced back to the world's earliest civilizations of Mesopotamia, Egypt , The Indus valley and china's Yangtze river valley, where legal codes such as Hammurabi code(1754 BCE)formally recognized and explicitly regulated the practice("digital history"), stating," if he put out the eye

of a man's slave , or break the bone of a man's slave, he shall pay one-half of its value./ " if a state slave or the slave of a freed man marry the daughter of a free man , and children are born, the master of the slave shall have no right to enslave the children of the free.(Hammurabi, laws 175.199).

Slavery was not just an economic system it was a way of life, shaping societies, economies and even cultural identities. From the earliest true "slave societies" of ancient Greece during Athens classical period to the Roman empire which grew extensively dependent on slavery to maintain its economy and social structure("digital history"). The Roman law clearly showed that slaves were fully subjugated to the dominion of their master as it stated:" Now slaves are in the power of masters, a power recognized by the law of all nations, for all nations present the spectacle of masters invested with power of life and death over slaves; and to whatever is acquired through a slave his owner is entitled "(The institutes of Justinian).

In such societies, slaves were often captured mainly from wars, raids or through trade and were used for variety of purposes including agriculture labor, industrial service and knowledge production (Lenski 87-88). It should be emphasized that the origins of slavery actually dates back to the Neolithic revolution when the shift from nomadic hunters-gatherer societies to settled agricultural groups resulted in new social hierarchies and economic systems which clearly explained by L.Pryor in her essay (1).

During the medieval period slavery continued to exist in various forms including domestic slavery, agricultural slavery and military slavery. The Trans Saharan and Mediterranean slave trades flourished during this period, linking Europe, the Middle East and Africa in a complicated network of human exploitation. It is known that slavery was not confined to a single region or civilization; it was a global phenomenon that affected every part in the world. In Asia, slavery was common in ancient China, Japan and India where slaves were used for labor, warfare and

symbols of wealth and status. As highlighted by Gurowski in his book, slavery in china was tied to state power and penal systems rather than private economic exploitation and its slaves were primarily prisoners of war and convicted criminals who became “slaves of the state” (91).

Europe saw the persistence of slavery with the use of serfdom and other forms of condemned labour particularly during the medieval period. The most documented period of slavery was in the new world, in specific modern day US where colonies turned to Africa as new source of slave labor after failing to enslave American Indians (McDermott11). Building on that, this led to the emergence of the transatlantic slave trade when African slave laborers faced forced migration from Africa across the Atlantic to the Americas, attributing to the development of capitalism and the global economy with their work on plantations producing sugar, cotton and Tabasco industries .The transatlantic passage was not just a journey but a sustained atrocity, Baquaqua’s said in the narrative of the slave ship:” its horrors, ah! Who can describe? None can so truly depict its horrors as the poor unfortunate, miserable wretch that has been confined within its portals. Oh! Friends of humanity, pity the poor African who has been trapped and sold away from friends and home, and consigned to the hold of slave ship, to await even more horrors and miseries in a distant land (Baquaqua42).

While the institution of slavery has taken different forms throughout time, from chattel slavery whereby slaves were foreigners imported into a conduit of social death for the foundation of the economic system to the domestic slavery which rendered the utilization of slaves economically insignificant (Rotman264). Including new forms of condemned labor that replaced ancient slavery, its core function remained the same – exploiting human labor for economic gain. The outcomes of slavery were all the same across time and cultures whether the theft of labor for economic gain for the slaveholder, the exploitation of the enslaved as a conspicuous consumer object, or the possibility of sexual abuse of an enslaved individual (Bales8). This underscores that

despite variations in the practice of slavery, the ultimate result for the enslaved individual was a loss of autonomy, exploitation and vulnerability to abuse.

1.1.2 The Role of Slavery in Pre-modern Economies and Societies:

Throughout history, the economic prosperity has often been built on the backs of the enslaved, since slavery was seen not just like a human institution but an essential part for economic production from the Americas to the massive estates of ancient Rome and Greece. The latter two were like what Patterson mentioned in his book “slavery and social death” ‘preface, not simply slaveholding civilizations, they were what Sir Moses refers to as “genuine” slave societies in the sense that slavery was fundamental component of their socioeconomic systems.

Anderson’s Passages from antiquity to feudalism “, locates slavery as the defining mode of production in classical antiquity where the enslaved populations were renewed through warfare and conquest rather than natural demographic growth which made Roman empire’s slave economy depended on constant territorial expansion to maintain its labor force, he also emphasized that totalizing nature of slave relations in antiquity where enslaved were reduced to living instruments (instrumentum vocalist) alienated from kinship ties or property ownership – enabling extreme exploitation in both rural and urban contexts (Anderson 28) .

Since Athenians were protected by democratic frameworks from any type of exploitation, landowners were obliged to search for an alternative source of labor that is "slaves" (Cozma520). It is thought that slaves made up one third of the population. Greco-Roman slaves covered a much wider range of activities and participated in an integrated labor markets (Guthmann and Scheidel 4). As they employed in agriculture, mining and domestic service and were integral to the functioning of estates, workshops and mines.

In his book D. Phillips, discussed the shift in labor systems during the medieval period from slavery to serfdom (62-64),McDermott added to this part that slavery gave way in some medieval societies to serfdom and serfs had varying levels of freedom and social status with some having limited rights while others were experiencing servitude similar to slavery(10).Going back to William who also focused on slavery in the Islamic that witnessed growth of sugar cane planting that influenced the development of slavery in the Americas later on, in addition to trans Saharan Cavan traffic (gold and slaves) , Despite that Islam was not a slave society like Roman was , Muslims owned and traded large numbers of slaves (Phillips67).

Moving to the transatlantic slave trade which coincided with the emergence of modern Europe and was intricately linked to the transformations associated with the modern era, it shaped global trade networks that persist nowadays, where millions of Africans trafficked over the Atlantic ocean to the Americas forcing them into the brutal plantation Products economies like sugar and cotton (Rawley and Behrendt 9-15). These commodities fueled the triangular trade linking Africa, the Americas and Europe in a system of economic exploitation.

Scholars have long debate the nature of slavery beyond its economic function, targeting the attempt of Patterson in his book slavery and social death to create universal definition of slavery as “social death” in which enslaves individuals are stripped of their identity and social belonging, Miller in his book The problem of slavery as history: global approach, discussed slavery across different cultures and time periods, how it has been practiced, perceived and studied. Challenging the generalized universal definitions of the institution, claiming that enslaved people were never truly “ socially dead” because they existed within societies, influencing cultures and shaping relations(20-27).Slaves did not always have the lowest status in pre-modern cultures; in classical Greece many educators, scholars , poets and surgeons were slaves(“Digital history”). This

contrasts with other forms of slavery that were purely exploitative, emphasizing the divers' ways in which this institution functioned across different times and places.

1.1.3The Abolition of Slavery and the Rise of New Labor Systems:

The abolition of slavery was not a straight forward victory nor was it confined to the British Empire or the Atlantic world. Instead as Suzuki argues, the 19th century abolitionist movement should be understood as a process shaped by political, economic and social pressures, this collecting essays explores the abolition of slavery and similar institutions across various regions, presenting it as a global shared experience (2), and how its legacies continued to shape new form of labor exploitation rather than real freedom (9).

One of the challenges that faced slavery was from enslaved people themselves who fought for their freedom through their rebellions, escape attempts and underground resistance made it clear to the world that this institution was not sustainable. The most significant slave revolt started in Haiti in 1791 when for the first time enslaved people overthrew their oppressors inspiring abolitionist movements worldwide. Slaves and abolitionists interacted to make an end to slavery (Mulligan 554).

Slavery came under growing attack in the 2nd half of the 18th century, with philosophers denouncing it as incompatible with man's fundamental rights, economics claiming it was less profitable than wage labor and religious activists viewing it as sin (Miers1). In western world abolition accelerated during the 18th and 19th centuries, countries like Britain and US witnessed growing antislavery activism, particularly from religious and evangelical groups like Clapham sect and Quakers (Mulligan555).In her article, Rossi examines the divers and interconnected efforts to abolish slavery worldwide, periodizing global abolitionism into three stages, each characterized by the primacy of egalitarianism, imperialism and internationalism (2.3).

Miers suggested that the abolitionists' ultimate goal was to abolish slavery everywhere but for strategic reasons they began by prohibiting the British Atlantic slave trade (3). With the British abolition of slave trade act 1807, Britain took the first step by banning participation in the transatlantic slave trade, followed by full abolition in its colonies in 1833. The US after a brutal civil war abolished slavery in 1865 with the 13th amendment under president Abraham Lincoln(Rossi 7) , who's famously maintained that " if slavery is not wrong then nothing wrong "(Pleasants 140).

Outside the western world, the abolition process took different path, Drescher demonstrates that after the abolition domestically and in the Atlantic colonies, Britain reinforced antislavery policies through diplomatic coercion and treaties that made the Ottoman Empire prohibiting the slave trade in 1847, Tunis and Algeria in 1846, yet it persisted in some regions for decades (275-276). In the middle east and parts of Africa the process was even slower that it extended well into 20th century, like the Arabian peninsula and the Gulf states which officially ended it in 1960's , the last country to formally abolish slavery was Mauritania in 2007 (Mcdermott8) . However the legal end of slavery did not mean an end to exploitation, many freed enslaved found them subjected to systems like indentured labor, debt bondage, forced contracts and human trafficking forming which known as modern forms of slavery.

1.2 Slavery in Islamic Societies: Legal, Social and Economic Dimensions:

In pre-Islamic days, knows in Arabic as " Asr Al jaheleyya" , or the period of ignorance, there existed a well-established set of standards and practices addressing the institution of slavery , there were 4 major categories of slaves in the Arabian peninsula during the time: African slaves (Habashi) formed the majority of slaves in Arabia , mainly worked in menial physical labor or agriculture, the 2nd category included Arabs who had been seized in a raid or bought on the slave

market, for the 3rd category was consisted of female slaves who were typically treated differently than their male counterparts; they were given to wives as servants and we're regarded as status symbol, lastly the 4th category was of highly skilled slaves who were mostly acquired by merchants and slave dealers from Syria and Africa , due to their skills these slaves were the most expensive and we're only bought by the wealthy and known as (qīyān) (Rose.B.A 5-6).

AL Abdallah further stated that slaves among pre Islamic Arabs were viewed as a subclass and they could not be freed even if they were born to a free father and slave mother and Antara al-Absi's story depicts the attitudes of Arabs about slaves (147). With the arrival of Islam, as Phillips notes, Islamic societies integrated slavery into economic and social order (67); however Islam's legal and religious traditions shaped the institution in unique ways.

He also emphasized that the Quran and Hadith recognized the existence of slavery but also encouraged well treatment and manumission (71) , Phillips highlighted the geographic scope of Islamic slavery and how it spread throughout a large range of areas from Spain and north Africa to the Indian ocean (70) , Slaves in Islamic lands could be found in agriculture, households, military service and administration (71), he also observes that unlike the Atlantic system , military and administrative slavery (such as the mamelukes and janissaries) allowed some slaves to weld significant power(78) . This paradox where slaves could rise to high status while others endured menial labor reflects the complex social satisfaction of Islamic slavery. Building on that, economically, the Trans Saharan and Indian Ocean slave trades supplied Muslim markets with African, central Asians and European slaves (81.82) in which they were integral to agriculture, urban labor and commerce.

1.2.1The Islamic Legal Framework on Slavery (Quran _Hadith):

For AL Abdallah Islam in the first place dealt with an already well-established institution over the world, slavery was a sensitive worldwide economic and social issue, as well as a delicate Moral one and Islam properly addressed this issue (148).Slavery was unquestionably accepted as a system of labor and no ancient religious entity (not even Christianity) challenged its followers' right to own slaves (Odoom.48). The Islamic legal framework on slavery is based on the founding books of Islam, the Quran and Hadith both of which admit the reality of slavery and aim to control its practice rather than abolish it entirely, the thing that differentiate slavery in Islamic societies or Islamic slavery as some referred to from the Atlantic one, the later embedded within a moral and legal discourse that sought to humanize and restrict the institution.

The teachings of Quran did make an effort to promote slaves 'freedom and elevate their moral and material status, it is believed that releasing slaves is a good deed that draws people closer to Allah. The Quran first proposed the idea that, for any wrong or violation of Islamic principles emancipation a slave could function as a global expiation (kaffarah) (Alabdallah148). The Quran says: "It is to free a slave, or to give food in times of famine to an orphaned relative or to a poor person in distress and _above all_ to be one of those who have faith and urge each other to perseverance and urge each other to compassion." (90:13).

Again the Quran says:" and do well to the parents and other relations and the orphans and the needy ….and those whom your right hands possess (i.e., slaves) surely Allah does not like whoever is proud and boastful (4:36). In this verse Muslims are encouraged to be kind and treat the slaves in a good way. The Quran also says:" Alms- tax is only for the poor and the needy, for those employed to administer it, for those whose hearts are attracted to the faith for freeing slaves, for those in debt ….. and Allah is all-knowing, all-wise". (9:60). This verse is calling Muslims to give charitable funds (sadaka or zakat) to support the freeing of slaves as an act of faith and social justice.

The Hadith literature goes hand by hand with the Quranic teachings, offering detailed guidance in the human treatment of slaves in which the Prophet Muhammad (peace be upon him) is reported to have emphasized kindness, equality and manumission of slaves. Narrated Al-Ma'rur bin Suwaid: I saw Abu Dhar Al-Ghifari wearing a cloak, and his slave, too, was wearing a cloak. We asked him about that (i.e., how both were wearing similar cloaks). He replied," once I abuse a man and he complained of me to the prophet (PBUH) asked me, 'Did you abuse him by slighting his mother?' He added, 'Your slaves are your brethren upon whom Allah has given you authority. So, if one has one's brethren under one's control, one should feed them with the like of what one eats and clothe them with the like of what one wears. You should not overburden them with what they cannot bear, and if you do so, help them (in their hard job).(Sahih al- Bukhari 2545 .book 49 .hadith 28).

The Quran also encouraged men to marry slave women so that it breaks the social barriers between masters and slaves, as well as to give them the chance to be freed like in Surah Annur (24:33) and in hadith Allah's messenger said:" he who has a slave-girl and educates and treats her nicely and then manumits and marries her, will get a double reward". (Sahih al- Bukhari 2544.book 49 .hadith 27). A number of slave men and women described in history as having a legendary bond with the prophet just as he did with them , examples of that ZaidIbnHarith his freed slave and adopted son and Bilal IbnRabah one of his campaigns(AL Abdallah157). The Islamic jurisprudence (Fiqh) despite these ethical norms , recognized slavery as a legal institution, allowing for the ownership of slaves obtained through warfare, birth or trade and all the major Sunni Schools (Hanafi, Maliki, Shefii and Hanbali)developed comprehensive legislation that protects the rights of slaves and slave masters , including marriage, punishment and manumission.

1.2.2 The Social and Economic Roles of Slaves in Islamic Societies:

In Islamic societies the institution of slavery showed significant mobility in economic and social domains from domestic service and military functions to agriculture and state bureaucracy. As highlighted in the book of Transformations in slavery: a history of slavery in Africa, Lovejoy reveals how slavery in Islamic Africa worked as a dynamic system of labor mobilization and social integration rather than a fixed condition of bondage . He particularly emphasizes the economic versatility of enslaved individuals , who at first were prisoners captured from the wars that spread Islam from Arabia across north Africa throughout the Persian Gulf, then with the establishment of early caliphates the exports trade of slaves raised there (16). These slaves served as caravan workers along trans Saharan trade routes , agriculture laborers in crash-crop production and even skilled artisans in urban settings (18) ,besides that they were administrators and used in the government and military (17) .

This economic integration created what Lovejoy terms a spectrum of dependency, where slaves occupy positions ranging from menial field workers to trusted administrators. This economic versatility somehow matched by slaves' social adaptability. Lovejoy notes that the nature of Islamic slavery made certain slaves achieved remarkable status like the eunuchs and concubines, who wielded influence while remaining legally unfree, he also emphasized that the enslaved were eventually integrated into Muslim societies through conversion and marriage (17).

Toledano explains that slavery was strongly embedded in elite households and bureaucratic governance, the case of male slaves who were employed as eunuchs or mamelukes (military slavery) and female slaves in elite harems; which made them significant members of the household unit, albeit within rigid boundaries of ownership and control (4). Toledano work also underscores how Islamic law's recognition of umm Walad (mother-child kinship), created pathways to power even within bondage (13). These exceptions blurred the line between property and person hood in Islamic societies.

1.2.3 The Gradual Decline of Slavery in Islamic Societies:

As what have been discussed above, the Islamic law permitted slavery, but also emphasized human treatment and manumission as virtuous acts, this made the decline of the institution goes in quite slow and complex process. Since the beginning of Islam, slaves' emancipation has been practiced in accordance with Islamic principles and manumission was accomplished through a formal statement on the part of the owner and recorded on a certificate handed to the freed slaves (Zdanowski3).

As highlighted in the comprehensive article " Slavery in the middle east and north Africa " , the decline of slavery in Islamic societies was complex process shaped by internal reinterpretations of Islamic ethics as well as external colonial pressures , especially Britain and France introduced antislavery policies in territories in the west coast of Africa, middle east and north Africa in which they controlled or influenced , for example Egypt , which despite opposition from slave labor elites , the British gradually abolished the slave trade and later slavery itself, similar changes occurred in the ottoman empire, Arabia and Persian gulf where British antislavery treaties with local monarchs began to restrict the trade as early as the mid-19th century. (Montana 471-472).

