



equidem

The Cost of Contagion

The human rights impacts of COVID-19
on migrant workers in the Gulf



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The human rights impacts of COVID-19 on migrant workers in the Gulf

This report is dedicated to the women and men who have fallen victim to the COVID-19 pandemic in the Gulf region.

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Executive Summary

“**The 2020 G20 will aim to build and enhance a policy framework conducive to empowering people and creating economic opportunities.**”

“EMPOWERING PEOPLE”, G20 SUMMIT STATEMENT FROM THE SAUDI ARABIA GOVERNMENT



Nobody knows the extent of the mental toll this situation has put on us. There is a very real chance that many workers will resort to suicide. The Government should do something for us. It's either that or they'll have to send our dead bodies home.¹

BILAL, CONSTRUCTION WORKER IN DUBAI, UNITED ARAB EMIRATES

In November, world leaders from government and business will gather at the G20 Summit hosted by Saudi Arabia. A statement on the Summit released by the Saudi Arabia government speaks of “Empowering People” and addressing a global economy that “is not delivering for all” and as “inequalities are growing amidst a rapidly evolving environment.” The ongoing global coronavirus (COVID-19) pandemic will undoubtedly be a major topic for discussion. Under its presidency of the G20 this year, Saudi Arabia promises to “focus on policies that promote the equality of opportunities especially for underserved groups.”²

As this report documents, the ground reality is very different from these noble aspirations. governments and businesses in Saudi Arabia, the United Arab Emirates and, to a lesser extent in Qatar, have been guilty of racial discrimination in their response to the COVID-19 pandemic, acting quickly to provide financial and other benefits to local business and nationals, while leaving thousands of migrant workers in jobless destitution and, in some instances, facing death, and the ever-present risk of being infected by a deadly virus.

Migrant workers left destitute by reduced and unpaid wages

Equidem’s research uncovered cases of unpaid wages and other exploitation that cut across sectors and businesses big and small. Companies have placed migrant workers on drastically reduced salaries or unpaid leave without their consent and



inadequate monitoring by state authorities. Even some of the largest businesses in the region are guilty of practices that amount to discrimination, modern slavery or labour exploitation with regard to workers in their supply chains. For example, Saudi Aramco, the giant Saudi oil and gas conglomerate, the second largest company in the world, appears to have maintained wage payments for its own low-wage employees. However, our research reveals that thousands of low-wage migrant workers employed by subcontractors were left unpaid for as many six months. This has left workers in Aramco’s supply chain in situations of poverty and extreme distress.

¹ Interview in September 2020, Dubai, UAE.

² “Empowering People”, G20 Summit Saudi Arabia, undated, available online at: <https://g20.org/en/g20/Pages/Empowering-People.aspx>.

Saudi Aramco

Equidem spoke to fifteen migrant workers employed by six different subcontractors of Saudi Aramco. The men said their companies failed to pay them either wages owed before the pandemic struck Saudi Arabia, during the pandemic or both. “I had heard about a policy of the Saudi government according to which the employer has to pay 60% of salary up to 6 months to those not having work,” said Rabindra, who works at the North Terminal of Saudi Aramco, Dammam who is employed for M.S. Al-Suwaidi Holding Co. Ltd, a sub-contractor of Aramco. He added, “but my employer has not paid me since March. We were told that we will be paid 50% of our salary, but we haven’t received anything yet.”³



Migrant workers on a crude oil pipeline upgrade project for Saudi Aramco. They told Equidem that their employer, an Aramco sub-contractor, terminated their contracts after the COVID-19 pandemic started. The men say they are owed wages and their end of service benefit payments. © Equidem 2020.

Dubai Expo

Thousands of workers employed by construction companies working on the Dubai Expo mega project in the United Arab Emirates have lost jobs with little or no notice and with salaries and benefits for work already undertaken yet to be paid. Many of these workers were put on a plane and sent home, while others languish in basic, crowded worker accommodation camps without pay and far from their families. Equidem documented nine cases of workers employed by four separate contractors operating on the Dubai Expo who had not been paid wages. Govinda, a construction worker employed by JML (UAE) LLC on the Dubai Expo mega project, told Equidem that the 300 AED (\$80) he received from his employer every month to cover food expenses during the pandemic was insufficient, particularly as he has not received a salary since the start of the year. On top of that, JML said the food allowance would be deducted from his salary once he started working again:

Now that the work has also started, and we do 10-15 days’ shift in a month, we thought we would get our payment. But, we still have not got our salary. The company always tells us to have patience and we will get paid, but no one knows when we will be paid. All of us are struggling financially. We have responsibilities on our shoulders. Who will take care of our family if we are not paid?⁴

FIFA World Cup Qatar 2022™

Even workers employed by a sub-contractor on construction sites for the 2022 FIFA World Cup in Qatar were subjected to exploitation and physical abuse. At least one worker employed by a World Cup site sub-contractor died of complications after he tested positive to coronavirus and waited days to be shifted to medical facilities. Rifat, a

construction worker employed by Rise and Shine Group, a Qatar 2022 sub-contractor, said that his friend who was infected with COVID-19 was not isolated and was taken to the hospital four days after testing positive:

My friend Kareem had high fever for four days. We informed the company about his health but he remained in our camp and was not isolated. He was taken to hospital only after four days. He died at a hospital while undergoing treatment. Our camp boss told us that he was diabetic and had breathing complications that caused his death.

Pandemic changes to labour regime open the door to modern slavery

These practices have only been possible because the governments of Saudi Arabia, the United Arab Emirates, and Qatar weakened labour protections and then failed to adequately enforce laws and programmes on wage payments. This made it easier for employers to reduce salaries or terminate employment contracts, leaving thousands of workers in situations of forced labour and modern slavery virtually overnight. Equidem documented several cases of workers being made to sign documents against their will that enabled employers to claim low-wage staff had volunteered to take pay cuts or go unpaid. Some of the workers interviewed by Equidem said that they feared reprisals for complaining about lack of payments from their employer. Parth, a construction worker in Saudi Arabia, said he and other co-workers had not been paid for five months. He told Equidem:

When we ask for our payment, we get beaten up. This is not the first-time workers at the company have faced physical abuse. They make us work overtime duty hours without paying for the extra hours. Anyone who refuses to work is beaten. Many workers have already run away from the company. A worker in the company, told me he was beaten up by the supervisor a lot. We are all

scared to file a complaint because then, we will get beaten more. I just want to get my payment and go home.⁵

Crowded accommodation camps and poor quarantine facilities increase COVID-19 risks

Even where governments have acted to improve



Women and men held in separate quarantine facilities in Um Salal Ali, Qatar, after testing positive to COVID-19 complained that it was impossible to socially distance. They also complained about the quality and quantity of food provided. © Equidem 2020.



³ Interview in Dammam, Saudi Arabia, July 2020.

⁴ Interview in Dubai, UAE, July 2020.

⁵ Interview in Abha, Saudi Arabia, July 2020.

conditions in migrant accommodation camps or at their places of employment to prevent the spread of the virus, this has not adequately raised standards to protect migrant workers. Whether in their accommodation or at quarantine facilities, workers continue to be placed in situations where social distancing is simply impossible. “There are 3,000 workers in the camp where I live,” said Govinda a painter employed by JML Constructions, a Dubai Expo contractor in the United Arab Emirates. He added, “each floor has a kitchen and toilet and around 80 people share a single toilet and kitchen. It gets very crowded. In the morning there are lines to use the bathroom. There is no way we can maintain social distance in such a small area.”⁶

Severe psychosocial impacts of the pandemic on migrant workers

Dozens of migrant workers told Equidem they were dealing with significant insecurity and stress as they are struggling to survive financially and deal with the risk posed by COVID-19 to their health and ability to earn a living. Bilal, a construction worker in Dubai, United Arab Emirates, said:

*This has led us to panic. I am afraid and have depression as well. Nobody knows the extent of the mental toll this situation has put on us. There is a very real chance that many workers will resort to suicide. The Government should do something for us. It's either that or they'll have to send our dead bodies home.*⁷

Arnav, working as a sewing machine operator in the United Arab Emirates, said:

All I could think about was my family. I did not have money to send them. Every bite of food I took here, I remembered my family. It pained me knowing that they are struggling to buy food. We have

*no farmlands like other people in the village. We have no other source of income.*⁸

Aarul, a cleaner from Bangladesh working in Doha, Qatar, was left hungry and in total despair because his employer was failing to provide him with wages or food:

*I haven't received my salary since March. We do not get food allowance either. Now we have to wait on the charities to get food, and sometimes we collect enough money to buy some basic items to cook. Some nights I go to bed hungry. Our employer was also supposed to pay house rent but they do not pay it regularly. I came here to work for my family, not to be a beggar living on my own.*⁹

Gulf government initiatives to protect migrant worker wages and health

All three governments have set up schemes to protect wages and enable access to health care that would provide the basis for a rights-respecting response to the pandemic if adequately implemented. Among these responses are several good practice and positive policy initiatives, including:

- The provision of free health care services to all migrant workers irrespective of their legal status in the country with the guarantee that irregular workers can access this care without fear of any penalty.
- Guaranteeing the full salaries of migrant workers who are in quarantine or undergoing treatment for COVID-19.
- Ensuring that stranded migrant workers have access to adequate accommodation and food while in lockdown.

- Developing national, multimedia information campaigns in different languages that are specifically aimed at migrant workers.
- Establishing multilingual hotlines for accessing information and making complaints against companies that are not complying with the law.
- Free visa extensions and refunds for those impacted by the crisis.

Significant non-compliance by businesses across industries

Our research indicates that there is a significant level of non-compliance by employers with many of these initiatives and other regulations. The fact that government authorities in the Gulf are prepared to commit to policies like providing free health care to migrant workers, on an equal basis with its citizens, regardless of race, gender, ethnicity, nationality or residency status, is a positive advance. So too is Qatar's stated ambition that many of the measures introduced to support and protect migrant workers as part of its efforts to combat COVID-19 “will lead to permanent changes that have a positive effect on the society as a whole”. Promises of a reform to the *kafala* system in Saudi Arabia from March 2021, particularly steps towards the elimination of the exit permit and increased internal labour market mobility, are welcome. If these changes were to be enacted into law and adequately implemented consistent with international conventions and standards, they could lead to a significant improvement in rights compliance in the Qatar and Saudi labour markets. However, even these changes cannot address the significant gaps in protecting the human rights of millions of migrant workers in Saudi Arabia, the United Arab Emirates, and Qatar.

Prohibition on union participation hampers labour protections

The inability to respect the right of migrant workers to form and join a union, and collectively bargain, means that a critical ingredient to resolving labour disputes and developing a mature, rights-compliant labour market is absent. Given the scale of the migrant worker populations, an estimated 24 million in the three countries combined, state authorities and businesses alone will continue to struggle with labour disputes involving dozens, hundreds and even thousands of workers at a time. Equidem's research uncovered serious situations of racial discrimination and labour exploitation. But the most common violations faced by migrant workers are centered around the payment of wages and other benefits. As the international labour system recognizes, these issues are best resolved through a tripartite process that includes worker representation through trade unions. Moreover, trade union bodies are already active in one shape or form in many of the Gulf states, including Qatar and Saudi Arabia.