Similarly claimed Toledano that, Islam as a system of law aimed to reduce enslavement and limit its spread , however practice and customs contributed to the continued presence of human bondage and the ottoman empire's abolition and antislavery policies were never challenged (122). The opposite happened in modern times , government in Muslim majority nations have moved to end the slave trade and eventually phase out enslavement, either in response to European pressure or for their own reasons. Meanwhile the practice was still defended as divinely sanctioned by literal traditionalist interpreters of Islamic law (123). These treaties did not immediately end slavery but they did destroy the networks that supported it.

1.3 Slavery in the Gulf : Historical Context and Practices:

Slavery, as previously discussed was a global institution that shaped societies across the world and the Gulf region was no exception. Since the existence and use of Slave labor within Arabian society has been present for as long as history can tell , Thomas (1929.7418) stated it best when he said:" it may be taken as a general principal that Arabs will not do any work of laboring kind and from time immemorial have had slaves to do it for them " (Dean9).

Adding to that , slavery had long exist in Persian gulf societies and any country included in the Indian ocean trade networks, linked population centers in Africa, Europe and all the way east Asia(Nguyen18). This explains that the region's closeness to these trade routes made it central hub for Trans regional exchanges along with the movement of enslaved.

The history of slavery in the Gulf can be traced back to ancient times when enslaved people were used in various roles, according to Al Iwadhi, the Gulf society used slaves for various tasks such as domestic service, Pearl diving and agriculture, for the domestic work it included childcare, cleaning and hosting guests. Many slaves were also employed in herding sheep's, guarding properties and serving in military, slaves formed the majority of soldiers in the Imam's armies who ruled Oman (23-24).The harsh desert environment of Arabian peninsula made labor-intensive activities like agriculture, pearl diving and trade difficult to sustain with locals alone and this created the demand for free and unfree, internal and external labor which was met through the enslaved people from neighboring regions.

Overtime, the gulf's engagement with the Indian Ocean slave trade expanded, more so during the 16th and 19th centuries, enslaves Africans produced from areas as the Swahili coast and Zanzibar were shipped to the gulf together with slaves from Caucasian and South Asian regions in large numbers to supply its markets. Helena pointed to that Zanzibar was among the main pathways used for slave movement where some of them were kept there to work in clove plantations and others transferred via Omani 'sports (Muscat , Bettina , Sur) (abstract). The Omani empire which dominated parts of the Gulf and east Africa greatly facilitated this trade which integrated the Gulf into a large framework of slavery. The others of Indian Ocean slavery in the age of abolition 'argue that the Indian slave trade was deeply interconnected with global economic systems (24-27). This interpretation emphasizes the need of seeing slavery as part of greater dynamic network rather than an isolated condition.

1.3.1 The Origins and Sources of Slaves in the Gulf:

Enslaved people in the Gulf came from diverse geographic and cultural backgrounds, reflecting the region's incorporation into large labor exploitation and trading networks. As we've mentioned above, slaves in the Gulf were mainly from east Africa, particularly Swahili coast (including modern day Tanzania Kenya and Zanzibar).

One of the primary sources of enslaved Africans brought to the Gulf, which played crucial role in the African Diaspora, as what have been discussed in the book of "The African Diaspora in the Indian ocean ", the movement of enslaved Africans to the Gulf was part of a broad system of trade and exploitation that connected East Africa, South Asia and the middle east (Jayasuriya and Pankhurst 8-13). It has been argued that this Diaspora not only shaped Gulf's economy but also left a deep cultural impression since enslaved Africans brought with them their languages, traditions and beliefs that profoundly affected the Gulf society.

However the Africans did not form the entirety of the Gulf's slave population. While the article of Sheriff " The twilight of slavery in the Persian Gulf focuses on the decline of slavery and how manumission (the freeing of slaves) was practiced there , he indirectly references the origins of slaves in the Gulf by discussing where enslaved people came from and how they were integrated into gulf societies. For example there were slaves born within the Gulf but with different origins , they were from Yamen , Hejaz and Nejd , they were also been brought by sea from Sudan, Ethiopia and Somalia directly to the gulf , in addition to men and women from Baluchistan and Persia in the broader Islamic world(37-42).

Al-Iwadhi also added that slaves who lived in the Gulf were divided into 3 sections : the majority of them were born free , but they were kidnapped from their homes and brought to Arabia and sold in the slave markets that were popular in that period , and some of them came freely to the Gulf and Arabia , whether for Hajj or in search of work opportunity and we're kidnapped by slave dealers , this third one were those who were born in the Arabia to slave parents , who were often married by their master in order to own their children who only knew a life of slaves(88). This demonstrates that the enslaved population in the Gulf was not homogeneous but rather, a complex mix of people from diverse geographical locations brought to the region through various means, including both forced migration and deceptive practices.

1.3.2 The Economic Importance of Slavery in the Gulf:

The economic importance of slavery in the Gulf region has been profound in the region's pre-oil economy, particularly from the 9th century to the 20th century. It can be argued that the emergence of globalization attributed to the rise of the pearl fishing and date industries in particular. The expansion of these two businesses maintained the demand for slave labor of both men and women, while also making it profitable for slave merchants and slave owners (Dean14).

As Hooper demonstrates , the Gulf region was strongly connected to transoceanic slave routes , especially those connecting East Africa and Arabia where slaves were trafficked not only as property used for domestic work as Arabs assumed , but also as labor commodities necessary for the region's economic development (9-10) .

With time pearls were in global demand and the Gulf was the world's biggest supplier, this fact was described by Sheikh Muhammed bin Thãnĩ, ruler of Qatar, to the traveling European scholar William Palgrave in quotation "we are all, from the highest to the lowest, slaves of one master [the] pear". (Hooper, 82). However this doesn't overlook that these men were in physically punishing conditions, diving to great depth without modern equipment often repeatedly throughout the day during the intense pearling season (83-85). The crews of pearling dhows were largely composed of enslaved laborers whose contributions enable the immense wealth produced from the commerce in natural pearls which were sold to markets as far as India and Europe (92).

In parallel, the date industry which considered as an additional pillar of Gulf exports and subsistence depended heavily on slave labor. In the 19th century, the Gulf joined some regional powers in importing African slave labor to increase the production of crash crops for global markets (Hooper 52). In the fertile oases of eastern Arabia, enslaved men, women and children performed various agricultural tasks, making these dates a commercial product sent to the globe, integrating the Gulf into broader trade patterns in the Indian Ocean.

To fully understand how slavery operated within this maritime context, Abdul sheriff's Dhow cultures of the Indian ocean, shed light on the dhow as a central element of Indian ocean commerce in which they were crewed in large part by enslaved and transported goods including slaves themselves across the Indian Ocean, he notes that while dhows promoted cross-cultural trade in products and culture, they also transported the people who maintained Gulf economies

(introduction). This reveals a clear paradox; the same vessels that facilitated exchange and connection also perpetuated the exploitation of enslaved people.

1.3.3 The Social and Treatment of Slaves in the Gulf Societies:

Unlike the racialized chattel slavery of the Atlantic world, slavery in the Gulf functioned under a system that was both hierarchical and at times flexible. Slaves as mentioned above were domestic servants in the elite's households, played major role in pearl industry and agriculture estates. Alebrahim categorized slaves in the Gulf into four categories; freed slaves, laboring slaves with separate home life from their jobs, domestic slaves usually females and lastly the notable slaves, suggesting that their treatment varied by gender and occupation (29-31).

Enslaved individuals often treated as other family members, and even shared close relationships with cheikks and Emirs as in the emirate of Hayil , due to their milk-sibling "status" which known in Islamic Fiqh (30). They also occupied administrative positions and example of that is a black slave called Anbar who was appointed as the head of the customs during the reign of Sabah al-Sabah in Kuwait (32-33) , another example in the Emirate of Al-Rasheed of two slaves (Anbar al-Abdallah and Abdulrahman) were both hired as emir of Hajj .

However Hicham al-Iwadhi added that , slaves who born in the Gulf were treated better that these who came from Africa and in many cases slaves' children grew up with their master's children and went to the same school (25), and The education of slaves was considered a kind of financial investment for the master , the more he knew how to read and calculate the more he was qualified to manage his master's business, that's why merchants' slaves were treated in a good way and many of them were directly responsible for their master' money (27). This reflects how the Islamic law created a framework that recognized slave's humanity and offered those limited rights like human treatment.

Despite this, this doesn't exist everywhere in the Gulf. Al-Iwadhi further detailed that, this treatment was not governed by clear laws, but was subjected to the personality and mood of the master, the thing that made some of them abuse the humanity of the slave in ways that are not approved by Sharia or custom (29). According to the British records, some slaves complained of being beaten, prisoned and deprived of food and clothing, and this led to the escape attempts of slaves or asking for manumission which was linked to the master's mistreatment rather than just the desire for freedom. For the mistreatment, it was not limited to violating them, but extended to things like neglecting them when they aged, separating them from their families and preventing them from marrying (30-31). The enslaved in the Gulf were both visible and invisible, physically present in homes, boats and in different fields, yet absent from historical narratives and denied full societal inclusion.

1.4 The Transition from Slavery to Modern Labor Systems:

Patterson and Zhuoin their article, explore how modern forms of servitude as trafficking, debt bondage and forced labor function in ways historically similar to slavery, indicating a continuity of exploitation despite formal abolition of the institution (409), they argue that the persistence and rise of modern servitude are due to global structural changes particularly the economic growth, mass migration due to wars specifically, rising inequality and weak labor regulations (427-428).

The abolition of slavery did not lead to the disappearance of labor exploitation instead it marked transformation in the mechanisms through which labor was controlled. In modern context identifying slavery is determined by enslaved person's circumstances particularly: the extent to which their freedom of movement is restricted, the control of their personal belongings and whether they gave informal consent with full understanding of the relationship between the parties (Weissbrodt and antislavery international7). When we go back and look to the nature of

slavery in the past. Slaves were confined to fields like agriculture, domestic work and construction… (McDermott13) . Systems such as indentured labor , debt bondage and contract migration, emerged lately to meet the labor demands of modernizing economies specially in the Gulf, north Africa and south Asia , under what scholars characterize as “modern slavery”.

Modern slavery remains a widespread but often concealed global issue, between 2015-2016 investigations revealed its presence in a variety of industries, including Thai fishing fleets, cotton production in Uzbekistan and Turkmenistan, and construction sectors in Qatar (global slavery index 12). Adding to that the global slavery index of 2023, notes that Saudi Arabia has the highest rate of modern slavery among Arab states with 740.000 individuals and migrant workers made up the majority of the workforce (modern slavery in Saudi Arabia, the global slavery index 1) .This indicates the insecure condition of migrant workers, who are disproportionately affected by modern slavery.

1.4.1 Indentured Labor and Early Migrant Workers:

The transition from slavery to indentured labor in the 19th and early 20th centuries represented global reorganization of coerced labor. As emphasized in the handbook global history of work, this form of bound labor which is a form of contract obliging one side to make series of payments that limited the independence and mobility of workers, who were unable to exit the contact when criminal laws strengthened it (Hofmeester and Van der Linden 364).

Indentured workers often recruited from colonies in south Asia, China and Africa; were contracted under conditions that blurred the line between free and coerced labor, though technically voluntary, these arrangements involved deception, debt bondage and brutal working conditions that mirrored aspects of slavery. The British Empire was a key enforcer and regulator of this system after it transported more than 1.3 million indentured migrants and India was the main supplier to its colonies and replicated indentured models across empires (365). In the Gulf,

where workers primarily from South Asia replaced enslaved pearl divers and date farmers after the rising oil wealth and the new economic boom in the region (Hooper210).

Indentured labor laid the administrative and cultural groundwork for later migrant labor systems in the Gulf. Owen and Van hear demonstrate in " migrant labor in the Gulf" that, British colonial administrators actively redesigned Gulf labor markets after slavery's abolition , creating a pipelines of outsiders workers which started at the beginning of Arab oil era in the 1930's when cheap workforce was needed (6) , they were initially primarily from neighboring Arab countries like Palestine, Jordan, Lebanon, Yemen, Aden and Sudan, but due to political reasons in recent decades mostly from South and southeast Asia (7). They pointed to that , while the oil industry initially drove demand for migrant labor , foreign workers became vital in all sectors of gulf economies , for instance there were Pakistani migrants constructing government buildings, hospitals and infrastructure projects in Saudi Arabia and other Gulf states , they were also engaged in public service (6).

Throughout the Gulf States, the disproportionate amount of foreign population is commonly considered as the driving force behind the current kafala (sponsorship system) (Gardner8). The mid-20th century saw indentured labor evolve into modern migrant work shedding its contractual restraints and adopting new limits under the kafala system which will be discussed later on.

1.4.2 The Impact of Colonialism on Gulf Labor Structures:

The evolution of labor structures in the Gulf over the 19th and early 20th centuries cannot be properly understood without including British colonial impact. Although Britain did not establish direct colonial governance over most Gulf territories, it exercised significant influence through treaties and protectorate agreements, mainly to secure maritime trade routes and repress the Indian Ocean slave trade. As Nguyen emphasizes, British antislavery initiatives were primarily motivated by economic and strategic interests, rather than humanitarian concerns and often

resulted in only superficial changes to existing labor systems (6-7). The British authorities pushed Gulf rulers to stop the open slave trade, yet they permitted existing patronage and dependency arrangements to continue. Ngoc notes that British presence in the Gulf grew primarily in form of protection purpose of trading ships, and then it evolved into complete control of Gulf affairs (15-16).

Al-Shehabi demonstrates that ,in Oman and along the trucial coast(modern day UAE), British control was particularly strong; colonial authorities acted almost as joint rulers alongside local elites, influencing trade policies and domestic governance . Even in relatively independent states like Saudi Arabia and Kuwait, Britain maintained considerable leverage through economic means and the control of crucial maritime network (Al-Shehabi12). Initially as Ngoc points out, British imperial interests were closely tied to the economic prosperity generated by pearl diving and date farming industries (8). The later mostly relied on forms of bonded and dependent labor with slavery and other coercive practices underpinning much of the workforce. Since Britain was the regional dominating power it was heavily involved in developing methods of labor governance that could be applied across its Gulf territories (Nguyen9).

Al-Shehabi further highlights that , the discovery and exploitation of oil in early 20th century supported by western powers , led to the emergence of what he calls ”a petro modernist” state(12). The control over this new force was achieved by adapting earlier practices of depending labor most notably the kafala sponsorship system.

1.4.3 The Foundation of the Kafala System (Brief Introduction):

The transition from older forms of labor exploitation such as slavery and indentured servitude, to modern labor control systems in the Gulf resulted in the creation of the kafala system. As notes by Geilsdr of, this system dates back to the early 20th century but gained institutional significance

in the post oil boom era, which triggered a severe demand for foreign labor, has become the foundation of labor governance in the Gulf corporation council (GCC) governments (163).

Under this arrangement, a migrant worker's legal status is directly attached to an individual sponsor or kafeel, resulting in a dependency relationship similar to earlier types of labor servitude. The word kafala comes from the Arabic roots kā-fa-lam(كفلand its verbs can have variety of meanings ,including being a legal guardian, feeding and providing for others and vouching and being responsible for someone, kafala is a legal is a legal process that has its roots in Sharia law in which one party (kafeel) gives legal guarantees on behalf of another (makfull)which refers to an orphan child until his adulthood , in business, Muslim jurists define kafala as a business contract in which someone formally insures another in the delivering of goods or carrying financial commitments (Jureidini and Fares Hassan 93).

However this framework of social solidarity was adapted into state policies during the rapid economic growth of the Gulf States, specially its application to labor and migrant workers in specific. The employer of a migrant worker serves as guarantor or sponsor, taking complete legal and financial responsibility for the person they have employed and this covers the whole contract term till the worker leaves the country or signs another contract with another kafeel (Geilsdrof and Pelican 158).

The legal dependency on a single employer somehow restricts the workers 'ability to change jobs, seek redress for abuses, or leave the country without permission, effectively trapping them in exploitative conditions .Geilsdrof analysis reveals how workers often arrive in debt, having paid substantial recruitment fees in their home countries (174); a situation that places them in a form of debt bondage even before beginning employment.

Conclusion

In sum, this chapter has underscored that the extensive history of slavery and labor exploitation, viewed through global, Islamic and Gulf contexts , directly shapes the region's contemporary systems . The profound influence of these past practices are fundamental to understanding today's challenges.

Chapter two

Overview and Mechanisms of the Kafala System

The kafala system plays a central role in shaping the lives and rights of migrant workers in the Gulf. Originally designed to monitor the movement of foreign labor, it has evolved into a system that places significant control in the hands of employers, often at the expense of workers' freedom and dignity. As highlighted by Roper and Barria , this system was established to enable the central government to restrict labor movement and oversee worker activities in GCC states , addressing security issues(34).This chapter breaks down how the system functions, where it came from, and how it affects workers

2.1. Definition and the Origins of the Kafala system

Al Tayah in her article , writes that Kafala System is an individual sponsorship system that deals with foreign labor. That program establishes a dependent relationship between Workers and Employers, granting the latter too much controle over the Workers residency and mobility. She further argues that the system keeps workers vulnerable to the demands of their Sponsors(146).

Similarly, Al shehabi argues that the Kafala system is a program that was established to control migrants employment and residency, which is determined by locals rather than a specific agency (02).Building on that , Kherfi further explores that working for these individuals happens through a contract that ended with the Employer's agreement, which also grants them power over Workers job conditions and free time(92.93). It implies that the Kafala system is a regulatory framework created to manage migration in the Gulf Cooperation Council (GCC) , under the control of locals called Kafeel (sponsor) over migrant workers' residency and mobility.

In the same perspective Al shehabi explains that historically the Kafala system's origins dates back to the British colonial era specifically between (1920.1970) during the period in which Gulf states used pearl industry as a base for trading with Indians and Iranians. It started in Bahrain and Kuwait, then spreaded all over the Gulf Cooperation Council (GCC) countries, in addition to other neighbouring nations like Lebanon. During that period the British colonial policies sought to regulate Migrant labor for economic and social reasons, to manage Migrants employment the authorities shifted the responsibility from state to private individuals (Sponsors), which became formalized and widely applied after the expansion of oil industries(04).

Speaking about that, migrantion to the Gulf was marked by two major phases.(Hamza 3-4) States that before the discovery of Oil, at that time pearl industries drew connections between the Gulf nations and wealtheir countries like India, Bangladesh and Pakistan, which developed trading and helped in the economic growth. The relations between South Asian nations and the Gulf became stronger the fact that resulted the arrival of Britain in 1820, leading to the establishment of small kingdoms under its control known as the Sheikhdoms.

The trade routes became more formalized, forcing the Gulf Cooperation Council (GCC) to trade mostly with British controlled territories further strengthened ties with South Asian countries it suggests that the history of migration in the Gulf nations dates back to the pre modern era ,when locals used peal industries to trade with wealthier South Asian countries like India and Pakistan at that time, Which tightened the relations between the two, the latter case led to the British protectorate system on the Gulf, which implemented trading with other countries under its control, resulted exchanging in workforce. The British authorities sought to arrange migrantion by creating a program for temporary labor in the region, in order to maintain economic and social peace.

2.1.1The Historical and The Legal Framework

According to (Al Zahrani) the Kafala system originated in the early 1950 in the Gulf countries, during the period in which the Oil industries have emerged, for the sake of managing foreign employment in the area to maintain economic, social, and political control. Thereafter in 1973, the Gulf Cooperation Council (GCC) countries aimed to expand the use of the Kafala system due to the economic expansion that coincides with Oil boom, in addition to the lack of interest in the managerial roles, knowing that 60% of the Gulf nations' population are between the age of 14 and 27.

By the same token, the increase in foreign Labor was on account of oil discoveries and rapid economic developments, noticing that the population in the six regions (Bahrain, Kuwait, United Arab Emirates, Saudi Arabia, Qatar, Oman), have expanded from 04 million to 40 million between(1950 to 2005), with 12.5 million migrant workers coming from South and Southeast Asia. Subsequently, by 1975 over 02 million Workers from the sending countries have arrived to the Gulf(380).

Having examined this, it is also important to highlight the legal framework that formalized the program of the Kafala which consists of a number of laws and practices which shaped the relations between the workers and the Sponsor. Expanding upon this idea, (Al Khaled 62-63) says that British protectorate used the sponsorship system in its colonies in India previousl, implementing the system on the tribes by signing papers and providing hostages to guarantee their compliance. The latter influenced the British policies over migrant workers in the Gulf. Over time, the kafala system spreaded all over the Gulf Cooperation Council states and became a tool of Labor control rather than a way of colonial governance.

As stated by Hamza, Migrant workers are tied legally with their sponsors, from the beginning of their arrival, through a contract that can last from two to three years, under which make it difficult for them to terminate it, furthermore, when it comes to a company ownership, a foreigner can not fully manage a business, however, he must partner with a national who would get at least 51% of the whole company, without any financial investments.

Adding on that, migrants in the Gulf are aften execluded from legal protections, due to the structure of the Kafala system which keeps workers vulnerable to the poor conditions and lack of rest especially for domestic workers. Moreover, shifting the delegation for individuals to avoid accountability, placing responsibility on private entities rather than the states(11). This highlight the fact that, the laws and the practices that have been imposed by the sponsorship system on migrant workers, were set to limit their chances in having a better job states favoring nationals, and to restrict thier freedom.

2.1.2 Purpose and Justifications for the System

As mentioned by (Al Khaled) the kafala system came to regulate foreigners movements in the Gulf Cooperation Council countries, after the intervention of Britain in 1904, leading to the establishment of the system which was created primarily to seperate and distinguish locals from foreigners, also during the pearl diving period, migrant workers played a crucial role in developing the economy in the area, which resulted in ensuring the precense of a captain for the ships as sponsors, in order to control workers, and delegate their immigration and status, and achieving employers dominance (62-63).

As for Al Hashem, this system came to arrange migration in the Gulf Cooperation Council nations, and to organize workers movements inside and outside the countries, creating an Eco-

political octopus that controles their entries and exit. Furthermore, the Gulf is a rich area with naturale resources, used as a primary income for its economic growth, rather than other productions like Manufacturing and Agriculture, the last mentioned, makes the Gulf more eager to expand the Workforce for Oil industries, leading to the hosting of more migrant workers (09-10).

However, a closer examination reveals that,the purpose of the system was primarily to manage foreigners entries and exits to the Gulf Cooperation Council (GCC) nations, in order to control labor, and to ensure social order, in addition to, creating a huge workforce from migrants working with low wages in industries to achieve the economic growth. Now considering a different perspective.

Al Tayah explained that, the Gulf states justify the concept of absconding arguing that, the system should make strict laws regarding workers who leave their employers without permission, because it could disturb the worl environment of the Kafeel (sponsor), in order to, ensure workers complaince and obedience, accusing them with absconding leading to their detention or deportation, furthermore, the article highlights that shifting the responsibility of workers to individuals would arrange the labor od migration and prevent any illegal employment.

Also the Gulf Cooperation Council nations legally justify the exclusion of domestic workers from standard labor laws, stating that their work occurs in private homes and they do not considered as employees, making them vulnerable under the Kafala System. Since migrant labor is under the control of private entities, the Gulf governments claims that migration issues are a private matter between employers and workers only which resulted in limiting the intervention of the state(147).

From this it can be inferred that, the Sponsorship system was built to arrange the employment of foreigners, in addition to help in the economic developments and growth in the area, by inviting as much as possible number of migrant to support industrieswhich considered as a primary income for the countries of the Gulf, which is justified by the Governments as a tool to control immigration and protect national labor market.

2.2Structure and Mechanisms of the Kafala System

2.2.1 The Role of The Kafeel (Sponsor)

Al Kafil or (the sponsor) is an Employer who is responsible for Migrant Workers under the Kafala system, these local individuals have entire control over Workers' employment, mobility and residency(Kherfi 93). Additionally, Jureidini and Hassan, claimed that, kafil is an individual who sponsors migrants, who came to work in the Gulf Cooperation Council nations, and takes administrative and legal responsibilities over them, furthermore, these Sponsors are a private entities, which works on the behalf of the state to manage and arrange Workers employment and residency(95).

However, (Thiollet 14) says that, the Kafil is the person who provides sponsorpship to the Workers, to legally enter, stay ,and work in the host countries. However he is not always one person but sometimes the Employer could be a large company or a recruitment agency that holds the responsibility over Workers' job conditions . Building on that, (Gielsdorf 8-9) states that, the Gulf nations grant private entities too much power and authority over the Migrant Employees, which lies in their ability to control Workers' entries and exits from the host countries by the confiscation of passport in addition to, demanding expensive and excessive recruitment fees, also the poor job conditions and the long working hours they experience daily.

In the same vein, (Al Tayah 146-147) explores the relationships between the Kafil and the Workers under the Kafala system, which can be concluded in a complete control from the Employer on the Migrant Employees, they have a full authority over their entry and residency in the Gulf countries, which make Workers dependent on their Sponsors for multiple administrative processes and legal status, in addition to, the foreigners inability to change jobs, and incapability to exit the host country without the Kafeel's approval and permission, leaving them vulnerable to the demands of their bosses (kafil), adding on that, Al Tayah also states that the authorities do not properly delegate the working conditions and the residency settings, which could resulted in exploiting Workers and neglecting their rights without any consequences.

This suggests that, the role of Kafil (Sponsor or Employer) under the Kafala system, was primarily made to arrange temporary labor, and to grant employers too much responsibility over Migrant Workers' legal status and administrative procedures, that deals with Employees entries and exits from the Gulf Cooperation Council countries, which happened through a contract that lasts for years, to ensure Workers obedience by a number of restrictions encompasses, the residency rules, the job conditions, the working hours and the salaries.

2.2.2 Sponsorship and Employment Ties

According to Thiollet, the connections between the Sponsor and the Employee Has two basic forms, the first form is when the Sponsor is the one responsible for the Workers' arrival, employment, and the management of their salaries, however, the other form is when the Sponsor is a large company or a recruitment agency that Sponsors the Employees, but hire them to work for someone else (14).

Furthermore, (Al Ghanim 6) states that, the sponsorship and employment ties are interlinked under the kafala system, because it enables Employers to bring to the host countries (Gulf Cooperation Council) a large number of Migrant Workers, with low wages under a short term contracts, granting Employers substantial economic benefits, also the system gives them too much controle over Employees' personal freedom, like taking a loan, going on Haj and marrige.

Moreover, the Kafeel has the right to restrict migrant laborers from quiting the job or changing it , or even traveling to other Gulf states ,in addition to, deporting the workers undre a certain conditions is considered as one of the privileges granted to the Kafeel by the Sponsorship system. In the same vein, the relationships between the workers and the Sponsors under the Kafala system is highlighted with power imbalance ,the Sponsor have the ultimate control over the Migrant since their arrival to the host country, so they should have a Kafeel in order to enter, under a contract signed by both sides which lasts for a certain period of time, during that period a Worker can not change or quit jobs without the Sponsor permission, the latter reflects the totale control the Employer holds on Workers. Building on that, escaping abuse from Sponsors is regarded as a crime that would face Employees if they thought of leaving, creating undocumented and vulnerable workers.

This suggests that, the nature of the relationships between the Sponsor and the Employee shows a power imbalance between the two, when it comes to the total control that the Kafeel holds on Migrants regarding the entry and the exit from the host country, making them vulnerable and completely dependent on the Employer even when it comes to personal freedom, in addition to, the low wages payed to the workers which create an unjust equation that benefits Employers economically while it does not cover Employees basic needs.

2.2.3 Visa Control and Residency Regulations

Lori (9) States that Employees under the Kafala System, are deprived from having humanistic rights during their work in the Gulf countries. They, Employees, are considered as temporary laborers due to the legal framework that links their employment directly to their settlement and residency. In addition, she added that they are prevented from being able to gain citizenship or total residency, regardless how long they stayed in the host country. In the same line, migrants' visa is tied directly to their Sponsors, which make it difficult or even impossible for them to leave the country or change jobs when facing exploitative attitudes. In the same vein, according to Mirasol, Migrants can not enter the country without having a local sponsor to facilitate the operation, and to be responsible for all the legal status regarding the workers' arrival , like providing visa, moreover, lack of job mobility and the absence of the freedom of movement in addintion to the dependent residency rights which is totally tied to the Employers approval, adding on that ,granting the Sponsor the right to physically hold the Worker's documents as a common mechanism of control and power over the visa and residency.

Similarly (Kalush, Saraswathi 3) say that, under the kafala system, the worker presence in the Gulf countries in tied entirely with the Sponsor, making them dependent when it comes to residency even for those who were born and raised in the host countries, furthermore, the system implies strict visa controle on Workers , giving the employers complete authority over migrant's legal status and personal documents, limiting their movements and freedom to travel or leave. Also they stat that the system allows selecting a certain criteria of Migrants, who are less likely to demand political rights from the state to reinforce their control mechanism on Migrant laborers.

Building on that, as noted by (Bajracharya and Sijapati), the visa and the legal status of a Worker is always dependent on the Sponsor, meaning these Migrant laborers can not work or travel to the Gulf countries independently, in addintion to being fully responsible over economic

aspects related to residency and recruitment fees, they also state that, working under the Kafala system limits Workers' mobility due to visa control and passport confiscation, the Worker face problems when it comes to traveling to neighboring countries or going back to their mother land without the Sponsors permission(3).

This implies that migrant workers under the Kafala system are trapped in dependency, with limited rights and freedom. Their residency, mobility, and legal status are fully controlled by their sponsor, exposing them to exploitation and making it difficult to change jobs, travel, or return home without permission.

2.2.4Wage Payment and Financial Dependencies

Human Rights Watch States that, the centrality of wages in the Sponsor and Worker relationship creates dependency connections, the Employer can control the Workers' means of survival like food and housing, which can be covered by wages, the latter affects the Workers' ability to move or change jobs, because of the significant legal and financial power a Sponsor holds. In addition to, Workers are often forced to take out loans, resulted in being beholden to debt, due to hight recruitment fees, making them more vulnerable to their Sponsors for paying wages.

Furthermore, many workers in the Gulf Cooperation Council face delayed or unpaid salaries, mainly for two reasons. Some companies take advantage of delayed wages to gain more profit, knowing that workers cannot complain or change jobs due to the absence of workers' rights protection and the lack of mobility caused by sponsor control. Additionally, some subsidiary companies face financial difficulties with larger parent companies, which also results in delayed wages.

Building on that according to the International Labor Organization ,Migrant workers are economically dependent on their Sponsors for paying their wages, since they control the legal and administrative status and processes related to the arrival and stay of the Employees, making them unable to change Employers or leave or even get legal remedy, because of the delay of the wages , using it as a tool of dominance and control, moreover, unpaid salaries would force Workers to take out debts or to prolong their Working period, waiting for their meager salaries(4).

Which implies that delaying or withholding wages is used as a tool to control workers, keeping them financially dependent and unable to leave or defend their rights. Without timely pay, workers struggle to meet basic needs like food and housing, often falling deeper into debt, which strengthens the Sponsor's power over them and traps them further in exploitation.

2.3 egal Framework and Government Regulations

2.3.1 Variations of Kafala Across the Gulf States

According to Jacobo and Mazzuco, the Kafala system in the Gulf Cooperation Council nations has been very strict for a good period of time, where the system place full control in the hands of the sponsor over the workers' personal freedom and legal status, like confiscation of passport,voilation of freedom of movement, in addition to, threat of deportation(1).

However, (Algharib Alsharif 2) states that on November 4,2020, Saudi Arabia's Ministry of Human Resources and Social Development launched the Labor Reforms Initiative(LRI), under the National Transformation Program, which represents reforms of the Kafala system, where they sought to imporve the relationships Between the sponsor and the employee, by granting workers the freedom of changing jobs and exiting and re-entering the host counties without the employer's consent.

Moreover, (Qadri 80) argues that, the United Arab Emirates (UAE) has made new laws to protect migrant workers, and to respect International laws, by helping workers get right training for jobs, in addition to giving them more freedom of movement and creating better ways for employees to report any issues face them in the dialy basis. Adding on that, (Jacopo, Mazzuco 3,4) say that the kafala system reforms in Qatar was discussed as a result of awarding the country with hosting World Cup 2020 in December 2010 by Federation Internationale de Football Association (FiFa).

The Qatari authorities sought to improve working standards for migrants, therefore, they created Wage Protection System, to prevent wages theft and delay, not only that but the Qatari state tried to end the kafala system under the law number -21 of 2015, however it only changed words like (Sponsor) with (Recruiter), keeping control in the hands of the employer. Building on that, in 2017 Qatar worked with International labor Organization to make better changes, which includes removing the exit permit and solving workers' compliants faster. According to in Kuwait government introduced minimum wage for Migrant Workers, including domestic workers, it was sent at 75 kuwaiti Dinars about 250 US dollars per month, this change is significant because it was implemented on Employers to pay.

However, this reform was not really helpful for Workers as a result of how meager it is for them to pay every day necessities which make many Workers remain dependent on their Employers for housing, food and other needs. Moreover, Kuwait and Bahrain have made changes when it comes to absconding charges, in 2022 the system made it easier for Workers to clear the charges if it is filed through Labor authorities, unlike when it filed through the police. However it is only easy if the Employer agrees on canceling the charges meaning that Workers still dependent heavily on their Sponsors.

Also mentioning that in Bahrain the Labor Market Regulatory Authority (LMRA) introduced the flexi permit, this allowed some Migrant Workers who did not have proper residency papers to sponsor themselves and work for more than one Employer(8-12). Furthermore, (Kalush, Saraswathi 10) claim that , in January 2021 9man Removed the NOC (No Objection Certification) rule for Workers to change jobs easuil without the Employer permission, in July 2021, the Ministry of Labor added new rule which states that Wirkers must complete their job contract before they are allowed to change jobs without needing their sponsors approval.

Which suggests that although several Gulf countries have introduced reforms to improve migrant workers' rights, these changes are often limited or incomplete. Many reforms still leave workers dependent on their sponsors for major decisions like job changes or legal protection. While there have been improvements, such as easier complaint processes, minimum wages, and better mobility, full independence from sponsors has not been achieved. As a result, workers continue to face restrictions and remain vulnerable to exploitation.