6 Interview in Dubai, UAE, July 2020.

7 Interview in Dubai, UAE, April 2020.

8 Interview in Ajman, UAE, July 2020.

9 Interview in Doha, Qatar, June 2020.

Path to citizenship key to respecting migrant workers rights

A path to citizenship through naturalisation is also critical to ensuring that the women and men who toil in arduous and often back-breaking low-wage jobs are fully recognized as members of wider Gulf societies. Naturalisation would not only enable the state to codify and implement rights protections into law and practice more effectively. As Gulf authorities recognize the need to shift their economies away from a dependence on the oil and gas industries, naturalisation would help

grow and diversify the labour market along with the economy. Most importantly, only naturalisation can address the wide gap between the rights and protections afforded to non-nationals and nationals. States must respect their human rights obligations to all women, men and children regardless of their nationality or circumstances. But a path to citizenship would reflect the de facto reality: that for thousands of migrant women, men and children who have lived there for years if not decades, Qatar, Saudi Arabia, or the United Arab Emirates is their home.

1.1 Recommendations

Recommendations for the governments of Saudi Arabia, the United Arab Emirates, and Qatar

Equidem calls on the governments of Qatar, Saudi Arabia and the United Arab Emirates and businesses operating in these countries to take the following steps.

End racial discrimination

1. End the racial discrimination of migrant workers by providing employment, health and other protections and benefits to all women, men, and children without distinction, exclusion, restriction or preference based on race, colour, descent, national or ethnic origin, gender or sexuality.
 - i The authorities should amend labour laws, rules and guidelines in line with their international obligations to prevent racial and other forms of discrimination.
 - ii Address wage discrimination based on nationality by ensuring migrant workers are paid equal pay for equal work regardless of their race, colour, descent, national or ethnic origin, gender or sexuality.

- iii Ensure migrant workers have non-discriminatory access to health care and other social services regardless of their visa status. Remove the sponsor / employer from the process of registering workers for residency permits, public health and other services.

Pay workers outstanding wages and protect their well being

2. Ensure all migrant workers are paid the wages and other benefits owed to them, including the women and men who are no longer based in the country.
 - i Qatar, Saudi Arabia and the United Arab Emirates authorities should establish a mechanism to enable workers in the Gulf and in their countries of origin to submit wage and other labour complaints.
 - ii The mechanism should also address cases where workers have died or have been incapacitated so that their dependents may receive any award of wages or other benefits.

- iii The mechanism should be established in collaboration with businesses and business representative bodies, governments in workers' countries of origin, international trade union bodies, and civil society groups.
- iv Actively penalise business enterprises and prosecute business owners, management, and staff who are responsible for unpaid wages, or subjecting migrant workers to forced labour, modern slavery, physical and mental abuse, or other forms of labour exploitation.

3. Establish a mandatory state pension fund for all workers irrespective of their nationality funded by state and employer contributions.
4. Amend labour laws to require employers to pay workers for periods of absence due to illness.
5. Enhance and enforce existing labour protections and other laws that would enable governments and businesses to respect migrant worker rights if adequately implemented.

- i Enhance and enforce existing laws that prohibit the charging of recruitment-related costs to migrant workers.
- ii Establish and implement a state-run wage protection and insurance scheme to indemnify wage payments and provide humanitarian support.
- iii Work with international and local experts and migrant community groups to develop and implement strategies to provide culturally appropriate and gender-sensitive psychosocial support to migrant workers.

Increase worker awareness of their rights and pandemic health care

6. Increase efforts to raise worker awareness of their rights and avenues for support and redress, including with respect to labour disputes and access to health care.
 - i Enhance and enforce existing requirements on business to conduct mandatory training of migrant workers, ensuring this training is culturally appropriate and gender-sensitive, and conducted in languages understood by workers.
 - ii Work with migrant community groups, international trade union bodies, and others across a range of platforms, including social and traditional media, to develop worker awareness initiatives tailored to the needs of individual migrant worker groups, taking into consideration the challenges that may be faced by particular individuals and groups based on their nationality, gender, sexuality or other characteristics, and the sectors and size of businesses they are employed in.

Respect the right to freedom of association

7. Recognise migrant workers' right to join and form a trade union and collectively bargain through the passage of legislation.
 - i Work with international trade union bodies and relevant international non-government organisations, and experts to develop legislation and programs, such as worker representative committees, that assist workers and businesses to transition workplaces that respect and recognize trade unionism.

8. Permit independent human rights and labour rights observers access to Saudi Arabia, and the United Arab Emirates to monitor conditions for migrant workers and ensure both observers and workers do not face reprisals for documenting situations of exploitation.

Provide a path to citizenship

9. Pass legislation to provide long-term migrant workers a path to seek permanent residency and citizenship if they so choose.
10. Undertake awareness raising campaigns across a range of platforms and avenues, including through social and traditional media, targeting negative and discriminatory perceptions of migrant workers.

Develop a National Action Plan on Business and Human Rights

11. Draft a National Action Plan on Human Rights that includes business and human rights requirements, in line with the provisions of the UNGPs.
12. Develop and carry out a plan for the implementation of the UNGPs that includes a strategy for increasing public awareness of international standards on business and human rights. Ensure that the widest possible representation of civil society, human and labour rights experts, and the business community is consulted on an ongoing basis for the development and implementation of state policies on business and human rights.



1.2 Recommendations for businesses operating in Saudi Arabia, the United Arab Emirates, and Qatar

To the Business Community in Saudi Arabia, the United Arab Emirates, and Qatar.

- Publicly commit to respecting human rights and labour rights and put in place adequate and transparent mechanisms to identify and prevent abuses due to business activities across the business and in supply chains.
- Review business practices and policies to ensure that the company does not commit or materially assist in the commission of acts that lead to human rights or labour rights abuses.
- Require full disclosure from all partners, clients and suppliers, and publish a list of all contractors, suppliers and companies in value chains.
- Seek expert guidance, including that of civil society, to embed the UNGPs and other relevant international standards across business activities.
- Ensure workers are able to exercise their right to freedom of association, right to organise, engage in collective bargaining and collective representation, and freedom of speech.
- Actively develop and encourage industry bodies that seek to advance and implement international standards on business and human rights.

To International Businesses and Investors in Saudi Arabia, the United Arab Emirates, and Qatar.

- Develop and implement policies and practices on business and human rights in line with the UNGPs and other relevant international standards that partners and contractors in Saudi Arabia, the United Arab Emirates, and Qatar must respect as a legal requirement for doing business with you.
- Share specialist knowledge and expertise on business and human rights with counterparts and partners in the Saudi Arabia, the United Arab Emirates, and Qatar business communities.
- Seek expert guidance, including that of civil society, on how to identify, prevent and mitigate human rights risks due to business activities in Saudi Arabia, the United Arab Emirates, and Qatar.

Introduction



In 2019, the Population Division of the United Nations (UN) Department of Economic Affairs estimated that there were 35 million international migrant workers in Jordan, Lebanon and the six Gulf Cooperation Council (GCC) countries, and that nearly a third of them were women.¹⁰ Migrant workers in the GCC States of Saudi Arabia, the United Arab Emirates, Qatar, Kuwait, Bahrain and Oman account for over 10% of all migrants globally and primarily come from Nepal, India, Bangladesh, Kenya and the Philippines.¹¹ Migrant

workers make up an average of 70 % of the employed population in GCC countries, ranging from 56 to 93% for individual States¹² and are intrinsic to the Gulf's \$1.6 trillion economy.¹³ These women and men from abroad drive the domestic service sector of GCC economies and have been essential to the development of infrastructure projects and the plans to host the G20 in Saudi Arabia in November 2020, Expo2020 in the UAE (now delayed until 2021) and the World Cup in Qatar (2022).

Migrant worker populations

Country	Total Population	Migrant Population
Qatar ¹⁴	2,444,174	2,160,650 (88.4%)
Saudi Arabia ¹⁵	34,173,498	13,088,450 (38.3%)
United Arab Emirates ¹⁶	9,992,083	8,783,041 (87.9%)

Equally important is the role migrant workers play in supporting the economies in their countries of origin through the money they transfer back every month to their families. In 2017, migrants in the Arab States remitted over \$124 billion to their home countries.¹⁷ Despite the contribution that migrant workers make to Gulf countries, they are generally undervalued and there are regular reports of individuals being subjected to human and labour rights violations. These

include: the confiscation of identity documents; contract substitution; extremely long working hours; non-payment/late payment of wages; illegal deductions from wages; unsafe working conditions; overcrowded and sub-standard accommodation; verbal or physical threats and abuse; restrictions on their freedom of movement; and forced labour.



10 International Labour Organization, <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>, accessed 30 May 2020.
 11 "Covid-19 puts Gulf migrant workers «in dangerous situation»", Geneva Solutions, 4 May 2020, available online at <https://www.heidi.news/geneva-solutions/covid-19-puts-gulf-migrant-workers-in-dangerous-situation>, accessed July 31, 2020.
 12 International Labour Organization, <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>, accessed 30 May 2020.
 13 Simone Foxman, "Pandemic leaves Gulf's foreign workers in limbo", *Bloomberg*, 8 April 2020, available at: <https://www.bloombergquint.com/global-economics/expat-workers-in-limbo-as-crisis-tests-gulf-s-immigration-rules>, accessed 30 May 2020.
 14 "The World Factbook: Qatar", Central Intelligence Agency, available online at: <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/qa.html> accessed November 12.
 15 The World Factbook: Saudi Arabia", Central Intelligence Agency, available online at: <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/sa.html> accessed November 12.
 16 "The World Factbook: United Arab Emirates", Central Intelligence Agency, available online at: <https://www.cia.gov/library/publications/resources/the-world-factbook/geos/ae.html> accessed November 12.
 17 International Labour Organization, <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>, accessed 30 May 2020.

Although most countries of origin prohibit the practice of charging migrant workers for the cost of their recruitment,¹⁸ most workers must pay agents or sub-agents to obtain work in the Gulf.¹⁹ Many migrant workers take loans to pay the expenses involved in securing a job abroad - such as for the costs of the journey, visas, recruitment fees, and mandatory medical testing – that their employer in the Gulf should incur. Workers can take months or years to repay these debts. Retaining their job is therefore imperative so that they can pay off their debts and support their families, which often makes them reluctant to challenge contract violations.

The legal framework governing the employment and residency of migrant workers in GCC countries also contributes to their vulnerability to exploitation by unscrupulous employers and recruitment agents. For example, all Gulf countries use versions of the kafala system through which a migrant worker is tied to the employer who sponsors their work visa. The migrant’s right to be in the country is thereby dependent on their continued employment with the individual employer who sponsors them, although Qatar has taken significant steps to remove these restrictions. The UAE allows a migrant worker

to transfer to a new employer and be issued a new work permit without the permission of their current employer in certain circumstances.²⁰ In Saudi Arabia, a migrant worker cannot leave their job without the express permission of their employer without risking arrest, detention and deportation. ‘Absconding’ from an employer remains a criminal offence in Saudi Arabia and the UAE, and is a powerful coercive tool used to silence workers who might otherwise seek to escape situations of exploitation. Qatar continues to impose harsh penalties for “absconding” when a migrant worker leaves their employer without permission or remains in the country beyond the grace period allowed after their residence permit expires or is revoked.²¹ According to Saudi Labour law, if a worker is absent from work for a specific period of time, an employer has to declare them ‘haroob’.²² In UAE, if the worker absents himself without lawful excuse for more than 20 intermittent days or for more than 7 successive days during one year²³, the employer can report such worker as ‘absconding’.