2.3.2 Key Laws Governing Migrant Labor Under Kafala

As put forward by Zahra, the Kafala system is managed by the Ministry of interior in all the Gulf Cooperation Council countries, making it part of the official government system, which also has legal backing. The system came to regulate temporary labor in the six nations, granting locals (employers, kafil) total control and responsibility over migrant workers' residency and freedom of movement, furthermore, workers under the kafala system are tied directly to their employers, and they usually can not work for another employer until they get the permission of the first one, however the Minister can allow transferring or changing sponsors if the worker is being abused or it is in the public interest, whether the workers are covered by the Labour Laws or not(4-6).

Adding on that, (Geilsdorf 165-166) argues that, in order to maintain job in Gulf countries under the kafala system,a worker should have a kafil who functions as a guarantor, granted by the system a full responsibility over the employees during their contract period , moreover the legal structure enforces employer control over the workers entries and exits from the host countries, another key point is that the system controls the waves of migrant workers depending on the economic state of the country, as the author explains that Workers could come quickly during economic growth and leave just as fast during quit periods.

Building on that, (Al Tayah 146-147) suggests that domestic workers are not protected nor covered by the Labor Laws claiming that ,they can not regulate work inside private homes without voilating the privacy of the families, which resulted in relying on jobs contracts instead of legal protection, however the contracts are often ignored leading to unfair treatments. These domestic workers often work for long hours with low wages ,in addition to having a hard time sending their complaints to their embassies, and leaving would lead to legal issues like getting arrested, facing heavy fines and deportation.

Meaning that, the Kafala system is deeply included in the legal structures of Gulf countries, making migrant workers heavily dependent on their sponsors for residency, employment, and mobility. While some legal options exist to change sponsors in cases of abuse, however, in practice, workers have very little protection, especially domestic worlers who are excluded from labor laws. This leaves many migrants vulnerable to exploitation and unfair treatment.

2.3.3 Recent Reforms and Their effectiveness

Kalush, Saraswathi (3) Explain that the refoms to the labour and immigration laws, in the Gulf Cooperation Council were introduced primarily to benefit the state and its citizens rather than

protecting migrant workers rights, in the same vein, as argued by Thiollet there are a key reasons behind the introduction of the reforms to the kafala system suggesting thats it hurts the countries reputation, especially during the host of international and important event like 2022 World Cup in Qatar, in addition to, it harms the locals opportunities to get jobs as a result of hiring the cheapest workers from abroad, keeping salaries low, moreover fixing the countries' image in order to gain back its relations with international companies who lost interest in working in the Gulf (351).

Furthermore, following the introduction of the Reforms(Human Rights Watch"Saudi Arabia: Labour Reforms Insufficient") states that Saudi Arabia announced the Reforms under the Labour Reforms Initiative (LRI), to improve the migrant Workers situation, the state sought to give Employers less control over Workers mobility, so they can change jobs freely without the Employer's permission ,under a number of conditions, in addition to, the right to enter and exit the host countries without the Sponsor's approval, by applying online as long as they have a valid passport, a contract and no unpaid fines.

Adding on that, (Hudspeth 9-10) suggests that the reforms in Qatar like Saudi Arabia came to limit the employer control on workers, by granting migrants the right to decide whether they want to enter or leave the country without the approval of The Sponsor ,unless they provide a convincing reason to stop them, also giving them the right to join or form unions, in addition to , promising to replace the Kafala system with contractual one, and ending the practice of limiting how many people would come from specific countries. Following the International Labor Organization, reforms are beneficial dfor Wokers in terms of financial issues like hight recruitment fees and improving living income, in addition to, creating better waysto report any problems related to abuse or fraud making them safer for them and for their families(7).

This highlights that the reforms to theKafala system, while presented as improvements for migrant workers, are often more focused on improving the Gulf reputation and economic interests. Although some reforms aim to reduce employer control over workers' mobility and improve their financial and legal protection, they remain limited . Workers still face significant problems, and the changes serve the host countries' goals of attracting international attention and enhancing relations with global companies.

2.4 Recruitment and Migration Process

2.4.1 Role of Recruitment Agencies

As put forward by Rahman Recruitment agencies are companies that connect workers from a country with an employer in another region, like those in the Gulf, where recruitment agencies are an important part of the Kafala system, some of these companies work directly with the Kafil(220-221).

Building on that (Hudspeth5-6), claims that recruitment companies play crucial role in the migrant labor process with the sponsorship system, these agencies are involved in arranging work contracts between workers and employers, it also involve a salary deception like promising a good salary for the service, in addition to the agencies often asks workers to pay large amount of money (around 1000$) so they can get the job.

Further more, according to Zahra, the term "Sponsor" can be used interchangeably with the term "Recruiter", meaning any entity which is responsible for bringing migrants and facilitate their visa processes, acting on behalf of employer to secure foreign labor, adding on that, Recruitment Agencies work in tandem with the employer, and it help in regulating the procedure of matching workers with the employers and preparing their documents(4-5).

(Migrant Forun in Asia 1-2) ,Recruitment agencies often ask for a very high fees around thousands of dollars which leads workers to sell important things like lands, moreover workers face problems with jobs in the Gulf since they do not know who their employers are, or what job they are hired to do, workers often find themselves selected to work in unsuitable places that do not match their abilities or experiences, they might be forced to work for many hours, leave in a poor housing, face abuse, or even get arrested for no reason, where some are not even allowed to contact their families back home.

Which shows that recruitment agencies play a major role in reinforcing the exploitation within the Kafala system. By charging high fees, misleading workers about salaries and job conditions, and collaborating closely with employers, these agencies contribute to workers' financial vulnerability and lack of control over their employment. As a result, many migrants arrive in the Gulf deeply indebted, unaware of their real working conditions, and exposed to abuse with little chance of seeking help.

2.4.2 Costs and Fees Paid by Migrant Workers

(Peebles 1) Suggests that Migrant Workers in the Gulf face financial burdens before and after their arrival to the Host countries, workers before entering the country, have to pay Employment Agencies to help them get a job, which would charge high fees, as a result of using illegal brokers. Moreover Workers also find themselves in difficult situations even after the arrival to the Gulf, Employers often delay payments or even cancel wages, despite the fact that Workers' salaries are very low, especially for long hours of work, in addition to, it is imperative for workers to take loans to pay the accumulated debts from Recruitment Companies, making them vulnerable to debt bondage and putting them in exploitative situations.

Building on that, (Atique 138) explains that, Recruitment fees paid by Migrant Workers are both illegal and excessive, adding that licensed Recruitment Agencies are not allowed to charge workers any fees, however, workers in the Gulf are still forced to pay arround 2,358 AED, even though they only earn arround 1000 AED per year, also many of these agnecies lie to the Migrants to make working in the Gulf mire interesting, by giving false information about the work conditions and the salary which displays how dangerous some of the Recruitment Agencies are.

Furthermore, according to Jureidini Workers maybe charged for visas even though, Employers are supposed to pay for them, however Recruitment Companies often made workers pay for these documents, also Medical tests and Training ,in addition to the Agencies commission are typically part of the costs that Workers must cover themselves, moreover depending on the arrangement aifare may be paid bu the Employer or the Employee.

Based on Wage Theft Against Migrant Workers During Covid 19, employers, usually, make up false accusations against workers, like stealing, to avoid paying the migrants the money they owe them. This, led them to be forced to leave their job without getting their salaries(6,9). The fact that demonstrates that migrant workers face financial exploitation both before and after arriving in the Gulf. High illegal recruitment fees, wage theft, in addition to hidden costs like visa and medical fees trap workers in debt and dependency. Despite regulations meant to protect them, recruitment agencies and employers often manipulate workers with false promises and unfair practices, leaving them vulnerable to abuse and financial fraud.

2.4.3 Contract Substitution and Misrepresentation

According to Al Tayah, after the Worker arrival, contracts are meant to protect the Worker but in reality, it is often weakened or replaced by agreements, that often makes working conditions worse for Migrant depending on their nationality(146). Adding on that as put forward by Atique, Recruitment Agencies and Middlemen give false information about working conditions and salaries to Workers before their travel to the host countries, which makes them face fraud, because the Contract the Employees think they agreed on is diffrent from what they actually live once they arrive(138).

As highlighted by the DW Documentary, many Workers faced unexpected situations after being decieved by the Employment Companies that charged them high fees that sometimes reach up to thousands of Euros , Sujan was one of the Workers , he traveled to Qatar during the Preparation for the 2022 World Cup , hoping for better working conditions and a salary that would allow him to support his family in Bangladesh. Sujan's brother explained that the family had taken out a loan to pay the Agency and that they are still struggling with the debt, however, after signing his contract, Sujan found himself in a very diffrent situation than what he had been promised which ultimately led to his death on September 23.2020 in unknown circumstances (1:35-3:35).

As reported by Gardner workers in the Gulf Cooperation Council endures with several challenges due to language barriers, stating that although the majority of workers who came to the host country are from South Asia, they don't usually speak the same language, so they tend to struggle with communication among themselves in the working place, making them feel isolated and marginalized, adding on that since they work in a foreign country which uses different language, the government ministries operate mainly in Arabic leads to lack of direct access to

official processes, resulted in limiting their ability to advocate for themselves and create some more dependent relationship between Employees and Employers when it comes to legal procedures (217-281).

As highlighted by Al Hashem Employees have lack of legal protection to face issues, and because of the threat of criminal charges due to the Employers ability to report Workers for absconding to the authorities which can lead to detention or deportation making workers forced to accept exploitative terms(10).

Which shows that migrant workers are vulnerable from the moment they are recruited, and manipulated by agencies and forced into debt even before arriving. When worlers arrive to the Gulf, contracts are manipulated, working conditions even worse, and language barriers isolate them. Without strong legal protections and under constant threat of detention or deportation, workers are forced to accept abuse and exploitation, deepening their dependence on employers

2.5 Control, Restrictions, and Worker Vulnerabilities

2.5.1 Restrictions on Job Mobility and Changing Employers

(Kherfi 94) Highlights that because there are no strong laws or fair system to protect Migrants, and to solve their problems or even to take into consideration thier complaints, Workers often find themselves forced to do illegal reactions, the state seems to consider as crime, like escaping from families they used to work for, the latter creates a group of Workers who live without legal protection making them more vulnerable , noting that it is important to shed the light on such issues, showing that imposing harsh treatment and strict laws, do not usually protect Workers, however it worse the situation, also it helps to understand how the rules that are supposed to make regulations turned out to be the opposite.

Moreover according to Al- Zahrani, the Kafala System provides Employers too much power over Workers to achieve managed temporary labor without the interference of the state, a Sponsor under the Sponsorship System can be either a Individual or an private institution In the Gulf Cooperation Council (GCC), who has the responsibility to bring Workers to the host country, and facilitate their Work entry visa and residency , making The Worker completely dependent on the employer for the legal status, in addition to prohibiting changing employers within the same state without their consent , which prevent Workers from seeking better employment opportunities and ties them with their original Sponsor, adding on that, Workers often work alone without oversight, so if abuse occurs, it is not easy for them to report problems(146).

Building on that (Kalush, Saraswathi 8-9) suggests migrants face problems related to wages and salaries because it does not cover their basic needs, which resulted in creating a dependent relationship between the Employee and the Employer like housing, healthcare, bringing their families or sending them some money to help them in their Homeland, moreover another big problem is wage theft, some employers tend to not pay workers properly or at all. Even though rules exist, many workers until now are under the risk of not getting paid so Employers could take back recruitment course from the salaries.

Which shows that the lack of strong legal protections forces Migrant Workers into illegal actions like escaping employers, making them even more vulnerable without rights. Harsh laws meant to regulate labor actually worsen Workers' situations. The Kafala system grants Employers full control over Migrants' legal status, preventing them from changing jobs and leaving them isolated and unprotected from abuse. In addition to, low wages that barely cover basic needs create deeper dependency for housing, healthcare, and supporting families. Wage theft remains a

major issue, with employers still withholding pay despite reforms, further trapping workers in exploitation.

2.5.2 Passport Confiscation and Exit Visa Policies

As noted by Diop, Johnson, Tung Le the lack of freedom to change jobs or improve Workers' situation decrease their incentive to work harder, or to perform better. Due to the limited job conditions in addition to the limited changes to move up or find better conditions, make them unmotivated to be more productive, if workers had their freedom to move and choose what better for them they could seek better opportunities and gain skills and work even harder(38).

In addition to, Human Rights Watch states that the Kafala system takes away Workers freedom by letting employers control their movements and confiscating their passports, meaning that they cannot travel freely or go home without their sponsors permission, and trying to leave or escape this abuse would resulted in getting arrested or sending the employee back home by force which takes away their freedom.

Building on that, according to Bajracharya, Sijapati passport confiscation of Migrant workers in the Gulf corporation Council countries, refer to the practice in which Employers take away Workers passport immediately upon their arrival, this act occurs without the employer consent, to limit workers freedom of movement and ability to leave or escape and to abusive circumstances(5)

(Kalush, Saraswathi 10-11) Highlights that, on paper Workers are allowed to freely change employees and jobs under labor laws, however in practice workers who try to change jobs are in risk to have their visa canceled, or being reported as absconding. Moreover even in countries

where job changing is allowed and legal workers can only change it if the contract ended, their employers are dead, or if they proved serious abuse.

Furthermore in accordance with the International Labor Organization, in the golf Cooporation Council countries, Migrant workers must get permission from their sponsors to leave the country, however if a Worker leaves their job without the Kafeel consent they can be charged and jailed for breaking the law(2), in the same vein (Parrenãs et al 38) share stories of Migrant workers experiences with this policies. Nada from the Philippines worked for an employer in United Arab Emirates, when the contract ended her employer refused to let her travel or find other job she decided to run away without official permission. Similarly Soraya from Indonesia oho run away from her employer 10 years earlier, to find jobs on her own without a sponsor.

Additionally, in the word of Hudspeth, the employer has power over the workers' ability to leave in both formal and informal ways, the sponsor have legal capacities which make him able to prevent them from changing jobs, or leaving the country without providing any justifications, in addition to engaging in an official forms of control such as withholding wages, or blackmailing, and exploiting their vulnerable statues(3).

It highlights that, that the Kafala system takes away workers' freedom and makes their lives very hard. Even if the law says they can change jobs, it's risky because they might lose their visa or go to jail. Employers often keep their passports and do not let them leave the country. Some workers try to escape, but that can also lead to trouble. Because they can not choose better jobs or improve their situation, many workers feel stuck, unhappy, and unmotivated. The system gives too much power to employers and treats workers unfairly.

2.5.3 Issues of Forced Labor and Human Rights Violations

As stated by Retnanto, Mohsin, Aloudeh, Kazim, Workers in the Gulf especially Oil and Gas, Employees face many difficult situations, some Workers are treated unfairly, because of their race or nationality, also in some cases women who went to the gulf to seek for better job conditions, that suit their high-ranking positions were given cleaning tasks, just because of their gender which shows the inequality treatments and possible exploitation, moreover feeling isolated in the workplace due to the unfamiliarity with the country and the environment (5-7).

Similarly ,(Jarallab 6-9) claims that, many people in the Gulf Cooporation Council countries, believe that Workers are uneducated and being around them would create a negative influence on children, families, or even marriage, in addition to racial and social stereotypes, where in some Gulf countries the word Siri Lankan is used as a slang to describe a servant, which indicates how locals seem to view Workers as inferior and different. Adding on that, the working and living conditions from long workingdays (up to 16 hours), and being locked in dorms during rest time, and despite years of hard work Workers still getting salaries that barely cover their personal needs.“All workers or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily” (International Labor Organization).

Following International Labor Organization, forced labor can be defined through three key elements, which includes all forms of Labor regardless of the industry, in addition to any type of threat or punishment to force someone to work is regarded as human rights violation, moreover a Worker should be free to take a job, and also free to leave it at any time without the Employer permission.

(Al Zahrani 382-383) Explains that Kafala system enables forced labor by giving a lot of control over workers, and they can only get a job and stay legally in the country if they have

aSponsor, meaning they cannot leave the job without Employer approval, also noting that Employers have the right to take away Workers passport without their consent to limit their movements even under abusive situations. Even though the Employer have to take the responsibility over the Employee paid wages, the authorities does not check unless the Worker complains, mentioning further that all this acts against Migrant Workers put them in an exploitative position where they have no choice but to stay.

Which implies that many migrant workers in the Gulf face discrimination, poor conditions, and little freedom. They are often judged by race or gender, forced into unfair work, and isolated. The Kafala system allows this by giving employers full control taking passports, denying job changes, and limiting movement. This creates a form of forced labor where workers have no real choice and are trapped in abuse.

Conclusion

The kafala system stands at the heart of labor governance in the Gulf, yet it remains one of the most criticized frameworks for regulating migrant labor. It's more than just a legal framework, it's a structure that reinforces dependency, limits mobility, and enables abuse. As explored in this chapter, its mechanisms give employers near-total control over migrant workers' legal status and employment conditions. While some states have introduced reforms, the core structure of kafala continues to expose workers to exploitation.

ChapterThree

Migrant Workers' Experiences, Human Rights, Pathways to Refom and the Future of Labor in the Gulf

Migrant workers in the Gulf play a central role in building and sustaining the region's economies, yet their lives are often marked by hardship and uncertainty. Many leave their countries with hopes for better opportunities, only to face exploitative working conditions, limited legal protection, and social exclusion. Basic rights such as fair treatment, access to justice, and safe working environments are not always guaranteed. Women, in particular, face added layers of vulnerability. Despite these challenges, there are ongoing efforts, both locally and internationally, to push for reform and improve conditions for migrant workers. This chapter looks at these lived realities and the possible steps toward a more just and humane labor system.

3.1 The Lived Experiences of Migrant Workers in the Gulf:

3.1.1 Recruitment Practices and Promises vs Realities:

Jones pointed to the fact that the Gulf cooporation council (GCC) , an alliance of nations on the Arabian peninsula, is experiencing an epidemic of migrant labor abuse within its borders (‘introduction’) , he mentioned number of common violations that these workers encounter such as predatory recruiting practices in which many Asian migrants who are willing to find work in GCC use recruitment agencies , which charge high fees to pair hopeful workers with employers .

Regarding recruitment practices, the survey (see appendix A, question 03) shows that the most common way reported respondents (46.2%), was through recruitment agencies in the sending countries. Besides that, an equal percentage claim is that workers are included via direct hiring .suggested split in experiences regarding recruitment process. However 30.8% of migrant

workers are employed by means of local recruitment agencies. While 15.4% are hires through other ways. In line with Jones research, survey data reveals that common way of recruitment is through recruitment agencies in the sending countries. The conclusion drawn from our analysis are consistent with the responses gathered through the survey reinforcing the validity of the findings.

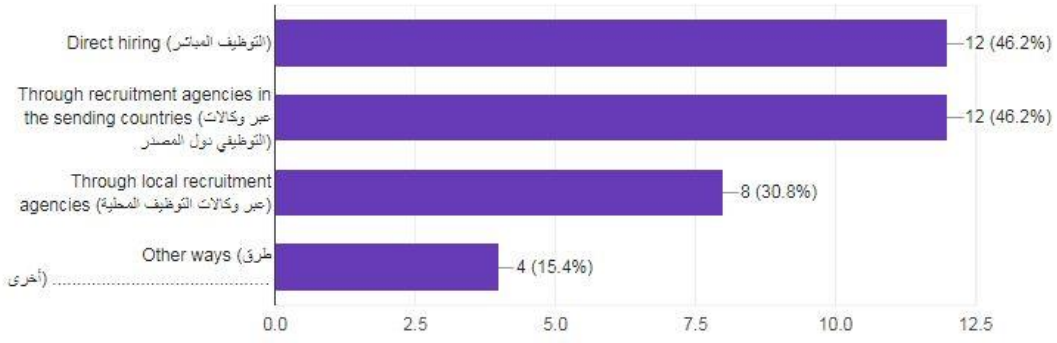


Figure 1: Migrant Workers Recruitment Methods

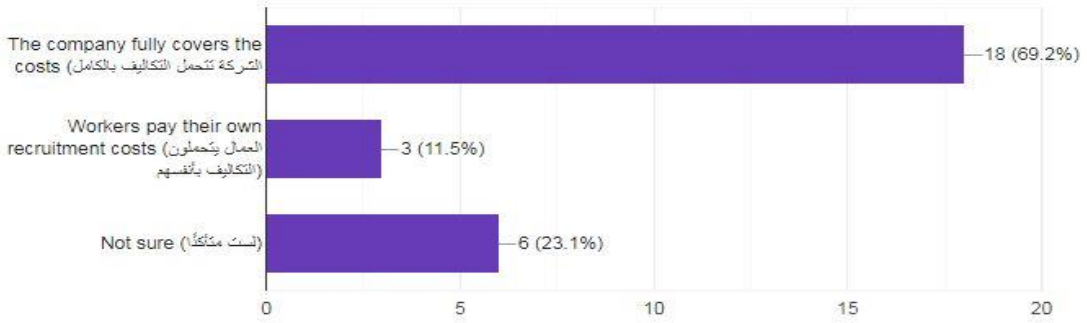
Bahrain labor law , despite defining maximum percentages for recruiting loans payment has terms that are"vagueand subject to interpretation" , this ambiguity permits recruitment firms and sponsors to take advantage of the legal ambiguity by charging excessive recruitment fees , often with high interest rates , the resulting debt might take employees years to repay , putting them in conditions similar to debt bondage(Ekwuyasi78). This demonstrates how the legal frameworks that regulate recruitment frequently include major flaws.

Hamza in her thesis " migrant labor in the Arabian Gulf" sheds light on the initial stages of the migration process highlighting the pivotal role of recruitment agencies in connecting workers with employers in destination countries , these agencies as Hamza's work suggests, often present an " idealized vision of foreseeable success " to prospective migrant workers, painting a picture

of opportunities and improved living standards . This rosy depiction can involve promises of lucrative employment contracts , assistance with visa arrangements and facilitated travel , sometimes even masking the associated costs that will ultimately fall upon the migrant workers .

Building upon this observation , the recruitment process , as further detailed in Hamza's thesis , frequently involves the migrant worker incurring significant debt even before starting employment, agencies may arrange employment contracts and visa applications but the associated fees are often passed on the worker which can force migrants to take out loans sometimes from informal lenders, creating a cycle of debt that begins in their home country(9-10). This initial financial burden starkly contrasts with the promised economic prosperity and sets the stage for a potentially exploitative employment journey in the Gulf.

When it comes to paying the recruitment costs for migrant workers in a certain company, the survey indicates that a majority of respondents (69.2%) claim that the company they work in fully covers the costs of employment. However, only 11.5% of the responses suggest that workers are the ones responsible for paying their own recruitment fees. Also a notable (23.1%) were uncertain of who covers the charges. The general view in the literature as articulated by (John ,Ekwuyasi 78, Hamza 10) suggest that the payment of employment costs are accountable for the migrant workers to pay which resulted in getting into debt. However our data indicates different view point of (69.2%) that recruitment fees are covered by the company itself. Meanwhile the findings show that (11.5%) of participants support the interpretation proposed.



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Figure 2: The Resposibility for Recruitment Costs of Migrant Workers in Your Company

3.1.2 Working and Living Conditions

Upon arrival in the Gulf, many migrant workers encounter working conditions that deviate significantly from the initial assurance they may have received . As highlighted in" slaving away : Migrant labor exploitation and human trafficking in the Gulf" by Americans for Democracy and Human Rights in Bahrain ,laborers can face issues such as the withholding or delayed payment of wages , creating immediate financial hardship(12). Employers are obliged to provide workers with receipts proving they have been paid in full , however employees have stated that employers frequently beat or intimidate them into signing the receipts(13). This directly undermines the primary motivation for migration economic betterment- and leave workers struggling to meet their basic needs and support their families back home.

This financial insecurity is compounded by often substandard living conditions. Many migrant workers are housed in 'terrible and unhealthy conditions ' characterized by overcrowding and inadequate facilities, for instance reports indicate instances where up to twenty men share a single room with limited access to sanitation and no air conditioning(14). These conditions not only

diminish the workers' quality of life but also create environments where the spread of illness is a significant concern. The inability to send remittances home due to unpaid or delayed wages further exacerbates the economic strain on workers and their families (13).

Outside of work, conditions and the matter of accommodation also present challenges for migrant workers ,accommodation is often expensive and difficult to secure and referring to Al-Moosa and McLachlan's survey a significant portion of their local expenditure going towards rent . As foreign workers are typically bared from Owen property and are usually not qualified for subsidized housing, a benefit Generally reserved for citizens. This necessitates that migrant workers bear the burden of securing and funding their own residency(Owen and Van hear 12).

Meanwhile, Auwal's comparison indicates that circumstances of migrant workers in the Gulf are different from those in US workers . Where US workers manage typically to pay for their own accommodation, migrant workers in the Gulf are often provided free, though overcrowded housing . He also highlights their lack of freedom to change jobs or location and the inability to live with or regularly see their families , additionally, while their short-term contracts are often renewed, migrant workers frequently bear the cost of these extensions , severely limiting their financial capacity to cover living expenses and send money home. He point to reports of migrant laborers experiencing months of unpaid wages(94).

Addressing the survey question regarding how accommodation is provided for migrant workers the survey data reveals that (65.4%) of respondents have their accommodation fully paid by their company, (19.2%) contribute partially to the coast and (30.8%) arrange their own accommodation. This distribution reflects the varying practices observed in the literature on migrant workers housing. As noted by Al-Moosa and McLachlan by Owen and Van Hear, accommodation can be a significant expense for migrant workers with a large portion of their

local expenditure going toward rent. Foreign workers who are typically barred from owning property must bear the full burden of securing and funding their accommodation. The(30.8%) align with this reality facing the challenges of expensive and few housing options. On the other hand the(65.4%) whose accommodation is fully paid for by their employers are in line with Auwal's observation that some employers provide free housing although it's often overcrowded. This demonstrates that while employers May cover accommodation costs , the quality and comfort of such housing may still be below standard for migrant workers.

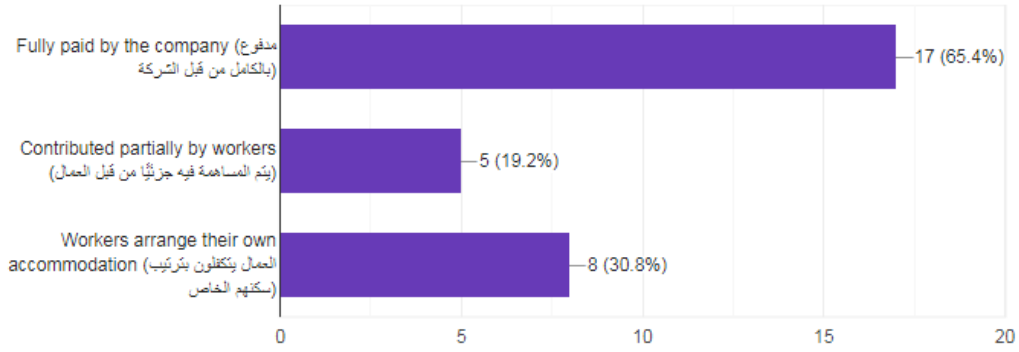


Figure 3: Provision of Acoomodation for Migrant Workers in the Company

The survey also address the Issue of salaries and asked how migrant workers receive it. According to the results (92.3%) of workers are paid monthly, (3.8%) receive weekly payments and another(3,8%) report receiving through other methods. These figures contrast with Auwal's findings which highlight that some migrant workers experience long delays, sometimes going months without receiving wages. While the majority of respondents in the survey report regular, monthly payments, Auwal's research draws attention to the ongoing problems of unpaid wages. The survey data suggests that monthly payments are the norm for most workers, but Auwal's observation underline the fact that even regular payment schedules can be unreliable, leaving workers in unstable financial situations.

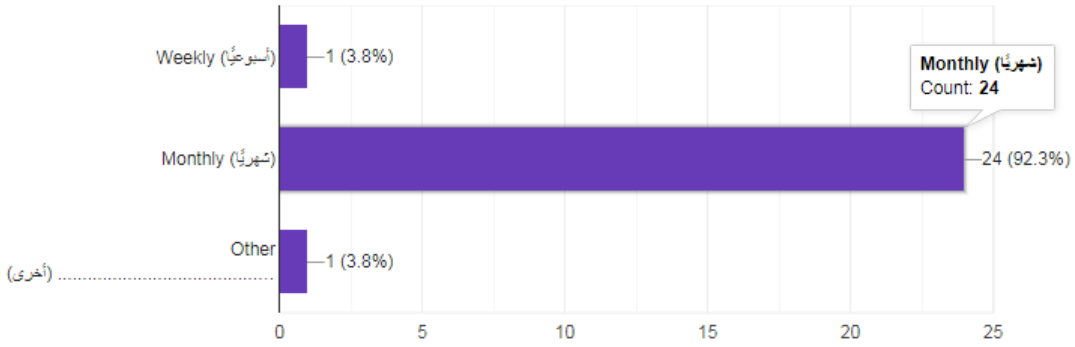


Figure 4: Salary Payment Methods for Migrant Workers

(Fernandez 5) added that , MDWs' conditions of work frequently fall outside the protections of standard labor laws ,leaving them susceptible to exploitation, this exploitation can be manifest in various forms including employers disregarding or altering employment contracts, leading to underpayment or non-payment of wages and imposing excessive working hours . Moreover MDWs are also at heightened risk of physical, psychological and sexual abuse, often worsened by restrictions on their communication and confinement within the employers ' household . These factors combine to create deeply fragilesituation for many migrant workers in the Gulf.

Manseau added to the point of contracts that some labor-sending countries such as Philippines and Sri-Lanka have tried to establish standard contracts for their workers , however despite these efforts , receiving countries often disregarded these contracts , replacing them with less favorable ones or contracts written solely in Arabic and may even refuse to provide copies to the workers(43).

The survey findings indicates that (50%) of Migrant workers receive their contracts only after arrival in the receiving country,(34.6%) before arrival and (30.8%) report that contracts are not always provided. These results align with Manseau's analysis, which highlights that despite efforts by labor -sending countries to establish standardized contracts ,receiving countries often

ignore these arrangements. Contracts often are frequently modified happen arrival, written solely in Arabic or not provided at all, leaving workers vulnerable to exploitation. The survey data mirrors this situation with half of respondents receiving contracts only after arriving reinforcing Manseau's observations of the manipulation and lack of work protections. Moreover ,the (30.8%) who reported "not always" further emphasizes the persistent challenges faced by migrant workers.

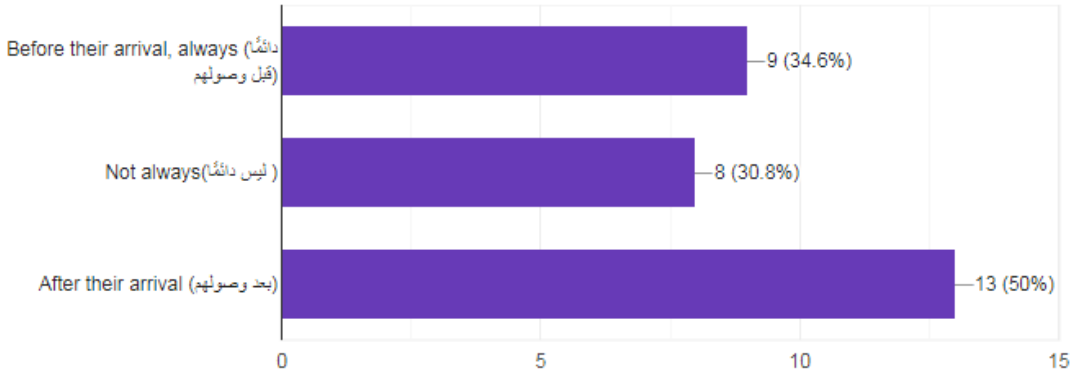


Figure 5: Timing of Employment Contract Provision for Migrant Workers

3.1.3 Social Isolation, Exploitation and Abuse

Sönmez et al, draw attention to the dangerous working conditions migrant workers in the construction field in the Gulf face , particularly in the extreme heat , leading to heatstroke and dehydration and the prevalence of workplace accidents , which complicate these issues are the poor living conditions in overcrowded and unsanitary labor camps(4-5).

As with construction workers , domestic workers in the Gulf are particularly vulnerable to social isolation, exploitation and abuse because authorities often lack the ability to inspect private properties where much of the domestic work occur, this creates an environment where reports of untreated illness and widespread sexual abuse are prevalent and in some cases , these abuses may

indicate situations of involuntary servitude . The exploitation of workers also includes wage exploitation, excessively long working hours (16-21 hours a day often without rest breaks), sleep and food deprivation, inadequate living conditions and verbal , physical and psychological abuse(6).

They further mentioned that the physical abuse can take many forms , including beatings, kicking , slapping and burning, and when workers attempt to assert their rights , this abuse often escalates . In some cases of the most severe cases , workers have died from their injuries, failed escape attempts or suicide(7).This lack of oversight by authorities, combined with the enclosed nature of domestic work within private residence, creates a situation where abuse can easily go unprotected and unpunished , leaving them with little recourse and significant vulnerability.

The same thing was shared by Sinha, the maltreatment of migrant workers in the middle east takes many forms , including violence, rape , beatings and starvation, she emphasized on the exploitative work place conditions such as excessive working hours , wage theft and inadequate living conditions. Furthermore, the restrictions on freedom of movement heighten the social isolation of these workers , confiscation of passports and other identification documents in addition to restrictions on socialization are common practice and many are confined to the household, often forbidden from leaving without express permission (146-147).

Auwal added that reports document serious abuses of construction workers in UAE , including working conditions that lead to high rates of death and injury , he also detailed instances of extreme violence such as the case of Saudi family beating two Indonesian women workers to death and the torture of a Sudanese maid by her UAE employers , the victims often have little recourse as government officials may ignore complaints or even participate in the abuse themselves (95-96). These claims illustrates how the vulnerabilities of migrant workers are

produced and sustained by not only a combination of exploitation , economic arrangements, harsh work and living conditions but also insufficient legal protections.