End of service benefit

Under the labour laws of Saudi Arabia, the UAE, and Qatar, workers are entitled to an end of service benefit, a payment that is meant to amount to the equivalent of a certain period of wages for each full year of contracted work undertaken.²⁴ This is a major source of funds for workers nearing the

end of their employment with a company. The end of service benefit is a major motivating factor for workers to continue to work without pay, or remain in the country in the hope of eventually receiving the payment. This gives employers significant leverage over workers who would otherwise leave situations of labour exploitation.

COVID-19 total reported infections and deaths (October 1st to November 11th, 2020)

Country	Infections	Deaths
Qatar ²⁵	134,433	233
Saudi Arabia ²⁶	351,455	5,576
United Arab Emirates ²⁷	144,385	518

While there have been improvements to the kafala system or labour regulations in some GCC States in recent years, migrant workers continue to be subject to or poor living and working conditions in GCC countries. Between March and June 2020, when the COVID-19 disease 2019 (COVID-19) began

to grip the Gulf, GCC Governments implemented emergency measures to contain the spread of the virus, including closing businesses, restricting freedom of movement and imposing curfews in line with other countries around the world.

18 In Bangladesh, recruitment fees can be charged up to 84,000 taka (\$990): “Making Workers Pay”, New York University Stern Center for Business and Human Rights, April 2017, at p. 11. In India, the maximum amount that can be charged is 20,000 rupees (\$267) or 45 days of a worker’s salary, whichever is less: The Emigration Act, 1983 (Act No. 31 of 1983), Art 25. In Kenya the recruitment firms are allowed to charge their recruits the equivalent of one month’s salary which s/he is expected to earn in the destination country. “The Migrant Recruitment Industry Profitability and unethical business practices in Nepal, Paraguay and Kenya” ILO, September 2017, at p. 53. The government of Nepal allows agents to only collect a maximum of 10,000 rupees (\$96) in service fees from migrant workers, and only when foreign employers have not already paid a recruitment agency’s service charge: “Free Visa-Free Ticket” policy, Government of Nepal, 9 June 2015. In Pakistan the maximum fee of PKR 6,000 for service charges is fixed by the Bureau of Emigration and Overseas Employment (BEOE): Bureau of Emigration & Overseas Employment, Pakistan’s website: <https://beoe.gov.pk/fee-structure-emigrant>. In Philippines a placement fee may be charged against the overseas Filipino worker equivalent to one (1) month’s basic salary. Revised Philippine Overseas Employment Administration Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Filipino Workers of 2016, Art. 50 and 51.

19 Jureidini, Dr. Ray, “Ways forward in recruitment of low-skilled migrant workers in the Asia-Arab States corridor,” ILO White Paper, International Labour Organization, 2016, p. 9. Available at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_519913.pdf.

20 “Employer-Migrant worker relationships in the Middle East: Exploring scope for internal labour market mobility and fair migration”, International Labour Organisation, White Paper, March 2017, available online at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_552697.pdf.

21 Qatar: Significant Labor and Kafala Reforms” Human Rights Watch, September 24, 2020, Available online at: <https://www.hrw.org/news/2020/09/24/qatar-significant-labor-and-kafala-reforms>. Accessed on 1 November 2020.

22 “Regulatory Framework Governing Migrant Workers” International Labour Organization, November 2019, Available online at: https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/legaldocument/wcms_728262.pdf. Accessed on 12 November 2020.

23 UAE Labour Law, Art. 120.

24 In Qatar, for each year of employment, an employee is entitled to a minimum of three weeks basic salary as gratuity, Article 54, Labour Law (Law No. 14 of 2004). In Saudi Arabia, an employee is entitled to a half-month wage for each of the first five years and a one-month wage for each of the following years, Article 84, Labour Law (Royal Decree No. m/51). In UAE, an employee is entitled to a twenty one days wage for each of the first five years and a one-month wage for each of the following years, Article 132, Title Seven (Termination of Employment Contract and End of Service Gratuity).

25 “Qatar: Coronavirus Pandemic country Profile” Our World in Data, Available online at: <https://ourworldindata.org/coronavirus/country/qatar?country=~QAT> accessed November 12

26 “Saudi Arabia: Coronavirus Pandemic country Profile” Our World in Data, Available online at: <https://ourworldindata.org/coronavirus/country/saudi-arabia?country=~SAU> accessed November 12

27 “United Arab Emirates: Coronavirus Pandemic country Profile” Our World in Data, Available online at: <https://ourworldindata.org/coronavirus/country/ united-arab-emirates?country=~ARE> accessed November 12

1.1 Methodology

This report is based on 206 semi-structured interviews with low-wage migrant workers in Qatar, Saudi Arabia, United Arab Emirates, India, Nepal and Pakistan between February and October 2020. Interviews were also carried out with migrant worker families, communities, business owners and operators, government officials and other individuals. Migrant worker interviews were carried out on a one-to-one basis in-person and remotely over the phone in line with social distancing and other COVID-19 guidelines set by authorities in these countries and the World Health Organization. Women and men working in low-wage jobs in the Gulf live in an environment of high surveillance, little privacy, and significant physical and mental stress. In the light of this, all interviews were conducted with the informed consent of the participants in private locations to respect confidentiality in line with Equidem’s duty of care policy and procedures. Most of the workers interviewed requested that their identity is not revealed. We have therefore decided to use pseudonyms for all the women and men whose cases are documented in this report to protect their identity and shield them against the risk of reprisals from their employers or the state for speaking out. Equidem also consulted other sources of information including laws and other state legal instruments, orders, and guidelines, United Nations special rapporteur reports and statements, and other independent human rights research, international and local media reports, and other secondary sources.

The cases documented by Equidem were shared with the governments of Qatar, Saudi Arabia and the United Arab Emirates, however only the Qatar government sent a detailed response. Equidem also attempted to share all of the cases it documented with the 39 companies identified as being their employer and received responses from 7 of these companies. The responses from

these companies are available on our website and are noted below. Equidem would like to thank the authorities in Qatar and the United Arab Emirates and the companies that responded to our requests for help on specific worker cases. Unfortunately, we did not receive a response from the Saudi Arabia authorities, nor from most of the companies contacted.

Time constraints for conducting this research and the difficulty in accessing migrant workers in these countries (due to restrictions on freedom of movement and workers’ reluctance to speak out because of a fear of the employers or the authorities and losing their jobs) mean that the views of some of the most vulnerable migrant workers (e.g. the undocumented, self-employed, daily wage earners, domestic workers, women and other victims of gender-based harm) are largely absent from the report. This is important as these groups are likely to have been the worst affected by the crisis. For example, migrant domestic workers are likely to face significantly increased workloads with schools closed and more members of the household to look after for longer in the day. In addition, their isolation will be further increased as they will be unable to leave the house during breaks or on days off and thereby will find it even more difficult to contact friends or seek other forms of support if they are having problems at work.

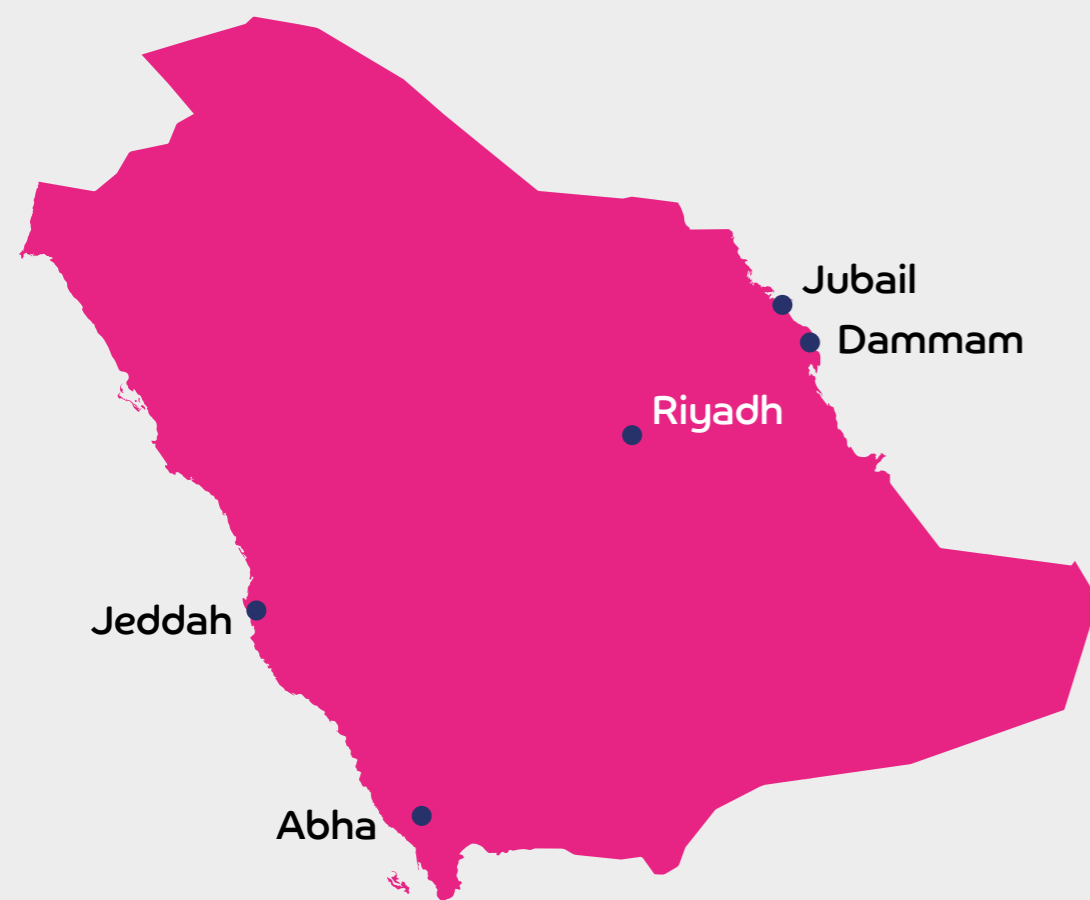
All currency amounts in this report have been converted into US dollars unless otherwise specified.

Country	Workers interviewed	Male workers interviewed	Female workers interviewed
Qatar	90	87	3
UAE	58	57	1
Saudi Arabia	55	47	8
Total	206	194	12

Country of Destination	Country of Origin						Male	Female
	Bangladesh	Philippines	India	Kenya	Nepal	Pakistan		
Qatar	11	2	23	7	50	0	90	3
Saudi Arabia	5	0	39	1	8	2	47	8
UAE	3	0	45	0	2	8	57	1
Total	19	2	107	8	60	10	194	12

The impact of COVID-19 on migrant workers in Saudi Arabia

2



2.1 Background

Saudi Arabia hosts the third biggest migrant population in the world. Foreign workers account for about a third of Saudi Arabia's 30 million population and more than 80% of the kingdom's private-sector workforce.²⁸ In 2017, the remittances sent home by these migrants were the third largest in the world.²⁹ Migrant workers in Saudi Arabia are being disproportionately affected by the pandemic, as reflected in a statement made by the Saudi Ministry of Health on 5 May, which noted that foreign workers comprised 76% of new COVID-19 cases in the country.³⁰ Saudi Arabia registered its first case of COVID-19 on 13 March 2020, but it had already introduced some lockdown policies before this date, such as closing all schools and other educational establishments on 8 March. These were reinforced in the following week, including measures which effectively closed the country's borders on 15 March.³¹ At the time of writing, the rate of infection was still rising rapidly and increased from 42,925 confirmed cases on 12 May to 347,282 cases on 31 October. However,

the number of confirmed deaths from the disease are comparatively low, with 5,402 registered as of 31 October.³²

Saudi Arabia's labour regime continues to be based on the kafala sponsorship system, requiring migrant workers to be sponsored by a national, resident or company registered in the kingdom. Migrant workers must seek permission from their sponsor to leave the country, called an Exit Permit, or change jobs, known as a No Objection Certificate. In November 2020, the Ministry of Human Resources and Social Development announced plans to reform the labour regime applicable to the private sector. According to information made public by the Ministry, migrant workers would no longer require the permission of their sponsor to leave the country or change employers at the end of her or his employment contract. The reforms are to come into effect on March 14th, 2021.³³

2.2 Loss of employment and income

The Government of Saudi Arabia considers that the consequences of COVID-19 constitute force majeure and is thereby a reason to terminate an employment contract.³⁴ The Government has temporarily suspended the Wage Protection

System and introduced a series of financial support measures aimed at protecting the jobs of Saudi nationals that are under threat because of the pandemic, including the following:

- 28 David Pilling, "Saudi Arabia repatriating thousands of migrants back to Ethiopia", *Financial Times*, 12 April 2020, available at: <https://www.irishtimes.com/news/world/middle-east/saudi-arabia-repatriating-thousands-of-migrants-back-to-ethiopia-1.4227393>, accessed 30 May 2020.
- 29 International Labour Organization, available at: <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>, accessed 30 May 2020.
- 30 Andrea Wright, "No Good Options for Migrant Workers in Gulf COVID-19 Lockdown", *Middle East Report Online*, 30 April 2020, available at: <https://merip.org/2020/04/no-good-options-for-migrant-workers-in-gulf-covid-19-lockdown/>, accessed 30 May 2020.
- 31 Nadia Hardman "Immigration Detention in Saudi Arabia During Covid-19" *Human Rights Watch*, 19 October 2020, available at: <https://www.hrw.org/news/2020/10/19/immigration-detention-saudi-arabia-during-covid-19>, accessed 2 November 2020.
- 32 Johns Hopkins University, COVID-19 Resource Centre, available at: <https://COVID-19.jhu.edu/map.html>, accessed 30 May 2020.
- 33 "Ministry of Human Resources and Social Development Launches Labor Reforms for Private Sector Workers", *Saudi Press Agency*, November 4, 2020, available at: <https://www.spa.gov.sa/viewfullstory.php?lang=en&newsid=2153476#2153476>, accessed November 16, 2020.
- 34 Baker McKenzie, *Saudi Arabia: COVID-19 employment related developments*, 9 April 2020, available at: <https://me-insights.bakermckenzie.com/2020/04/09/saudi-arabia-covid-19-employment-related-developments/>, accessed 30 May 2020.

- On 2 April 2020, it announced that private sector employers could apply for support to pay up to 50% of Saudi nationals' wages, subject to limits on salary and other conditions.³⁵
- On 3 April, it allocated 9 billion riyal (\$2.4 billion) for a furlough scheme to cover 60% of Saudi employees' salaries up to a maximum of 9,000 riyal (\$2,400) per employee during a three-month period. Up to 70% of a company's national workforce may be covered for three months (or all of them if the business has five employees or less), provided that the employer can show they have been badly affected by the crisis.³⁶
- The Human Resources Development Fund allocated 5.3 billion riyal (\$1.4 billion) to support the private sector to employ and train Saudi nationals.³⁷

None of the above measures extend to migrant workers. A company that has benefited from the furlough programme must pay the wages of all other employees, both Saudi and foreign nationals, during the furlough period.³⁸ However, as noted above, the authorities have not provided financial support for companies to pay the salaries of non-national staff.

In contrast to these measures, on 6 April 2020, the Government issued Ministerial Resolution No. 142906, which allows an employer to agree any of the following measures with an employee for a six-month period:

- For the employee to take a salary reduction in line with a reduction in working hours;
- For the employee to take annual leave;
- For the employee to take unpaid leave.³⁹

Nineteen of the 55 migrant worker women and men in Saudi Arabia interviewed for this research said they had not been informed about what was happening to their jobs or whether they would be paid during lockdown. None of the interviewees reported having discussed the options set out in Resolution No. 142906 with their employer and agreeing a way forward.

As will be discussed in more detail below, these measures appear to violate Saudi Arabia's obligations under international human rights law and labour conventions. The non-payment of wages raises concerns about forced labour, particularly for migrant workers who are indebted because of exploitative recruitment fees and the forced dependency of the kafala system. The reduction of wages and delays in payments, especially without advance notification, and abusive working conditions also implicate the right to just and favourable work conditions.

Sameer, a Nepalese national working as a branch supervisor for Basamh Trading Company in Jeddah told Equidem his employer had not discussed the options set out in Resolution No. 142906 or agreed a way forward about his job. "I am not sure when the company will open," he explained. "I am not sure what will happen to us in that period. Will the company pay us? Will we have jobs? Will we be safe? All the workers have the same question in mind,

what will happen next?"⁴⁰ Aayan, a Bangladeshi national working as a filing clerk at a company in Jeddah called AlSharif Group Holding said that his employer has not informed him nor his colleagues about their salaries. In March, when the laws were changed in response to the pandemic, Aayan was not sure if he would be paid at all. "I am not sure if they will pay us. We have not received any payment since the lockdown started," he told Equidem.⁴¹

"We heard that the Saudi's Ministry of Labour asked all companies to cut the salaries of the workers, increase their working hours or lay them off," said Asad, a driver working for Mansour Al Mosaid Group. He explained that, "our supervisors told us that we should be prepared for a cut of 30% in the salary. A few days later the company told us to sign a letter for the reduction of salary. What choice did I have but to sign it?"⁴²

Saudi Aramco failing to ensure subcontractors pay their workers

Equidem spoke to fifteen migrant workers employed by six different subcontractors of Saudi Aramco, the giant Saudi oil and gas conglomerate, the second largest company in the world. The men said their companies failed to pay them either wages owed before the pandemic struck Saudi Arabia, during the pandemic or both. Gagan, an Indian national working as a procurement engineer for a sub-contractor hired by Saudi Aramco told Equidem that the salary of at least 6,000 workers were reduced by 25%. He said, "My salary has been deducted by 25% starting May 2020. The company informed us about the salary cut beforehand. I used to earn 8,500 riyals (\$2,266) before May, now I just earn 6,375



A Saudi Aramco site in Al Khobar where migrant workers employed by Bader H. Al-Hussaini & Sons Co. worked. The workers complained of poor living conditions and unpaid wages that are still owed after their contracts were terminated when the pandemic started. © Equidem

riyals (\$1,700). There are nearly 6,000 workers in the company itself, who are facing the same issue. It has created a very difficult situation for us financially. I understand that the company is in a difficult position as well. We are all worried here. We are hoping that this situation gets resolved soon."⁴³ He added that a thousand workers were fired from the company without providing them the end of service settlements. He told Equidem, "The company fired 1,000 workers of different nationalities. They did not get an end of service settlement that they were owed."⁴⁴

Jatin, an Indian national who used to work as a mechanical supervisor for a sub-contractor on Aramco projects said that he is worried about providing for his family. He told Equidem, "I worked at Saudi Aramco from September 2, 2019 to September 2020. The company said they could not renew my job contract because of the financial crisis the company was in due to COVID-19. The company gave me 2 months' notice and paid all my salary and benefits. I am searching for a new job now. If the situation was normal, I could easily get a job. But now, the companies are firing their own staff. Who

35 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 30 May 2020.

36 "Saudi king earmarks US\$2.4 billion to pay private-sector workers", *Reuters*, 3 April 2020, available at: <https://www.reuters.com/article/us-health-covid-19-saudi-economy/saudi-king-earmarks-24-billion-to-pay-private-sector-workers-idUSKBN21L1GO>, accessed 30 May 2020.

37 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 2 November 2020.

38 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 2 November 2020.

39 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 2 November 2020.

40 Interview in Jeddah, Saudi Arabia, March 2020.

41 Interview in Jeddah, Saudi Arabia, March 2020.

42 Interview in Jeddah, Saudi Arabia, April 2020.

43 Interview in Al Khobar, Saudi Arabia, October 2020.

44 Interview in Al Khobar, Saudi Arabia, October 2020.

will hire me? How will I provide for my family if I do not get a job?⁴⁵

Naksh, an Indian national working as an appliance group foreman at Bader H. Al-Hussaini & Sons Co, a sub-contracting company of Aramco shared his 15 years' experience with the company, where he said that the company did not pay its workers on time and that his salary from 2017 was still pending. He said, "I am working for a sub-contractor company of Aramco, Bader H. Al-Hussaini & Sons Co. I have been working here for the past 15 years. The company does not pay our salary in time. My salary from December 2017 is still pending till date. This year, they did not pay my August salary. The company always does this. We are fed up with its unexplained delay. We do honest work and we expect to get paid. I want to join another company. That company has already offered me a job, but my current sponsor is not willing to give me NOC. I went to the labour court as well. The Court is not settling the issue because of my language barrier."⁴⁶ He added, "Whenever we are demanding our vacation, they force us to stay by withholding our salary. I have not seen my family in 4 years. The company owes me vacation money for four years. This is a common practice here. If the company wants us to withdraw our complaint, they hold our salary. Thousands of workers are facing the same issues here."

Another worker employed by Bader H. Al-Hussaini & Sons Co, a sub-contracting company of Aramco says he is facing similar situation.