The evidence , as revealed through Sherry's analysis of testimonies , points out to a pattern of employers disregarding labor laws , leading to significant exploitation of migrant workers, many report being compelled to work for beyond the standard eight-hour day without receiving overtime compensation or adequate rest , Sherry's findings also indicate that illegally deducting wages to cover employer responsibilities is a reported tactic , furthermore, the evidence she examined shows that some employers fail to provide or delay official residency permits, leaving workers vulnerable to legal implications and lack of documentation that limits their access to necessary medical care , she also points to the denial of legally mandated vacation leave or its provision under unlawful terms as another significant issue uncovered in the testimonies (29).This consistent pattern of violations highlights the insecure and often rights-deprived reality that many workers face with GCC, showing a considerable gap between legal migrant frameworks and on-the- ground experiences .

This section examines how working hours are organized for migrant workers. Based on survey responses , a notable (46.2%) indicates they have fixed hours without receiving overtime pay, while (42.3%) reported fixed hours with overtime compensation. Additionally, (23.1%) said their hours are flexible and dependent on project needs and (3.8%) selected other arrangements. These figures support the concerns raised in Sherry's analysis of workers' testimonies, where many migrants described being required to work beyond the standard eight-hour day without receiving overtime pay or adequate rest. The high percentage of respondents who worked fixed hours without overtime compensation lends credibility to these accounts, While some respondents do

receive proper pay for extra work. The data highlights an ongoing disparity in how labor rights are applied and respected.

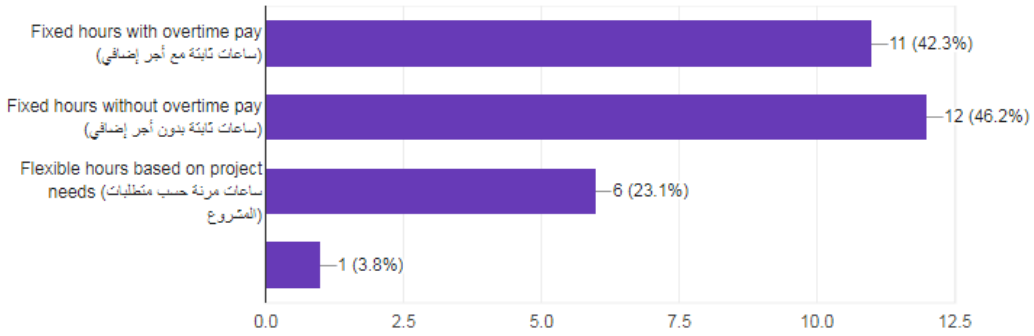


Figure 6: The Structure of Working Hours for Migrant Employees

Turning into the issue of rest days and annual leave. The survey reveals mixed realities among migrant workers. While (69.2%) reported receiving leave in line with labor laws,a notable (23.1%) receive fewer days than they are legally entitled to, and(7.7%) stated they are not granted leave at all. These responses present different perspectives on Sherry's analysis of migrant workers 'testimonies, which emphasizes the denial of legally mandated vacation leave through unlawful terms as a significant issue. The contrast suggests that the extent of the issue may vary significantly depending on context such as employer, country or sector.

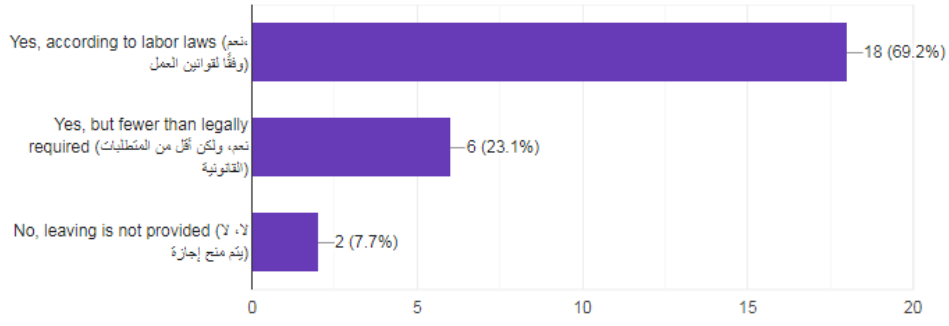


Figure 7: Provision of Rest Days and Annual Leave for Migrant Workers

3.2. Human Rights Challenges for Migrant Workers

3.2.1 The Denial of Belonging: Citizenship, Legal Identity and Marginalization

The denial of belonging for migrant workers in the Gulf cooperation council (GCC) states is a deeply ingrained issue originating from the fundamental basis of their unequal status rooted in the region's exclusionary citizenship regimes and welfare state structures , the preferential distribution of wealth benefits to national citizens establishes a fundamental dichotomy inherently positioning migrant laborers as outsiders with limited access to the social and economic privileges enjoyed by nationals(Hamza97). This initial exclusion based on citizenship status lays the ground for later forms of marginalization and impeding their integration into societies dependent on their contributions.

This foundational lack of egalitarian citizenship rights is further complicated by the unstable legal identities imposed upon migrant workers. The kafala system a cornerstone of GCC's employment framework severely restricts their autonomy and ties them to sponsors , reducing their ability to navigate the legal and economic landscape on their own , these restrictions on their legal standing , including limitations on property ownership and business ventures , actively prevent their integration into the host society and therefore reinforce their status as temporary and easily controlled residents(Sater 32). Preventing any genuine sense of belonging.

The marginalization of migrant workers extends beyond legal and economic restrictions into the realm of societal perceptions and the construction of national identity , as Al-Shehabi indicates that the influxes of foreign labor have in some instances triggered anxieties among citizens regarding demographic shifts and cultural identity, this has manifested as intolerance and

xenophobia with citizens often showing inferior treatment and perceptions towards migrants , viewing them as “strangers in their own land”(27).

The very definition of citizenship can become intertwined with notions of dominance over the migrant workforce , solidifying their outsider status and sustaining an environment in which belonging is intentionally denied. Similarly, Al-Khouri highlights how national citizens have also expressed anxieties and concerns related to the increasing pressure of migrant workers particularly in relation to the preservation of national identity and social cohesion , he further explains that efforts within the GCC to manage national identity in this era of significant labor migration often prioritize the reinforcement of national values and social cohesion from the perspective of the citizen population(7).

Zahra Babar notes that , the experience of migrant workers in the GCC is often characterized by a commodification of their labor , where their primary value is reduced to their economic contributions , they are often seen as a source of foreign currency remittances with their social and civic identities largely disregarded . This instrumental view contributes to their marginalization as they are primarily valued for their physical labor rather than as integral members of the society . Furthermore, she emphasizes on the pre-existing vulnerabilities and lack of full citizenship rights in their home countries that can influence their experiences in the Gulf, coloring their interpretation of the migratory experience and potentially reinforcing a sense of displacement and non-belonging (769).

3.2.2 Access to Justice and Barriers to Redress :

Migrant workers often face complicated web of barriers that limit their access to justice and the ability to seek redress for grievances and these barriers exist at multiple levels beginning with

the decision to file a claim , as highlighted by Farbenblum and Berg, a primary deterrent is the well-founded fear of retaliation, including the threat of deportation or job loss , this fear is compounded by practical difficulties like the logistical challenges of filling claims for workers who have already left the country or are about to do so . Furthermore, a significant number of migrant workers lack awareness of their legal rights and the procedures for seeking redress, an issue intensified by the complexity of legal systems and language barriers(7). This combination of fear , logistical obstacle , lack of knowledge creates a system that actively discourages migrant workers from seeking justice , leaving them vulnerable to exploitation and abuse.

Even when a claim is filed , they encounter further obstacles.Farbenblum and Berg point out that The burden of proof typically falls on the worker who often struggles to provide the necessary documentation of their employment and unpaid wages . The already slow response and limited resources of government agencies, combined with lengthy and cumbersome court and tribunal processes create a system that inherently discouraging to migrant workers seeking justice . This systemic bias is often exploited by employers who as noted by the writers are aware that informal dispute resolution mechanisms favor them due to the power imbalance , leading to unfair settlements (7). The procedural challenges and resource inequalities within the justice system further disadvantage migrant workers which makes it difficult for them to win their cases even if they have valid concerns .

As indicated in reports addressed to the United Nations committee on the elimination of racial discrimination ,Sherry explains that while Saudi Arabia guarantees the right to seek protection and remedies, the relevance of this migrant workers facing labor grievances like unpaid wages, excessive hours in work without overpayment, illegal fees and unlawful contract termination remains unclear .

Despite labor law theoretically granting covered workers the right to leave before contract expiration for certain reasons, accessing Justice often involves navigating a formal system. Initiating this grievance process requires the worker to fill a complaint at the local government office. These departments first attempt to arbitrator and reach a resolution, if it fails, the case proceeds to a primary labor grievance commission which handle claims up to 3,000 Ryals, while larger disputes can be appealed to the supreme commission which has broader investigative powers and issues final decisions(72-73-74).

For domestic workers, the isolation inherent in their employment within private households and limited mobility , as described in "labor migrants and access to justice in contemporary Qatar" create additional barriers to accessing justice and seeking help(Gardner 51). The lack of accountability on the part of employers , as well as the specific vulnerability of domestic workers highlight systemic failures in protecting migrant workers' rights and securing their access to justice.

Drawing on Hamza's analysis , a significant practical barrier limiting migrant workers' access to justice is the widespread and consistent injustice of employers confiscating their passports upon arrival in the destination country , despite being illegal in most GCC nations , this practice is systematically employed by companies and employers.

She further highlights, thus confiscation effectively imposes a travel ban on migrant workers, justified by employers as a mean to prevent absconding and violations of contacts. However this procedure creates a severe power imbalance, enabling unjust treatment and making it nearly impossible for workers to escape harsh living and working conditions . Passports are often used as collateral to prevent workers from filing legal claims against their sponsors or employers and that provide another avenue for companies to benefit from the injustice as workers wishing to

leave their contracts are often forced to buy back their own passports , a scenario made even more challenging by the debts incurred during the recruitment process, as a result , they become reliant on their sponsors and have limited ability to seek justice or redress (88).

Survey data shed light on the practice of employers holding workers' passports when asked" Are workers' passports held by the company?". The most common responses representing (50%) of the 28 respondents was No, workers keep their passports , however significant(34,6%) indicates Yes, but for safekeeping. A further (15,4%) reported yes company policy requires holding passports. Thus while half of the respondents retained control of their passport the other half (an equal percentage) did not have immediate access to this important document. This concerning findings where a significant portion of workers' passports are held by employers either for safekeeping or as a company policy , directly support sherry's analysis .

Sherry highlights that passport confiscation is a widespread practice that severely restricts workers' freedom of movement and their ability to seek help . Thereby forming a significant barrier to access justice and redress . The survey data highlights the prevalence of this practice , revealing that a large number of migrant workers are indeed vulnerable due to their lack of control over their identification documents.

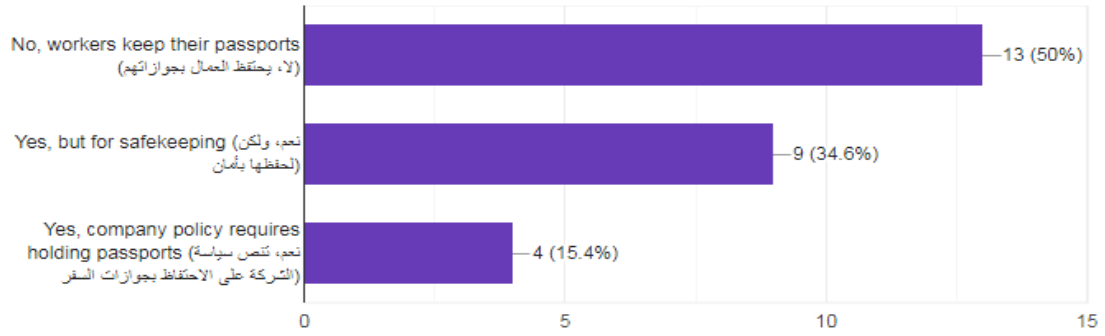


Figure 8: Company Policies on Retention of Workers' Passports

Among the 26 respondents of the survey (61.5%) reported that their companies handle worker complaints through internal grievance mechanism, such as HR departments, only (11.5 %) indicates the use of government labor dispute systems ,while (23%)stated that no formal complaint system exist in their workplaces . A small number ,(3.8%) were unsure of the procedures. While the 11.5% does reflect Sherry's depiction of the formal complaint process, which assumes workers engage with a structured State system beginning with local government offices, to labor grievance commissions. The overwhelming majority of responses stand in contrast to it, revealing a disconnect between this structured process and actual working experiences. This results indicates a significant disparity between the formal legal structure and workers' actual experiences. suggesting either a lack of awareness, limited trust or barriers to accessing government -labor dispute mechanisms . However this reliance on internal company processes reflects how power remains centered in the hands of employers.

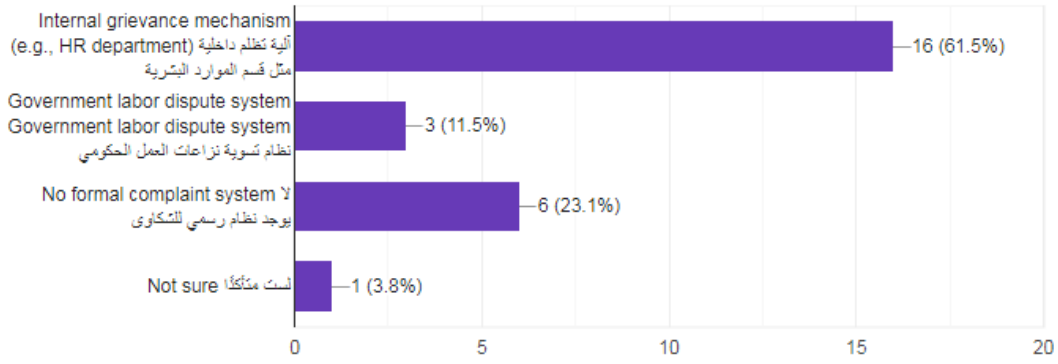


Figure 9: Mechanisms for Handling Worker Complaints and Grievances in the Company

3.2.3 Gendered Experiences: Women Workers Vulnerability

Saravanamuttu summarizes that the significant reliance of gulf states like Saudi Arabia, the UAE, , Kuwait, Qatar, Bahrain and Oman on temporary migrant labor is a defining characteristic of the region’s economic and social structure, these workers are primarily from Asian countries

who are crucial to various sectors , including manufacturing, construction , agriculture and domestic service, drawing on the work of Gardner , Naufel , Hanieh and other (4-5).

The survey question on the industries in which migrant workers are employed provides insight into the sectorial distribution of labor. According to the results (50%) of respondents work in construction , (42.3%) in hospitality, (7,7%) in manufacturing and (11.5%) in domestic work , with no presentation in retail. Compared to Saravanamuttu's research , migrant workers from Asian countries are essential to sectors as manufacturing, construction, agriculture and domestic service. The survey data partially reflects this observation. while migrant labor is distributed across divers sectors , the survey suggests that workers in these varied fields often shared similar forms of exploitation and rights violation . This finding support Saravanamuttu's assertion of their vital role in multiple industries , while also shedding light on the structural nature of the challenges they face.

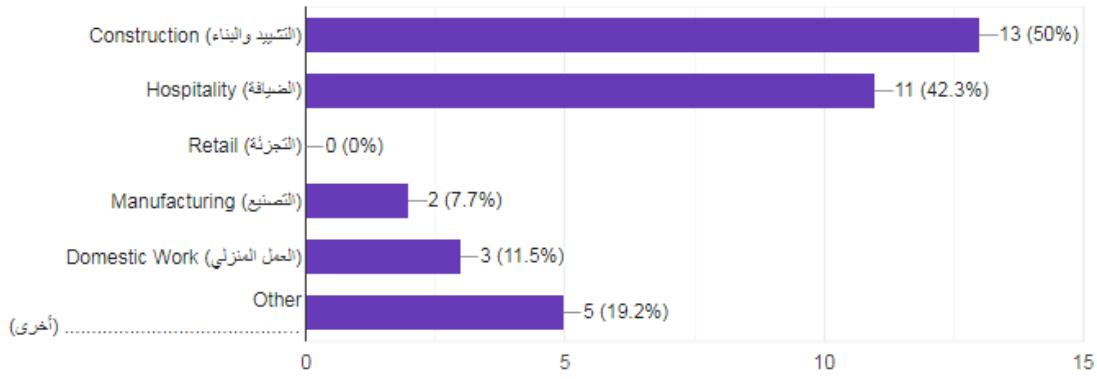


Figure 10: Industry Sector of Your Company's Operations

Yalcin also emphasizes that the GCC region ranks" the third largest block" of receiving countries and migrant workers are mostly engaged in the construction , manufacturing and other services industries ; where they constitute a significant portion of the workforce (2-3).

In relation to Yalcin's observation that the GCC region stands as the third largest bloc of migrant labor-receiving countrieswith migrant workers forming a significant share of the workforce in construction, manufacturing, and service sectors. The survey results offer quantitative support. When asked what percentage of their company's workforce consisted of migrant workers, (42.3%) of respondents indicated that migrants made up (75–100%) of the workforce, (26.9%) reported (50–74%), and(23.1%) stated (25–49%), with only 7.7% indicating less than 25%. These figures clearly illustrate that migrant labor is not peripheral but central to the functioning of many businesses in the region. In turn, Raising critical questions about protection, rights, and representation in workplaces composed of non-citizen workers.

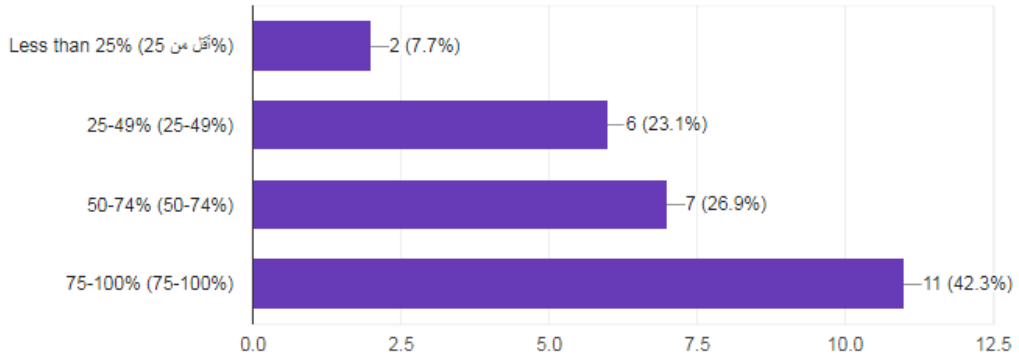


Figure 11: Proportion of Migrant Workers in the Company's Workforce

Within this flow of labor a significant number are women , many of whom are concentrated in specific sectors and face distinct gendered vulnerabilities. As detailed by Joseph , the vulnerabilities faced by women migrant workers in the Gulf region are shaped by the intersection of gender with other forms of discrimination, she points out that , the increasing participation of local women in the workforce has fueled the demand for migrant domestic workers, Joseph adds that these women often arrive burdened by recruitment fees and face restrictions on their

movement and the confiscation of essential documents, trapping them in exploitative situations (227-228).

Furthermore, she notes that their legal status are often tied to their male sponsors limiting their autonomy and making them vulnerable to abuse , this essential vulnerability, according to Joseph is compounded by societal norms and legal frameworks that may not adequately protect their rights as women and as foreign workers. Moreover Joseph highlights that migrant women are disproportionately victims of various forms of abuse including physical , psychological and sexual violence and the criminal justice system frequently fails to provide adequate protection or avenues for redress , sometimes even re-victimizing those who attempt to report abuse (230.234)

In similar vein , and offering a more focused lens on Saudi Arabia, in her book Sherry highlights that the prevailing gender discrimination, restrictions on freedom of expression and movement, and gender inequality within the justice system in Saudi Arabia compromise the rights of women migrant workers, rendering them particularly vulnerable, he further elaborates on the tolerance of domestic violence which fosters an environment conductive to physical and sexual abuse , and the forced confinement imposed by some employers , mirroring the limited autonomy Saudi women face under law and social custom , Sherry emphasizes on the biased aspect of the legal system which gives women's testimony less weight, hence substantially reducing the prospects of responsibility in cases of sexual abuse (18).

Highlighting compromised rights for women migrant workers in Saudi Arabia due to gender segregation and restricted movement, the writer points out that many find themselves living in forced confinement behind locked doors and gates and this extreme isolation makes it difficult for them to call for help , escape situations of exploitation and abuse and seek legal redress wherein some women are forbidden from speaking to others(3).These conditions collectively

create a context where women migrant workers experience heightened vulnerability to exploitation and abuse , often worsened by isolation and restricted access to help.

Adding to these vulnerabilities , Jha highlights that , the sponsorship system or kafala prevalent in Saudi Arabia and the broader Arabian Gulf , further restricts migrant workers 'autonomyby legally binding them to a local sponsor who controls their employment and exit . This system can create opportunities for abuse and control as workers often require their sponsor's permission to change jobs or even leave the country, moreover, many migrant women experience deskilling, taking on jobs like domestic work that do not align with their qualifications, often due to perceptions and the types of employment available in the Gulf region (41). This deskilling coupled with the demands of care work , can create paradoxical situations where women care for families abroad while being unable to care for their own.

3.3 Efforts and Initiatives for Reform

3.3.1. Government Reforms : Labor Laws and Kafala Modifications

(Aboueldahab 1) Argues that introducing reforms is necessary due to the poor living and working conditions, migrant workers in the Gulf face. These issues brought global attention especially after COVID 19 pandemic and events like world Cup 2020 in Qatar, in addition to the importance of achieving better solutions to ensure workers legal protection, since they play a major role in the Gulf workforce and economy. Similarly as put forward by the International labor organization that the Institution that deals with laborers rights, imposed indirect pressure for a reforms to improve workers' social security rights.

Following Qadri, the United Emirates decided to make reforms in order to modernize its labor market and to display its respect to the International labor policies which aim to arrange migrant

labor recruitment laws to be more fair, in addition to provide training before hiring workers so they can find jobs that match their skills, also granting employees more freedom of movement under laws known as “No Objection Certificate” and exit permit, likewise the UAE government sought to create a special committee to fight human trafficking in 2007, which was supported by the ministry of Labor and the ministry of interior(80).

Whereas as stated by Hudspeth, Saudi Arabia and Qatar, the system is very strict where sponsors have total control over migrant workers freedom of movement and changing jobs, however in 2009 the Shura Council passed laws to protect workers' rights, in addition to, the attempts to abolish the system by the ministry of Labor despite the fact that both laws were later cancelled without explanation (11).

Not only that but, (Algharib Alsherif 2) claims that, on November 4th 2020 by the ministry of Human resources and social development and National transformative program, sought to implement reforms on issues related to job mobility and freedom of travel and entering and existing the country without the employer approval. Furthermore (International Labor Organization 4-11) claims that reforms in Qatar took place between 2018 and 2020 like adopting the “No Objection Certificate”, in order to change jobs freely, in addition to, the minimum wage law in March 2021 name to protect workers from low wages.

Based on El Hashem, the workers voices about their rights still missing, which make many of them unsatisfied with the system, since the reforms have not solved the main issues, as a result of the remain control over their mobility from their sponsors, despite the fact that organization from many countries abroad talked about the problem, however will improvement has not yet been carried out (11).

Which suggests that, the changes made in the Gulf are still limited, and have not fully addressed the main problems that migrant workers face. Despite the fact that some reforms have been introduced but still many workers experience restrictions and unfair treatment when it comes to their freedom of movement and the job choices , because the system still gives sponsors so much power over their employee. the latter often do not have the chance to speak up about their rights and their concerns are usually marginalized. Which shows that the reforms needs more actions to make sure it truly improve the workers' living and working conditions.

Despite reforms, foreign workers in the Gulf are still having lack when it comes to freedom of choosing or changing the jobs, because of the control granted by the system to the sponsor. Restrictions on job mobility remain a crucial problem in the region. Migrant workers often face limited ability to address their issues. This shows that reforms are legally required, however workers are still vulnerable and dependent.

The analysis overlaps with the survey responses, which shows that (52%) of participants said that workers are not allowed to change jobs before completing their contracts. In addition to (40%) of them claimed that workers can change jobs freely at anytime. Meanwhile (12%) stated that ob changed are allowed only under a certain condition.

The findings suggest that the majority or companies still use contracts to limit its workers' ability to change jobs or move. This indicates that some reforms are not properly done or conducted. making laborers limited and dependent on the company practices.

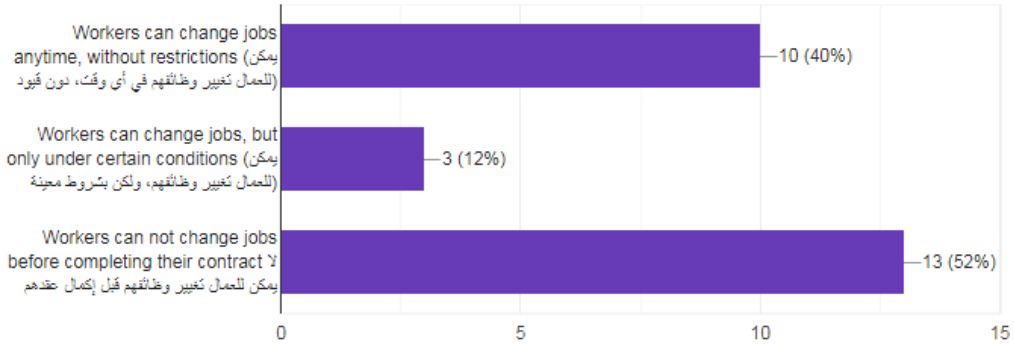


Figure 12: Conditions for Allowing Migrant Workers to Change Jobs Before Contract Completion

3.3.2 The Role of International Organizations (ILO, UN, NGOs)

As put forward by Rahman International organizations are involved in reforms to protect migrant workers rights, by pushing for equal rights, and fair system, in addition to preventing human rights abuse and to fight human trafficking, also achieving the nation's peace, suggesting that mistreatment of workers could lead to riots and unrest (16-17).

Moreover according to International labor organizations and platforms from different places abroad, helped in improving the lives of workers under the Kafala system in the Gulf corporation Council, like the Colombo process, and the Abu Dhabi dialogue, in addition to the DLA PIPER report which aimed to change policies, that does not protect laborers rights in the area, like fair recruitment and strengthening the system for better protection for workers(9).

Based on The International Labor Organization, the International Organizations and the Human Rights Watch (HRW) helps in checking the government's improvements when it comes to reform like the way it handles migrant workers complaints and how to solve their issues as fast as possible by tracking the cases in addition to the monitors the government in cases like

providing safe places for women who Escape abusive employers by writing reports provided to the authorities to make sure that workers are treated fairly (37).

Which shows that the International Organizations play a crucial role in pushing the Gulf countries forward to improve its labor system and to protect its migrant workers. These organizations work to promote for equal rights and prevention of abuse, it helps the governments to create better law and reconsider its previous policies. They also examines the government responses on worker complaints and check if the worker especially women are getting safe places when abuse occur. Which implies that the International Organizations pressure and support for human rights of migrant workers in the Gulf helps in improving and in shedding the light on their sufferance.

The literature we have gathered, highlights the significance of International Organizations on reforms in the Gulf countries. These Organizations advocate for equal rights, monitor abuse, and help the governments to achieve a better labor policies. In addition to paying particular attention towards women in the industries. This international pressure helps in raising awareness and establishes some improvements in the labor laws.

The data collected from the survey reflects the efforts conducted by the International Organizations. It shows that (57%) of the participants said that companies implements health and safety initiatives, and (30.8%) said that their work place provides social activities, while only (26.9%) claimed that their company does not support programs for the worker well-being. This implies that external pressure from global and public institutions can lead to positive change as a result of the companies that responds to reforms for better treatment for workers.

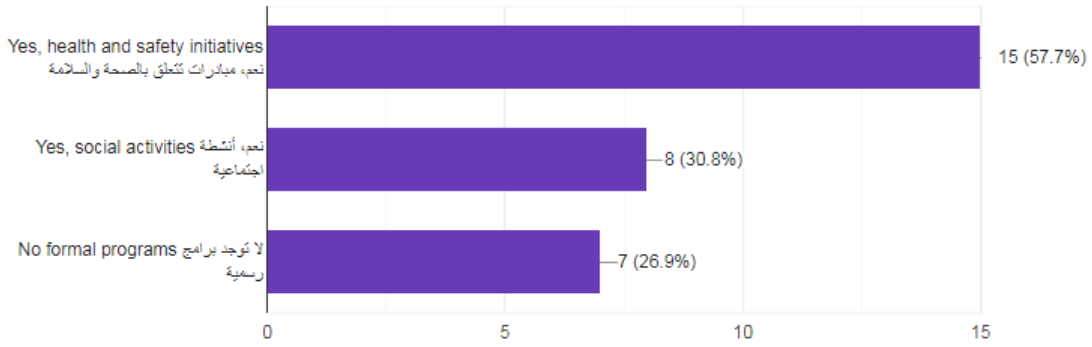


Figure 13: Implementation of programs to improve Migrant Worker Well-Being in the Company

3.3.3 Domestic Reform Efforts and National Human Rights Institutions

Following (Sager 17-18) domestic reforms are the necessary changes that happen inside the country on the political and social level to improve its system and to create a better and fair government. These reforms are often introduced due to population growth better education expect technology and international events.

According to the abstract mentioned by Kalush and Saraswathi the gulf corporation Council countries like (Saudi Arabia, United Arab Emirates, Qatar, Oman and Bahrain), sought to make changes for foreign labor as a result of the global pressure made by the international organizations to regulate the labor system and to improve the workers situations. However foreign laborers are often marginalized even after responding to International laws, the Gulf governments do not fully protect them. Adding that the system still gives too much power to employers and limit workers' rights, resulting in the continuation of laborers vulnerability and dependency on sponsors (3).

(Al Khaled 71) Claims that the key reforms suggested for the Gulf were set to improve workers working and living conditions on many levels, like the abolition of the sponsorship

system and replace it with contractual one, setting in the minimum wage based on workers educational level to improve their salaries, also granting them the freedom to move and to change jobs without the employer's control.

However (Young 5) Explains that Gulf Nations face problem when it comes to the application of reforms on labor laws. The heavy reliance on foreign workers created issues related to delayed projects after trying to preserve jobs to locals, in addition the construction zones that rely mostly on migrant workers was harmed by the new regulations, furthermore the uncertainty lead to confusion in business, like testing the working hours and growing the local tensions, also calling for strict laws which resulted in increasing political and social pressure.

Which demonstrates that, the reforms made by the Gulf Cooperation Council countries is not fully effective. even though International pressure has made some improvements, migrant workers are still vulnerable and dependent. the system in the Gulf after the reforms still continues to promote for the power imbalance between employers and employee. In addition to the ineffective application of the new laws, that make it difficult for the government to put the reforms into practice. As a result for the heavy reliance on foreign workers, and trying to prioritize locals caused delays and confusion in businesses. The latter led to social unrest and created various challenges.

According to the sources we reviewed that, the labor reforms in the Gulf Cooperation Council countries, have not worked very well. Despite the fact that International Organizations pressure to push for further regulations, migrant workers are still vulnerable and face unfair treatments and weak protection. The new laws are not fully conducted. The government efforts to change have caused delays and confusion.

However the survey results show mixed picture. Half of the participants (50%) said that their companies improved wages and benefits, . Simultaneously, (34.6%) of worker said contracts and policies were updated. At the same time, the other (34.6%) reported no major changes. Which shows that the reforms results depending on a specific company or situation.

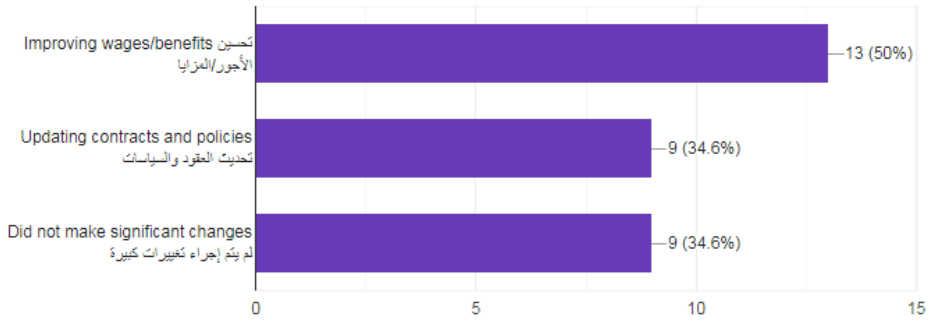


Figure 14: Changes to Company Labor Policies in Response to New Laws or Public Concerns

3.4 Pathways to Achieving Sustainable Reform

3.4.1 Strengthening Legal Frameworks and Enforcement Mechanisms

As suggested by the International Labor Organization, the labor legal frame work in the Gulf Cooperation Council countries is deeply shaped by the kafala system. It requires migrant workers to be sponsored by locals either individuals or private companies, and be completely tied to them. These employers are fully responsible for the workers' immigration processes and visa fees. However changing sponsors requires their consent. Additionally if a worker files labor complaints, he usually cannot work for another employer during the case (64-65).

According to Thiollet and Beaugrand, lately, the Gulf countries have made efforts to achieve regulations. And to improve rights of Migrant workers. Especially who work under the kafala sponsorship system. Due to International pressure from Human Rights organizations. The reforms aimed to give the state more control over workers instead of their sponsors and to reduce

wage gaps ,and to make the Labor Market fairer. In addition to increasing the number of Nationals working in private sectors. Also introducing licensed recruitment companies to control the movement of the foreign workers and to shut down small fake firms (351-352).

As put forward by the international labor organization the Gulf corporation Council countries governments, salt to improve condition for migrant workers by creating new laws and systems. Which includes setting up special committees to handle workers complaints, and to make sure they are paid regularly. Also the international labor organization has supported these reforms to make things better for laborers (1). In the same vein (Jacopo, Mazzuco 2-3) claims that many International organizations and human rights groups welcomed labor reforms in the Gulf. They helped in removing the no objection certificate, which had required the employers permission for workers to leave the job. Moreover due to the international pressure about migrant workers living and working situations the government introduced minimum wage for all workers. Also creating and launching the wage protection system which aims to stop wage delays and to make payments more transparent.