Lakshit, an Indian national working as an instrument technician at Bader H. Al-Hussaini & Sons Co., a sub-contracting company of Aramco



This and next page: Migrant workers on a crude oil pipeline upgrade project for Saudi Aramco. They told Equidem that their employer, the Aramco sub-contractor, terminated their contracts after the COVID-19 pandemic started. The men say they are owed wages and their end of service benefit payments. © Equidem 2020.

said that the company has been denying him vacation to see his family. Even when he asked to be relieved from the job, they suggested that he get his replacement first. He told Equidem, "I am waiting for my three months' pending salary. They are still to pay me my 2 month's (November and December) salary from 2014. I have not got my payment for August 2020 as well. My vacation money and other benefits are also pending. My only wish is to get my pending salary and go home to visit my family. I have not seen them in 8 years. After 2014, the company started irregular payment. They stopped giving us leave to visit our family. My contract clearly states that I get paid 3 months paid vacation every 2 years. I have two children, a wife and my mother waiting for me at home. I miss them every day. I do not know how they are doing in this pandemic period. I am worried about my family and my children's education and health. I have requested my sponsor many times now, to relieve me from my job, but they are demanding that I find another person to replace my own post. It's not my duty to find my replacement."⁴⁷

Rabindra, a Nepalese national working as an assistant security supervisor at the North Terminal of Aramco, Dammam said his employer, M.S. Al-Suwaidi Holding Co. Ltd, a



sub-contractor of Aramco, has not paid him since March. He told Equidem:

*I had heard about a policy of the Saudi government according to which the employer has to pay 60% of salary up to 6 months to those not having work. But my employer has not paid me since March. We were told that we will be paid 50% of our salary, but we haven't received anything yet.*⁴⁸

Kishor, an Indian national employed by A.S. Alsayed Company and working for Aramco in Jubail, said he did not get paid even though they worked throughout the lockdown period. "Even though I worked throughout the lockdown, I did not get paid. Even the workers who got paid were only paid half salary and they had no choice but to accept that," he said. He further noted:

*Some of my colleagues were fired without any payment. We are asking for our outstanding salary from the company, but the company is turning a deaf ear on us. All of us are worried about our payment. Many of us do not even have money to buy food. There are hundreds of us.*⁴⁹

Equidem interviewed 7 migrant workers employed by subcontractors of the Saudi Arabian oil and gas conglomerate Aramco who faced similar situations. Jeet, an Indian national working on an Aramco installation, said that workers employed by A.S. Alsayed Company, the Aramco sub-contractor, decided to go on a strike at the end of July after the company did not pay their salary for at least five months. "The workers here haven't received any salary since February. Company bosses say the company is running at a loss and that's why they can't pay us," he explained. Equidem spoke to Jeet and other workers employed by A.S. Alsayed Company on July 31st, the day of their strike. Jeet told Equidem:

*After the lockdown, the company has been continuously firing workers and none of those workers got salary payments or end of service settlement for work already done. Those of us who are here are all working normal working hours, but the company is still not paying us. This is not right. Today [31st July], all of us workers decided to go on a strike. It is the only way we could compel the company to pay us. A.S. Alsayed Company's and Aramco's MD came to convince us to not to go on strike. They said everyone will get salary in two days. If we do not get salary then the workers will go on a strike again.*⁵⁰

An Indian national working for A.S. Alsayed Company at an Aramco site said the workers were given false hope and promises that they will be paid. But the company has still to pay them even though they continued working. Because of this in mid-August the workers decided to go on strike again. The Indian national said, "I did not get my salary in the past 5 months. The company did not pay its workers during the lockdown, although the work at

45 Interview in Jubail, Saudi Arabia, October 2020.

46 Interview in Al Khobar, Saudi Arabia, September 2020.

47 Interview in Al Khobar, Saudi Arabia, September 2020.

48 Interview in Dammam, Saudi Arabia, July 2020.

49 Interview in Jubail, Saudi Arabia, July 2020.

50 Interview in Jeddah, Saudi Arabia, July 2020.



A Saudi Aramco oil pipeline upgrade in Saudi Arabia.

the company is still going on. I am working at Aramco's site even today. But the company did not pay us. Three days ago, all of us workers declared a strike, then Aramco officials came to convince the workers. Company officials said that salary will be received by Friday, 21 August, but we did not get anything."⁵¹

An Indian national working for A.S. Alsayed Company at an Aramco site in Dammam said:

*The company has not paid me since February. Not only me, the company has not paid any of its workers. We were told that we will get all our payment by Friday (August 21), but when we went to ask for our payment, they again said they will pay us Monday. We are all worried about our payment. We all have families to look after. The company should understand what we workers are going through.*⁵²

"I have not received my salary from March to June," said Kripal, a welder working for Al-Rashid Company, an Aramco sub-contractor, in Dammam. He explained:

The company fired many workers just for asking their salary, without providing them any salary or benefit. We had a lot of problems to manage our

*finances, but we could not say anything. We were afraid they might fire us as well. My boss said the business was losing money. None of the workers have received salary. I have not managed to send any money to my family in the last four months. I barely have any money to buy food.*⁵³

Other workers employed by subcontractors on Aramco sites complained they had not even paid them their salaries for the months prior to the pandemic measures being instituted in March 2020. Ajaya, who was hired by the National Recruitment Company of Saudi Arabia, (NATREC) to work for Aramco, told Equidem:

*The company (NATREC) says it is running at a loss and it cannot pay our salaries. I did not get my salary from January. This was months before the lockdown even started. I had no money to buy food. I sleep with half empty stomach most days. When we went to demand our salary, we got threatened by the company saying, 'if you speak, you will be sent to jail.' We tried many times to gather everyone to raise our voice, but the company dismissed us every time. They fired many workers from their job without their rightful salary and end of service settlement.*⁵⁴

Abdul, who works for Aramco sub-contractor Azmeel Contracting Company, told Equidem:

*Azmeel has not paid me since the lockdown. Because of this, I am having a lot of trouble running my expenses. I had to take a loan with my relatives. Now that the work has resumed, I had hoped that we would get paid. We ask the company frequently about our salary, but we have got nothing yet. The company has already fired more than one thousand workers after the lockdown. So far, those workers have not received any payment as well.*⁵⁵

Equidem shared the cases it documented with Saudi Aramco and all six of the subcontractors who employed the workers. The subcontractors did not respond. In response to our findings, Aramco said:

Aramco takes the welfare of its employees very seriously. We are committed to providing a safe and respectful working environment for all our employees, partners and the communities in which we operate, and we investigate claims of any violations of our standards.

Aramco has robust HR and Contracting policies and procedures in place to protect its employees and contractors, including timely and fair payment. Having looked into the points raised and based on our existing HR practices, we are confident that it is unlikely any of the individuals being quoted in the report work directly for Aramco.

We also have a duty to work with our contractors to ensure that anyone who works on Aramco projects is treated fairly and compensated appropriately. With this in mind, our commitment to legal and ethical business practices extends to our entire supply chain through a Supplier Code of Conduct which outlines mandatory policies on environmental, health and safety issues, fair trade practices, ethical sourcing and conflicts of interest.

Aramco's internal contractual requirements mandate strict compliance with applicable Labor Laws to protect all parties' interests and rights, including contractor employee's living and working environments.

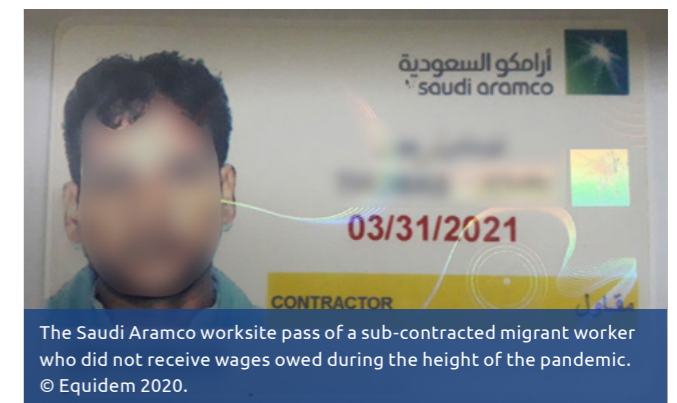
Our contracts require high standards of safety, health and environment controls which meet industry best practices. Inspections are conducted regularly on contractors' camps that fall within Aramco's operational areas to ensure adherence to HSE measures. We also have in place a strong system that allows contractors to file claims as a result of non-compliance with their contract's terms and conditions. Through our Supplier Help

Desk Center and Supplier Service centers, Aramco is able to provide both remote and in-person support. All calls are tracked and monitored until reported issues are resolved and closed.

Our commitment to upholding the highest standards and maintaining a safe and healthy workplace environment means that we continuously review existing practices. Throughout the ongoing COVID-19 pandemic, we acted swiftly by implementing measures across our operations to reduce the risk of the spread of COVID-19 and to mitigate the virus's impact on our communities and our business. This includes steps to support contractors' efforts to maintain safe working and living conditions for their employees during the COVID-19 pandemic, such as promoting awareness and wellbeing through training and regular communication with contractors to ensure awareness and adherence to Aramco and applicable government requirements.

Additional information on Aramco's support efforts and response to COVID-19 can be found in more detail on a dedicated webpage here and an official press release here.

Our research indicates that other companies in Saudi Arabia have been using the pandemic conditions and the changes to the labour regime to justify the non-payment of wages to their low-wage migrant worker employees. "In our



The Saudi Aramco worksite pass of a sub-contracted migrant worker who did not receive wages owed during the height of the pandemic. © Equidem 2020.

51 Interview in Jeddah, Saudi Arabia, July 2020

52 Interview in Jeddah, Saudi Arabia, July 2020.

53 Interview in Dammam, Saudi Arabia, July 2020.

54 Interview in Dhahran, Saudi Arabia, July 2020

55 Interview in Riyadh, Saudi Arabia, July 2020.

company, where I work as a driver, our salary has been delayed. We have not received salaries since December 2019 even before the start of COVID-19," explained Asad. He added, "often we used to get two salaries together. In mid-February, we were expecting to receive our two salaries December and January. But we did not receive it. Then the COVID-19 issue arrived, and we were asked not to come to the company."⁵⁶ Shaurya, an Indian national working as a painter for the real estate company Al-Sayyar, said he and his co-workers had not received their salaries for more than two months before the first case of COVID-19 was recorded in Saudi Arabia, making their financial situation even more difficult:

*We are not working now. We have not yet received our salary since January [2020]. Even after asking many times, the company does not tell anything about salary, they just say that if the work starts, you will get money. For now, only food will be available.*⁵⁷

In March, Equidem spoke to Surya, a Nepalese national working as a real estate officer in Al Khobar. Surya said he and his colleagues had not been informed about what was happening to their jobs or whether he would be paid during the lockdown. He said, "my office has not closed yet. It is open for two hours in the morning and one and half hour in the evening. I will know if the company will pay us only at the end of the month."⁵⁸ Equidem later learned that Al Khobar did not pay Surya and other low-wage migrant worker staff. Zayed, a Pakistani national working at Shirka Majmua Zayed Al Hassan Construction, expressed anxiety about the future of his employment since he was made to sign a paper that allowed the company to terminate workers' contracts at any time. "When the COVID-19 crisis

started, first they suspended our overtime. Then we received our salary fifteen days late," Zayed recalled. "The company asked us to sign an agreement, allowing them to lay off workers anytime. So far, they haven't laid us off. But they haven't paid us for the time period we did not work. We are not sure what will happen to us."⁵⁹

Other workers told Equidem that their company had simply stopped paying them since the lockdown was announced. Babulal, an electrician employed by Alodood Contracting Company, said:

*The company said that there will be some delay in the payment of wages. We haven't received any payments since the lockdown (was announced in March). I have not received my salary for the last 3 months. I am facing a lot of trouble financially. I do not have money to buy food. I had to borrow money from friends to buy some basic things. Even after the work resumed, we did not get any salary. The company has sent many workers back home. They have neither been paid their salary nor other benefits.*⁶⁰

Workers at Al-Jeraisy Group told Equidem that the company fired them and up to 500 workers without salary or end of service settlement. The workers said the company made each of them sign a letter that was written in Arabic only:

*The company fired us workers without paying our salaries and allowances. They told us that the company did not have much work. The company got all the workers to sign on paper, a letter that was in Arabic. I did not understand what was written on the letter. I think it was a resignation letter. Workers are still trapped in the camp without pay. They do not even have money to buy food. It is really a miserable condition.*⁶¹

Girish, another worker employed by Al-Jeraisy Group, told Equidem:

*None of us received any payment throughout the lockdown. Before firing us, the company had us sign a paper, which was in Arabic. I do not know what was written in the letter. The company owes us a lot of money. Some workers have come home, but a lot of workers are still stuck at the camp due to travel restrictions.*⁶²

Some of the workers interviewed by Equidem said that they feared reprisals for complaining about lack of payments by their employer. Imaran and Parth, who worked for Aswar Aseer Group, were subjected to physical abuse by their supervisors when they asked for their salary. Imaran, who was employed as a truck driver, described his ordeal to Equidem:

*I haven't received my salary for five months. The company is not paying any of its workers. I had regular duty hours, even during lockdown, but I did not get paid. The only payment I got was of 300 riyals (\$80), which was for food. The supervisor beat us when we asked for our salary. Some workers ran away to avoid this abusive behaviour. The company fired many workers and has not paid their salary. I too want to go home, but I cannot go without my payment. I do not have money to buy air ticket.*⁶³

Parth, who worked as a labourer with Aswar Aseer Group, said he and other co-workers had not been paid for five months. He said:

When we ask for our payment, we get beaten up. This is not the first time workers at the company have faced physical abuse. They make us work overtime duty hours without paying for the extra hours. Anyone who refuses to work is beaten. Many workers have

*already run away from the company. A worker in the company, told me he was beaten up by the supervisor a lot. We are all scared to file a complaint because then, we will get beaten more. I just want to get my payment and go home.*⁶⁴

Workers continue to work during the lockdown but not paid

A feature of cases like this is that workers who continued to work during the lockdown have simply not been receiving salary payments in full. For example, Mitesh, who works for Civil Works Company, said, "I am a cleaner and was working throughout the lockdown period. The company only paid half of my salary. I asked the company for remaining salary, but they did not pay."⁶⁵

An Indian national working as an ambulance driver at a hospital in, Riyadh told Equidem he had not been paid since the lockdown announced in March. He told Equidem, "I am working as an Ambulance Driver the past 2 years. I haven't received my salary since the lockdown. The company says they will cut the salary and at the same time, these days, we have done 16 hours duty carrying high risk patients, even though we are worried about our health."⁶⁶

"I worked throughout the lockdown period. The company made us work longer harder hours than before. But when the time came to pay us, they said the company has no money because of coronavirus and business was down. One of the managers said the company had no money to pay me and other workers," said Yagnesh, an Indian national working for A.S. Alsayed & Partners Contracting Company, an Aramco sub-contractor.⁶⁷

56 Interview in Jubail, Saudi Arabia, May 2020.

57 Interview in Jeddah, Saudi Arabia, April 2020

58 Interview in Al Khobar, Saudi Arabia, March 2020

59 Interview in Jeddah, Saudi Arabia, June 2020.

60 Interview in Riyadh, Saudi Arabia, July 2020.

61 Interview in Riyadh, Saudi Arabia, July 2020

62 Interview in Riyadh, Saudi Arabia, July 2020.

63 Interview in Abha, Saudi Arabia, July 2020.

64 Interview in Abha, Saudi Arabia, July 2020.

65 Interview in Al Khobar, Saudi Arabia, July 2020.

66 Interview in Riyadh, Saudi Arabia, May 2020.

67 Interview in Dhahran, Saudi Arabia, July 2020.

Wahab, an Indian national working for the Aramco sub-contractor The National Recruitment Company (Natrec), told the investigators that he had not received payments for the last six months. He said:

I worked throughout the lockdown but did not get paid. The company says that there was a lot of loss in the lockdown, so nobody will get salary. The company is intimidated by demands of salary. Let's say if you speak more, they will put you in haroob [charged with absconding or runaway, a crime under Saudi law].⁶⁸ If you leave the company and inform the police about the escape, they will put you in jail. During the lockdown itself, the company fired many workers from their jobs without pay. Many such workers are upset here.⁶⁹

Workers made to sign contract termination documents without their consent

Other workers interviewed by Equidem said their employer made them sign documents that they did not understand, that were not explained to them, and which they assumed enabled the company to justify not paying their wages. Qadim, an Indian national working as a steel and glass fixer in the city of Riyadh said his company had forced him to sign a document ending his contract with the company:

On March 16, the owner (of the company) glared at me. He told me to sign a document, he did not explain what it was. After I signed it he said I was terminated. The company discriminated against us. They fired many other workers but did not fire a single Saudi. We did not get any help or money after signing the paper. I neither have money nor accommodation. I am buying food borrowing some money from my friends and relatives. I am living in an old building, which is not

built for accommodation purposes. We have to bring water from far away for the building.⁷⁰

"Instead of paying me, the company decided it was easier to fire me," said Rayaan, An Indian national working at Rekaz Al Khaleej in the city of Riyadh. "They made me sign a document stating all my salary and other benefits were paid, but in reality I did not get a thing. In the name of signing my exit paper, I was robbed of my salary. Now I do not even have money to buy food."⁷¹

Mitesh, an Indian construction worker with Civil Works Company, said he and many other workers were fired and sent back to their home countries with four months of salaries and end of service benefits unpaid. "Every time we asked about our payment, the company said 'no one will get salary during this corona period'. Later, they made us sign a paper and said they will call us as soon as the work starts." But while Mitesh and other workers waited their visas were cancelled and, at least all of the workers who were Indian nationals were put on a plane back to India. "My contract period was up to July 2021, but they sent me back to India anyway. There are thousands of workers in the company who are facing the same problem as me. Only a few workers there still have a job and are still being paid."⁷²

Rohan, who also worked at Civil Works Company, said the company made all of the workers sign a document without explaining what it was. Afterwards, the workers' contracts were terminated, and they weren't paid any of the salary or end of service benefits owed to them:

Us workers are now left without a single riyal. We are asking money from their friends and family to buy food. They cannot go back home because flights are

banned. The company should have at least provided them with food.⁷³

Rabindra, another worker employed by M.S. Al-Suwaidi Holding Co. Ltd on Aramco's North Terminal site in Dammam said he and other colleagues were given two choices, either to sign a document saying they agreed to be on an unpaid leave for 6 months or get fired from work. "We haven't been paid since March. The company suggested us to sign a paper which says, "I am ready to stay in unpaid leave for six months," he said. According to Rabindra, workers who signed the paper are left to languish in the camp without work or pay. Workers who refuse had their contracts terminated immediately. While they remain in the same camp, the company has refused to confirm whether they will pay salaries on work already completed or an end of service benefit. Rabindra said there were over 400 workers at the camp who were in this situation because they refused to sign the document.⁷⁴

Ritesh, who works for Aramco sub-contractor Kass International Contracting Co. Ltd., said he received only 10% of his salary during the lockdown period. He said the company had not been paying their salary on time even before the pandemic. "During the lockdown, I got only 10% of my salary. I have yet to receive 5,000 SAR (\$1,300) from the company. They used to pay our salary on time, but it has been 2 years since the company continuously delayed payment. We cannot complain at Aramco even if we do not receive salary since we are outsourced."⁷⁵

Some companies continued to provide food and accommodation during lockdown, but five workers complained that they received nothing and could

not afford to eat properly, or that the quality of the food they were given was poor. Asad, a driver from Pakistan with Mansour Al Mosaid Group, told Equidem, "most other workers, including me, have been staying at the accommodation which has been provided by the company. The company pays us 300 Saudi riyal (\$80) a month for food. But this is not enough to eat properly, every night I go to bed still hungry."⁷⁶ Shaurya, who is employed by Al Sayyar, told Equidem, "this lockdown has messed up our lives. There is a crisis for food. Although we were told that the company will provide us with food, the quality of food is very poor. Food comes in a packet. It smells bad too."⁷⁷

An Indian national working as a welder at Azmeel Contracting Company working on an Aramco site in Dammam told Equidem that he and his colleagues were stranded at the company camp and had not even been paid a food allowance during the lockdown. He said:

The employer has not given any information about the future of our work or payment yet. When I called the manager and ask for help, he neither paid my outstanding salary nor helped me. All the workers of the company are facing the same issue. Like me, the rest of the people can afford to eat only a meal a day.⁷⁸

Azmeel workers interviewed by Equidem complained that their employer was failing to meet the minimum standards set by the Saudi government for the payment of wages and food allowance, leaving them destitute and hungry. Tejas, who works as a welder on an Aramco site for Azmeel said:

I was managing my life with what little I had, but due to the lockdown, my whole world has turned

68 Haroob represents the status of a worker who has runaway or has been absconded

69 Interview in Dammam, Saudi Arabia, July 2020.

70 Interview in Riyadh, Saudi Arabia, July 2020.

71 Interview in Riyadh, Saudi Arabia, July 2020.

72 Interview in Dammam, Saudi Arabia, July 2020.

73 Interview in Dammam, Saudi Arabia, July 2020.

74 Interview in Dammam, Saudi Arabia, July 2020.

75 Interview in Dammam, Saudi Arabia, July 2020.

76 Interview in Jubail, Saudi Arabia, May 2020.

77 Interview in Jubail, Saudi Arabia, May 2020.

78 Interview in Dammam, Saudi Arabia, April 2020.

*upside down. My family and I are going through a lot of hardship. I do not have money to buy food. It has been months that I've just been eating some vegetables every meal. I can only afford to eat once a day. I make lentils and buy two loaves for one Saudi riyal (\$0.30). This is what I eat in a day. This is all I can afford.*⁷⁹

Other companies simply left workers to fend for themselves and did not provide any food or food allowance. Viraj, who works for International Recruitment Company, Jeddah, an Aramco sub-contractor, said that he had to seek housing and food from his personal support network because his employer stopped paying him and did not provide him with food:

*My company did not pay my outstanding salary and other payments when I was fired. I was penniless after the lockdown. Many of my friends also did not receive their end of service settlement. I called the company office several times but each time they refused to pay me. They did not even provide us food. I had to take a loan from my relative and arrange for food. I have gone to bed many nights hungry. Right now I am staying with a relative. They are taking care of me. I would have died if my friends and relatives had not helped me.*⁸⁰

Workers from other companies spoke of facing similar ordeals. Qadim, a steel and glass fitter from India, said, "it was very hard for me during the lockdown. I had no job and no money. I was starving. I went without food for several days in a row. My employer did not help me at all."⁸¹

79 Interview in Dammam, Saudi Arabia, April 2020.

80 Interview in Riyadh, Saudi Arabia, July 2020.

81 Interview in Buraidah, Saudi Arabia, July 2020.

82 Interview in Riyadh, Saudi Arabia, April 2020.

Migrant workers back at home

Those migrant workers who were outside Saudi Arabia when the lockdown began have not been able to enter the country and have lost their only source of income. Others have been unable to return home and have been stranded in Saudi Arabia without support.