(Louër 11) claims that the gulf countries such as Bahrain faced significant challenges related to labor reforms. After promising locals to get jobs instead of the huge number of Migrant workers. Employers resisted increased costs as a result of past policies which allowed them to hire cheap workers from abroad, who do not want to pay higher costs or to follow stricter rules . Building on that, (Hertog 24-25) states that reforming the system in the Gulf is difficult because it creates a political risks due to the citizens dependency on government jobs for income and security taken away these jobs would upset people.

This suggests that although the Gulf Cooperation Council countries have introduced reforms, it remain limited and face several challenges to be conducted. The kafala system still gives the

sponsor so much control over employees, especially when it comes to change jobs or filing complaints. However the reforms were positive steps toward a positive change like No Objection Certificate and introducing minimum wages, in addition to wage protection system. Employers often resist the new costs and stricter rules, in addition to the economic and political issues as a result of shifting more jobs to citizens rather than workers. Moreover many workers still face restrictions, delayed payments, and limited rights.

while multiple sources like (International Labor Orgnization1), (Thiollet, Beaugrand351,352), (Jacopo,Mazzuco2-3), (Louër11),(Hertog24-25), describe recent reforms in the Gulf as largely ineffective in protecting migrant workers' rights. Stating that it is limited and faced by several challenges. The survey responses in this study show a more optimistic reality among the participants. (38.5%) of workers claiming that the government policies on migrant labor as fair and effective.Moreover (34.6%) of them saying that it is good but needs improvements.However only (26.9%) of participants suggesting that the government policies are restrictive and difficult to adapt with.

The latter aligns with the broader data collected from the literature. This contrasts may show that the experiences of migrant workers in the Gulf may differ from industry to another, and depending on the situation. Furthermore, some workers especially those in companies under public attention from the international organizations may have seen real improvements.

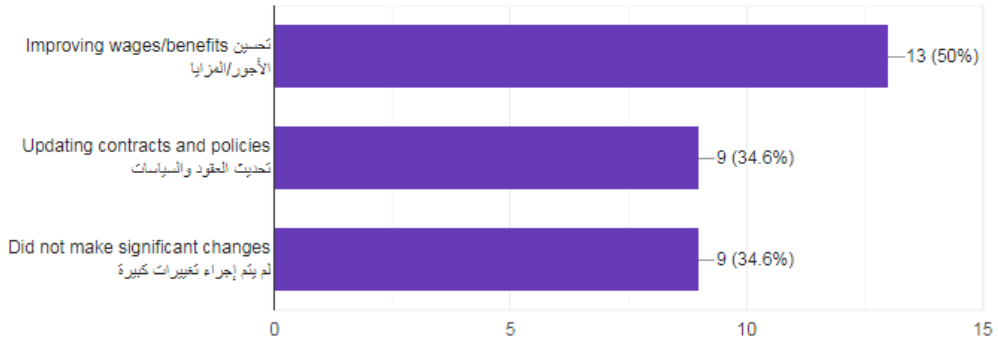


Figure 15: Perceptions of Govrenment Policies on Migrant Labor in the Country

3.4.2. Empowering Workers advocacy

According to Escobar Mendez it al, empowering workers advocacy means giving workers the right to speak and protect themselves. To improve their working and living conditions.In order to achieve a better working opportunities, and to create a respectful relationship between workers and employers.Adding that the importance in raising awareness is related to workers advocacy.Is to help stopping abuse and establishing fairer system.

Furthermore, (Fargues 280) Suggests that, only educated migrant workers are allowed to bring their families to the Gulf during their working period. Which shows that education helps employees to be more aware of their rights and more understanding of the laws that govern them. With more education workers can speak up for better treatment and complain about the unfair attitudes they face during their residency in the Gulf Cooperation Council nations. Also they are able to organize and advocate for changes, and be capable to demand better conditions.

(Al Tayah 153-154) states that the International Domestic Workers Federation helped and organizing and empowering workers. It helps them to create their own membership based organizations to set up clear goals and rules for better systems . Also it helps in establishing

systems for collecting membership fees. Furthermore, the international domestic worker Federation runs recruitment campaigns to welcome more workers in the groups, like my fair home. These recruitment campaigns teaches employers about the needs of the workers and encourages them to act respectfully with the employees. The letter helps employees to understand their rights and duties, and encourages them to be braver to discuss such things without being limited or vulnerable to the system.

As noted by Picot the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families Promotes collaboration with labor organization. To improve workers advocacy. In the article 26 of the convention, which states that migrant workers along with their families have the right to be part of meetings and activities related to trade unions and other associations of their choice. The letter helps in breaking migrant workers silence and being more open to defend the rights and shaping and shape there Destiny and the host countries, in addition to giving them the space to share their experiences, to improve the working conditions and the labor policies.

In the same vein the international labor organization encourages countries to create fairer labor standards to protect workers. Like freedom of association, meaning that workers should have the right to be part of the trade unions. To improve rights and conditions. In addition to the international labor organization focuses on certain rules to maintain workers' protection, by promoting cooperation between the workers the labor organizations and the government (68-70).

Which implies that, empowering migrant workers in the Gulf through advocacy and education, and organizations helps in improving their rights and working conditions in the region. Education is essential cause it raise the workers awareness toward their rights, and they become more likely to speak up, file complaints and demand fair treatment. The international Organizations like

International Domestic workers federation and International conventions support these efforts of helping workers to engage in unions along with their families in order to shed light on their rights and to learn how to create dialogue with employers and government. Despite the limitations of the sponsorship system, promoting workers advocacy is important step to build fairer and more balanced labor system in the Gulf.

3.4.3.Future Prospects: Towards Rights-Based Labor Systems

As mentioned by AL Khaled, rights based labor system, is a system where workers are treated as individuals with rights rather than people tied with contracts. By allowing them to travel outside the Gulf Cooperation Council nations (GCC), in addition to transferring from one ob to another, during their contracts period. The author further highlights the importance of the rights based labor system, stating that it create more balanced contractual system (69-70).

(Kalush, Saraswathi 7) In response to International pressure and criticism of the kafala system, which increased from Human Rights organizations, foreign governments and media. The gulf countries sought to rearrange the system and include new labor laws. These reforms often focus on labor law, however it keeps full control through immigration and criminal laws. Even so Bahrain in 2009 allowed workers to change jobs without the employer's permission.

As put forward by (Al gharib Al sherif 1) Saudi Arabia on November 2020. Workers were able to change jobs and travel without their sponsors approval. Moreover (Qadri 80) claims that the United Arab Emirates included better job training and improved freedom of movement. Building on that , Qatari authorities introduced the Wage Protection System, to prevent wages delays, in

addition to introducing a minimum wage of 75 Kuwaiti dinars around $250, for workers in Kuwait due to high living costs.

Meanwhile,(Sassanpour at al 36) states that the labor market in the Gulf Cooperation Council countries faces multiple challenges, like the lack of flexibility which makes it hard for people especially nationals to change or to find a job. Also the application of the same reforms across the Gulf nations is difficult as a result of the different percentages of unemployment rates, noticing that Qatar is almost (0%), however Bahrain and Oman are almost (12% to 15%). Furthermore, the lack of motivation in locals to work in private sections, and preferring government jobs instead, leading to overstaffing and imbalanced workforce. Adding on that, the mismatch between the skills and the ob nature.

As stated by Kalush, Saraswathi, the labor laws reforms in the Gulf on the exclusion of migrant workers, face several limitations and challenges . The uneven application of these regulations on workers, which shows how limited the reforms are. Furthermore, the lack of legal protection, for example workers are only partially included in two or a few specific benefits. However they are not covered by legal protections like working hours, rest days, minimum wages or dispute resolution (13-14). Similarly (M.Shah, De Bel-Air 3-4) claims that rising oil prices and new infrastructure projects could also lead to a return to old hiring practices, with focusing on bringing many low-paid and low skilled foreign workers.

which demonstrate that the shift to right based labor system, after the International criticism of the system. The Gulf Cooperation Council countries have made reforms to allow workers greater mobility, like changing jobs and displace without the employer's consent, in addition to implementing a Wage Protection System and setting a minimum wage. Despite these efforts, challenges persist due to inconsistent application of laws, limited legal protections for migrant

workers, also skills mismatch. True reforms are undermined by control through immigration and criminal laws, with fears that rising oil prices would affect the reforms negatively.

The survey responses reveal that the biggest challenges companies face in managing migrant workers are ensuring fair wages and working conditions with (60%) and managing cultural differences (36%), followed by recruitment difficulties and legal complaints (each 28%). The findings overlap closely with the literature that highlights how, despite the reforms in the Gulf Cooperation Council (GCC) countries, the application of these regulations remain uneven.

The International criticism resulted in shift toward a rights-based system, which encourages the government to change the labor policies, such as the removal of employer consent for job changes and introducing Wage Payment System and setting minimum wage.

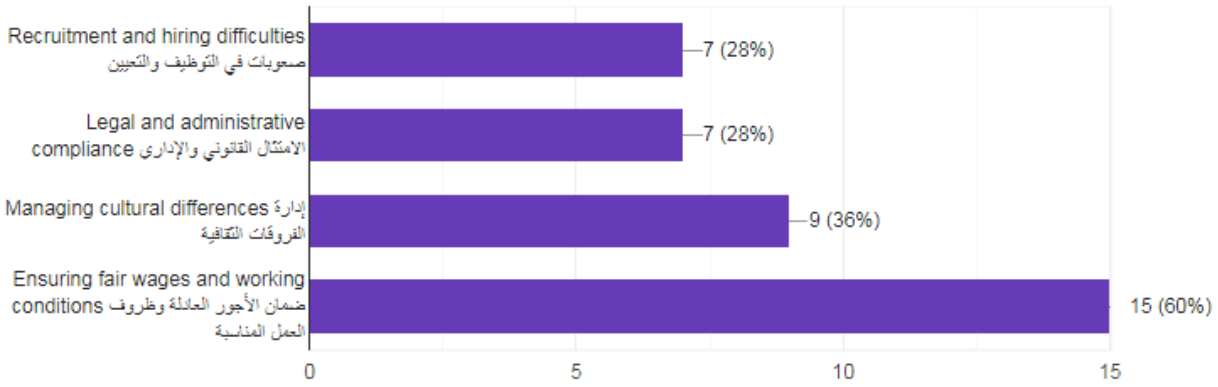


Figure 16: Major Challenges Faced by the Company in Managing Migrant Workers

Conclusion

Migrant workers in the Gulf continue to face systemic obstacles that compromise their rights, well-being, and legal protections. From exploitative recruitment practices to limited access to justice and gender-specific vulnerabilities, these challenges point to the urgent need for meaningful reform. The patterns explored in this chapter, backed by firsthand data, underscore a

reality that legal frameworks alone have not resolvedwithout accountability and enforcement, even the most progressive policies fall short.

General Conclusion

This research aimes to investigate the modern labor practices in the Gulf, and examine whether it represent a continuation of historical system of exploitation, or a new form of institutionalized labor abuse that may be equated to modern slavery. The study sought to analyse labor conditions and policies in the Gulf Cooperation Council (GCC) countries (UAE, Saudi Arabia, Qatar, Kuwait, Bahrain, Oman), which involves migrant workers., with a particular focus on the kafala system that governs the labor policies in the region and its implications. It further evaluate whether the current practices are concidered as "modern-slavery" accourding to Inetrnational Organizations like (International Labor Organizations, Human Rights Wtach, United Nations...).

It is also important to note that the research examines to what extent the current labor practices in the Gulf Cooperation Council (GCC) nations confirm or challenge the common ideas about progress and fairness. The primary objectives were to trace the historical origins of the system, to examin the development of Labor exploitation Practices In the Gulf over the time, assess legal reforms, and to evaluate the experiences of migrant workers in the Gulf.

The first two chapters of the study contain a historical context and legacy of slavery and labor exploitation in the gulf, and the conceptual foundation of the kafala system, by tracing its roots and evolution. Foucault's notion of disciplinary power operating through surveillance helped in understanding how the kafala (sponsorship) system works beyond the legal codes. Exit permits requirements, and restriction of job mobility were used as tools to justify the control, which resulted in complaint labor subjects. these mechanisms reflect the broader social system of control that ensures workers' vulnerability to the sponsors.

The third chapter introduced the practical component; using survey responses to examine how migrant workers in the Gulf experience job conditions. the findings confirmed the majority of the theoretical part. A significant number of responses confirmed restrictions related to their wages and keeping their contracts with them. The latter aligns with the forms of control highlighted by Foucault. These results suggest that despite the legal reforms may have been introduced in Gulf nations, the power dynamics still largely unchanged. However, the data collected from the survey also revealed that a percentage reported improved conditions due to recent reforms.

This dissertation contributed to the understanding of labor systems in the Gulf, through the literature collected in the theoritical part in addition to the empirical data from the survey conducted on Google Forms. while much has been written about the social influence and economic and legal dimensions of the labor system in the Gulf. This research shed the light on the enduring structures of control that shape the relations, and shows the differences between the reforms policies and the lived realities.

There are a few limitations in the research that may affect the results. The sample size of survey respondents was modest and limited and focused on a specific regions in the Gulf like (the UAE and Qatar). Moreover, the use of one theoretical framework may constrained the ability to explore other dimensions related to the study. Despite the limitations, the study offers several important recommendations. The Gulf countries governments should take reforms seriously and beyond the surface level of legal applications. Also the International Organizations should work on empowering workers advocacy and encouraging them to raise awareness through education. Furthermore, developing monitoring of labor practices and implementing refroms when it is needed. In addition to exploring how migrant workers navigate and live under this power structures.

In conclusion, the dissertation had claimed that despite the reforms, the kafala system remains a powerful tool of control, using the Foucault's theory of disciplinary power. The comparison between the theoretical and the practical part has implies that, while progress has been made, the issues related to lack of freedom and the dependency relations between the sponsor and the foreign employee remain intact. Using both theory and real world data is important for understanding and improving the situation of migrant workers in the Gulf.

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Appendix (A)

Survey on Workforce Management and Labor Practices

Introduction:

This survey aims to understand the working system practices in the Gulf , by focusing on migrant workers from the South East of Asia. Your responses are going to be used for academic research. Thank you for your participation.

Section 1: Company Profile

1. What industry does your company operate in?

[ ] Construction

[ ] Hospitality

[ ] Retail

[ ] Manufacturing

[ ] Domestic Work

[ ] Other

……

……..

2. How many employees does your company have?

[ ] Less than 50

[ ] 50-199

[ ] 200-499

[ ] 500-999

[ ] 1,000+

3. What percentage of your company are migrant workers

[ ] Less than 25%

[ ] 25-49%

[ ] 50-74%

[ ] 75-100%

Section 2: Hiring and Recruitment

4. How does your company recruit migrant workers?

[ ] Direct hiring

[ ] Through recruitment agencies in the sending countries

[ ] Through local recruitment agencies

[ ] Other ways

……

……..

5. Who covers the recruitment costs for migrant workers in your company?

[ ] The company fully covers the costs

[ ] Workers pay their own recruitment costs

[ ] Not sure

6. When are employment contracts provided to migrant workers?

[ ] Before their arrival, always

[ ] Not always

[ ] After their arrival

Section 3: Working Conditions

7. How do migrant workers receive their salaries?

[ ] Weekly

[ ] Monthly

[ ] Other

……

……..

8.How does your company provide accommodation for migrant workers?

[ ] Fully paid by the company

[ ] Contributed partially by workers

[ ] Workers arrange their own accommodation

8. How are working hours structured for migrant employees?

[ ] Fixed hours with overtime pay

[ ] Fixed hours without overtime pay

[ ] Flexible hours based on project needs

9. Are migrant workers given rest days and annual leave?

[ ] Yes, according to labor laws

[ ] Yes, but fewer than legally required

[ ] No, leaving is not provided

Section 4: Worker Rights

11.Under what conditions does your company allow migrant workers to change jobs before their contract ends?

[ ] Workers can change jobs anytime, without restrictions.

[ ] Workers can change jobs, but only under certain conditions.

[ ] Workers cannot change jobs before completing their contract.

12. Are workers' passports held by the company?

[ ] No, workers keep their passports

[ ] Yes, but for safekeeping

[ ] Yes, company policy requires holding passports

13. How does your company handle worker complaints and grievances?

[ ] Internal grievance mechanism (e.g., HR department)

[ ] Government labor dispute system

[ ] No formal complaint system

[ ] Not sure

14. Has your company implemented any programs to improve worker well-being?

[ ] Yes, health and safety initiatives

[ ] Yes, social activities

[ ] No formal programs

Section 5: Challenges

15. What are the biggest challenges your company faces in managing migrant workers? (Select up to 2)

[ ] Recruitment and hiring difficulties

[ ] Legal and administrative compliance

[ ] Managing cultural differences

[ ] Ensuring fair wages and working conditions

16. How would you describe government policies on migrant labor in your country?

[ ] Fair and effective

[ ] Good but needs improvement

[ ] Restrictive and difficult to adapt with

17. What are the changes your comapny made to labor policies in response to new labor laws or public concerns?

[ ] Improving wages/benefits

[ ] Updating contracts and policies

[ ] Did not make significant changes

18. Would your company be open to participating in future discussions on labor practices?

[ ] Yes

[ ] No

[ ] Not sure

Section 06: Future Reforms

19:What changes would help migrant workers the most?

[] Higher wages

[] Easier job changes

[] Better housing

[] Stronger worker rights

[]Other

……

……..

20: If your company could improve one aspect of migrant labor policies, what would it be?

……

……