A Bangladeshi national working as a chef at Al-Ariad Sweet Corner, Riyadh said that his employer had unilaterally terminated contracts of colleagues who had returned to Bangladesh on annual leave. He told Equidem, "Fifty to 60 workers who had gone home on their annual leave are not able to come back. There are four Bangladeshis in the group. They are my friends. It is sad to see them in a situation like this. They will not be paid. The greatest financial impact will be on their daily life. They need money to buy their daily needs, which is not available without work. Since they are not allowed back in the country, they have no choice. It will be very difficult to manage expenses without a source of income. They might even have to take a loan, probably at a high interest rate, considering the present situation of COVID-19."⁸²

A Nepalese national employed as an air conditioner technician at Arabian Fal Company in the city of Ras Tanura who had returned to Nepal before the lockdown has not been paid a pending company bonus of 2,300 Saudi riyals (\$5,047) for over three months. He told Equidem, "I came to Nepal for my holiday. I was supposed to return to Jeddah, Saudi Arabia on 19 March. I could not go back as all international flights from Nepal were suspended. They say the same ticket will work once this all clears up. My visa period for Saudi Arabia has already expired. I do not know if the company will take me back or not. I want to go

back to work. I will try my best to go there again. I am yet to collect Nepalese Rupees (NPR) 500,000 to 600,000 or 2,200-2,300 Saudi Riyal (\$4,206 to 5,047) as a bonus from the company."⁸³

An Indian national employed as a staff nurse at Eye Specialist Hospital, Dhahran was thirty weeks pregnant when she spoke to Equidem in early May this year. She told Equidem: "I am working as a staff nurse in Saudi Arabia and I am 30 weeks pregnant now. I wanted to go back to Kerala but unfortunately due to this crisis which led to lockdown, I could not go to Kerala. I had booked a flight for 23 May, but it was cancelled. I am stuck in Saudi Arabia in this vulnerable situation. The hospital I work for is an eye specialist hospital and does not have delivery facilities. I am all alone here. I do not have anyone to support me. All my family members are in Kerala. I want to go home so bad. It is a dreadful situation. I am scared something will happen to my baby."⁸⁴

The Government of Saudi Arabia has sought to assist those who are unable either to enter or leave Saudi Arabia during the travel ban by announcing that employees whose Iqama (residency permit) expired prior to 30 June 2020 will have it extended for a period of three months without charge and that fees for new visas which have been unused during the ban will be refunded.⁸⁵ However, this provision is unlikely to help migrants whose Iqamas ran out before the lockdown because their employer failed to renew them.

Workers living and working in Saudi Arabia with an expired Iqama or who are unable to produce one when requested face criminal penalties. These penalties include fines, detention and even deportation. Three interviewees described how

they had been left without a residency permit from before the lockdown. Many of the workers interviewed by Equidem in Saudi Arabia had already been working without a valid Iqama before the pandemic started. Tejas, who worked for the Aramco sub-contractor Azmeel Contracting Company, said:

*My Iqama has been over for a year. I requested the company several times, but they did not renew it. About three thousand people from the company live in the camp where I live now (New Camp Sikko Dammam), none of us have Iqama, the date of Iqama ended more than a year ago. The company is not renewing, nor is it sending people home. We are living here like bonded laborers.*⁸⁶

When employers fail to renew residency permits for their workers it means they cannot access the public health system. This can have serious consequences for workers with health problems, and during a pandemic. Ajaya, who was employed by Natrec, the National Recruitment Company of Saudi Arabia, on an Aramco site, told Equidem:

*My Iqama expired 7 months ago. Just a few days ago, I was suffering from high fever. I had no money to go to the hospital. I borrowed 60 riyal (\$15) from my friend to buy medicine. Many people got ill during the lockdown. None of them could go to the hospital because their Iqama had expired. The company completely ignores us when we request them to renew our Iqama. There is also a practice of reducing salary for taking sick leave in my company. Apart from the weekly day off, any day that you do not go to work, that day's wages will be deducted from your salary. Whether you rest or stay sick, this is the rule of company.*⁸⁷

Naksh, an Indian national working as an appliance

83 Interview in Jeddah, Saudi Arabia, July 2020.

84 Interview in Dhahran, Saudi Arabia, May 2020.

85 "Expat levy exemption for three months announced by Saudi Arabia," *Riyadh Xpress*, 20 March 2020, available at: <https://xpressriyadh.com/expat-levy-exemption-for-three-months-announced-by-saudi-arabia/>, accessed 30 May 2020.

86 Interview in Dammam, Saudi Arabia, April 2020..

87 Interview in Dhahran, Saudi Arabia, July 2020.

group foreman at Bader H. Al-Hussaini & Sons Co (a sub-contracting company of Aramco) said that the company renews its worker's Iqama every 3-4 years, leaving them vulnerable to the threats of being arrested, not being able to access free health care services, and not being able to travel to see their loved ones. He said, "The company is not renewing our residential I.D. It expired in December 2019. We asked the employer multiple times about renewing our iqama. They said "Insha'Allah, now we have no money. When we get money, we will definitely renew it. This company has the practice of renewing our iqama every 3-4 years only. Once, we all workers went to our sponsor and demanded that we want to get our iqama renewed. We did a written agreement with the company. The company manager and one Arab woman signed the agreement, but it was never executed. We are without Iqama now. We are not even eligible to return back to India. We need a valid iqama for the authorities to stamp on the exit visa. The worst part is that even our family is suffering because of this. We are not able to transfer money to our home. Whenever we want to transfer money to our family in India, we request our co-workers who have Iqama. They do not do it for free, they ask commission to transfer the money. It has been very difficult for us to send our salary to our home. In addition to that, we are not eligible for free health care services provided by the company without Iqama. We are not able to travel outside. We are fearful to even walk on the road because without Iqama, police can arrest us."⁸⁸

Yagnesh, an Indian national working as a labourer at an Aramco site said his employer ignored his request to renew his Iqama. This has left him unable to access free health care facilities. He said, "I do not have access to free health services. As

my Iqama has already expired, my health card also does not work. We have requested the company to renew our Iqama, but they ignore us. I face a lot of difficulties in getting treatment. I have to spend my own money to get health check-up. Upon that, they even deduct our salary if we have to take a sick leave."⁸⁹

An Indian national working at Aramco, Jubail, said the company is neither providing workers with medical facilities, nor are they renewing our Iqama. He told Equidem, "My Iqama has expired. The people of the company are not providing them medical facilities, nor are they renewing Iqama. Treatment is very expensive here. This is why many of us do not go to see a doctor even at the very last stage. Upon that, there is discrimination against migrant workers. They are not treated with respect or care at the hospitals. The company also reduces 100-300 riyal (\$26-80) if anyone takes sick leave."⁹⁰

An Indian national working at Aramco said, "It has been 6 months since my Iqama expired. The company has not renewed it yet. It has created a lot of difficulty for me to get medical treatment. When I am not feeling well, I have to get medicine with my own money. The company also reduces same day's salary if the workers take sick leave."⁹¹

An Indian national working at Aramco said, "Many workers in the company do not have Iqama. My Iqama too expired 7 months ago. Due to this, me along with hundreds of other workers are not able to go to hospital. We buy simple medicine like pandol from the local pharmacy and call it a day. We do not get real treatment at the company. They are doing nothing to help workers in such situation. Even when we ask them to renew our Iqama, they ignore us."⁹²

An Indian national working at Aramco said, "My Iqama has expired in January, but the company is neither renewing my Iqama nor sending me back home. I am not entitled to free health care facilities without Iqama. I am scared that if I get infected, I will die without receiving treatment."⁹³

An Indian national working for Natrec, a sub-contractor of Aramco, said the company did not renew his Iqama even after he made multiple requests. He said:

*My Iqama expired early January this year. I requested the people at the company to renew my Iqama, but they did not care. There are hundreds of workers who do not have Iqama at the company. This has put us in risk. None of us are able to go to hospitals because we do not have an Iqama.*⁹⁴

Workers employed by Azmeel Contracting Company on Aramco sites also complained about having expired residency permits and therefore being unable to access the public health system:

*My Iqama expired last year. The company has not renewed it yet. Those workers who do not have Iqama, cannot get free treatment from the hospital. Many migrant workers do not have the money to get treatment at a private hospital. We mostly buy cheap medicines from the medical counter.*⁹⁵

Where they could afford it, workers who could not access the public health system had to pay for medical care. Viraj, who worked for International Recruitment Company on an Aramco site, spoke about his experience:

The reason my health deteriorated in the first place was due to lack of protective equipment despite dangerous working conditions. Where I worked was very dangerous. I had to work in the middle of the gas plant, risking

*my life every day. They did not provide any security equipment to the workers. I felt that it was affecting my health. But whatever the cause of health problems, we had to spend our own money for treatment as the company refused to renew our Iqama. There were many workers in our company who could not access health care facilities because their Iqama had expired and the company had not renewed it.*⁹⁶

He also shared his experience of physical abuse and exploitation by staff of International Recruitment Company. He tried to escape the abusive environment but could not do so because the company held his passport and refused to give him an exit permit to leave the country despite multiple requests. He told Equidem:

*I have been physically abused multiple times during my time at the company. My Iqama expired in February. The company did not care to extend my Iqama. I wanted to go home but they did not even give exit permit. The company had confiscated my passport. Even when I asked multiple times, they did not give it back. I got stuck here unwillingly. I have applied to the Embassy to go back home. I even applied for another passport as the company still has my passport. I am stuck here.*⁹⁷

Another worker employed by Natrec on an Aramco site said his employer has his passport because of which he is unable to go back home:

*My boss refused to grant me an exit permit and has my passport. The company has taken my passport. My Iqama expired seven months ago but the company did not renew it. I want to go home, and I am asking for money and tickets. The company is refusing to provide exit permit. I am stuck here without pay. I have told the Indian Embassy many times about my problems, but they are not listening.*⁹⁸

88 Interview in Al Khobar, Saudi Arabia, September 2020.

89 Interview in Dammam, Saudi Arabia, July 2020.

90 Interview in Jubail, Saudi Arabia, July 2020.

91 Interview in Dammam, Saudi Arabia, July 2020.

92 Interview in Dammam, Saudi Arabia, July 2020.

93 Interview in Dammam, Saudi Arabia, July 2020.

94 Interview in Dammam, Saudi Arabia, July 2020.

95 Interview in Riyadh, Saudi Arabia, July 2020.

96 Interview in Riyadh, Saudi Arabia, July 2020.

97 Interview in Riyadh, Saudi Arabia, July 2020.

98 Interview in Dhahran, Saudi Arabia, July 2020.

2.3 Measures to protect the health of migrant workers

The Government of Saudi Arabia has taken steps to stop the spread of the virus and protect the health and welfare of those living and working in the Kingdom. This included the implementation of a nationwide curfew from 5.00pm to 9.00am (24-hour curfews in force in Mecca and other specific locations), which have now been lifted. The penalties for those breaking quarantine are severe with fines of up to 50,000 riyal (\$13,613).⁹⁹

Those businesses still operating must ensure that their workplaces adhere to the following rules :

- A maximum of 30% of the workforce can be present on their premises;
- Employers are required to implement protective measures including providing screening devices on the premises to take employee temperature and check symptoms of the virus twice a day, and refer suspected cases to the health authorities for those employees working on the premises.¹⁰⁰

Despite the requirement that companies should ensure social distancing in workers' accommodation, interviewees described having to live in overcrowded conditions and having to share one room with multiple occupants.

*Due to lockdown, the people in the camp are in a bad condition. The company is providing us accommodation, though we are not getting paid. The accommodation here is also not good. There are six people in a room, there is no place to walk or exercise. We have no television for entertainment and news. We just stay in our room all day long.*¹⁰¹

An Indian national working as a staff nurse at King Fahad General Hospital, Jeddah who lives in a shared accommodation with other nurses said her hostel was overcrowded and had to share one room with multiple occupants. She told Equidem:

*I am working as a Staff Nurse in King Fahad General Hospital, Al Mustashaf Al Am, Jeddah in Saudi Arabia. I am 34 weeks pregnant. I am staying in a Hostel right now along with my roommates who are also nurses. They are treating COVID-19 patients. I understand that it is their job, but I fear I might get infected. They want to help but they too fear passing infection to me and my child. So, I am left all alone.*¹⁰²

Zehaan is an ambulance driver for a hospital in Riyadh. He lives in a camp with nearly a thousand other workers. He said he was afraid for his health and feared for a breakout of infection among workers because of the lack of measures to prevent it at the camp:

*In our accommodation camp, the number of people infected are nearly a thousand. This accommodation camp is provided by our employer. They are treating people in the camp itself, by giving them antibiotics. The government is not taking care of common people like us. There is no safety equipment, they have not provided sanitizers. The only protective thing we get as ambulance drivers is a basic PPE kit, and that too is only for use while transporting patients. There are at least 6 people in every room. I am very scared about my health. I am afraid about community transmission. A group of us living in the camp complained to the management but they just ignored us.*¹⁰³

Wahab, an Indian national working for Natrec, the National Recruitment Company of Saudi Arabia, on an Aramco site told Equidem:

*People do not adhere to social distance rules here. There are 250 people living in a single building. Each room, there are 6 people and 12 people share a single toilet. The toilets are not cleaned every day. There is a lot of dirt lying here. It is also very difficult to cook in such a crowded environment. We can go watch TV but, since the halls are crowded, due to fear of getting infected, I avoid those places.*¹⁰⁴

*There is no adherence to social distance because 8 people live in a single room. All 8 people use the same toilet, which is not cleaned every day. There is a lot of dirt lying there. There are 250 people who use the same kitchen. It is very unhygienic and dirty due to lack of cleaning. The kitchen gets crowded while cooking.*¹⁰⁵

Upkaar, who worked for a subcontractor on an Aramco site, described a similar situation with his accommodation:

*Even at this risky time, there is no adherence to social distancing at the camp. Eight people are living together in small rooms. The camp has only one kitchen, due to which there is a lot of difficulty in cooking. There are public toilets at the camp, which many people use.*¹⁰⁶

Girish, a construction worker employed by Al-Jeraisy Group, also complained about the impossible task of social distancing and the other risks of infection at his camp:

There are eight people in a single room. Before the lockdown, up to 16 people were kept in a single room. Though the number of people in a room has now been

*cut by half, how can eight people maintain social distance in a single small room? All the people in the camp use the same toilet and the same kitchen. How can you avoid contact with others if they all use the same kitchen?*¹⁰⁷

Babulal, an electrician working for Alodood Contracting Company, a construction company that frequently works on government contracts, said workers did try their best to protect against infection in their camps. But the close proximity to one another in sleeping quarters and facilities made social distancing impossible and created anxieties about getting infected and health impacts this would entail:

*We are six people in a room. Everyone wears masks and tries to keep themselves safe, but none of us can maintain social distancing in such a small area. We all have to share public toilets but they are not disinfected regularly. There is always a chance that infection might spread by sharing things. Since our toilets and kitchen are public, there is a higher risk for us to get infected.*¹⁰⁸

Some workers complained that little information was available to migrant workers on how the disease spreads and what action they should take to protect themselves and those around them. Surya, who works in real estate in Al Khobar, said, "No one has explained what COVID-19 is or how to reduce the risk of infection. Our source of information is social media, local news channels and the Nepalese embassy. Not everyone has access to these sources of information."¹⁰⁹ Shaurya, who works as a painter, said, "our company did not tell us about COVID-19, how it spread or what we needed to do. They did not even provide us with masks. We had to buy it with our

99 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 30 May 2020.

100 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 30 May 2020.

101 Interview in Dammam, Saudi Arabia, April 2020..

102 Interview in Jeddah, Saudi Arabia, May 2020.

103 Interview in Riyadh, Saudi Arabia, May 2020..

104 Interview in Dammam, Saudi Arabia, July 2020.

105 Interview in Dhahran, Saudi Arabia, July 2020.

106 Interview in Dammam, Saudi Arabia, July 2020.

107 Interview in Jeddah, Saudi Arabia, July 2020.

108 Interview in Riyadh, Saudi Arabia, July 2020.

109 Interview in Al Khobar, Saudi Arabia, March 2020.

own money.”¹¹⁰ Aayan, who works as an office clerk in Jeddah, made a similar complaint. “No one has explained what will happen to us or what kinds of treatment options are available if we get infected. The company has not communicated anything relating to COVID-19 with its workers.”¹¹¹

Workers interviewed by Equidem said their companies did provide information about the virus. But the workers said they were provided with little or no protective equipment and supplies. “During the lockdown, the company gave information related to COVID-19, on how to prevent infection and what facilities will be available if someone is infected,” recalled Kripal. “However,” he added, “the company did not provide us with safety kits such as masks, sanitizers and soaps. We had to buy it with our own money.”¹¹² Babulal, an electrician, said, “my company informed us about the risk of COVID-19 and told us they will provide mask, gloves and sanitizers, but they did not. We have to buy all these with our own money.”¹¹³ Imaran, a truck driver, had a similar experience with his employer. “The company does not give masks, sanitizers or soap. We buy it with our own money. Company officials said that whoever does not have a mask and sanitizer will not be allowed to work on the site. So, I bought it with my own money.”¹¹⁴ Workers even said that while their employer would not provide them with protective equipment, they required them to wear protective equipment to perform their work duties. “The company does not provide us with masks or sanitizers but we cannot enter the worksite without masks, so we have to buy them with our own money,” said Parth

who works in Abha, Saudi Arabia.¹¹⁵ Shivansh, a construction worker, said, “we have to buy masks and sanitizers on our own, otherwise we cannot work. The company does not provide it to its workers.”¹¹⁶ Praneel, an Indian national working for the Aramco sub-contractor, said his company does not provide protective gear like gloves and masks at his work site. He said, “The company does not provide gloves or masks to its workers. We buy it on our own. They will not let us inside without masks, so we have to buy it.”¹¹⁷

One worker said his employer threatened to fire him when he asked for personal protective equipment:

*The company did not provide us any safety equipment. I work as a cleaner and because of my job I'm constantly at the risk of getting infected. We worked throughout the lockdown period and we were all scared for our health. When we asked for safety equipment, the company threatened us with our job. They threatened to fire us and send us back home. We worked despite constant threat to our health because we did not want to lose our job.*¹¹⁸

Even workers who were returning to their country of origin were not provided with protective equipment and supplies, though they could not return without them. “I bought masks and sanitizer with my own money when we were at the company’s camp. I had to borrow money from my friends to buy them because I did not even have a penny with me. I bought some extra before boarding flight to India. They would not let anyone on without masks and sanitizers,” said Girish.¹¹⁹

¹¹⁰ Interview in Jeddah, Saudi Arabia, April 2020.

¹¹¹ Interview in Jeddah, Saudi Arabia, March 2020.

¹¹² Interview in Dammam, Saudi Arabia, July 2020.

¹¹³ Interview in Riyadh, Saudi Arabia, July 2020.

¹¹⁴ Interview in Abha, Saudi Arabia, July 2020.

¹¹⁵ Interview in July 2020, Abha, Saudi Arabia.

¹¹⁶ Interview in Jeddah, Saudi Arabia, July 2020.

¹¹⁷ Interview in Dammam, Saudi Arabia, July 2020.

¹¹⁸ Interview in Dammam, Saudi Arabia, July 2020.

¹¹⁹ Interview in Jeddah, Saudi Arabia, July 2020..

2.4 Accessing health care services

The Government of Saudi Arabia has declared that any individual – including foreign nationals and those with irregular immigration status – will be entitled to receive free medical treatment for COVID-19 at a government hospital.¹²⁰ However, some interviewees were unaware or unsure of their entitlement to access free treatment. Nakul, an Indian national working as a salesman, was unsure about what to do if he was tested for the COVID-19. He was not aware that the government had announced that all migrant workers testing for the virus would be treated for free at a government hospital. He said:

*I do not have access to any medical care and other facilities. To be honest, I have no money to afford medical care. I am so afraid I might get infected. If I get infected, I will not be able to buy even a single tablet of medicine.*¹²¹

*The company does not pay for our medical treatment. All people buy medicines with their own money. A few days ago, a medical inspection team came to test us for COVID-19. Everyone got tested. No one was seen to be infected. We have not received any other treatment or medical attention since. Many workers have fallen sick after that. Only corona patients are treated. They are taken in a vehicle to the hospital. Rumour has it the government is treating corona patients for free.*¹²²

An Indian national working as a driver could not access medical care even after suffering COVID-19 symptoms for two weeks. He died in April this year. His wife told Equidem: “He then contacted the hospital designated to handle COVID cases, but the hospital suggested to keep himself in isolation

and take some rest. His wife took him to another private hospital named Al Muwassath as his situation didn’t improve. However, they were not able to get admission in the hospital as they didn’t have sufficient money to pay. He, finally, passed away on 4 April after being tested positive the day before. However, the death certificate reportedly says cardiac arrest as the cause of death, which was suspicious to his family and relatives. Though the Saudi government has announced the treatment of illness like this is free of charge, Safwan could not access the health service. Neither was he able to access proper treatment in time because of not being able to pay.”¹²³

Furthermore, nine co-workers who spent a day sharing a meal with Safwan and his wife before Safwan died, were unable to get a COVID-19 test despite displaying symptoms.

They are trying to get their health check-up done, but the designated hospital kept suggesting them to wait and take rest. The workers are too worried suspecting they may have been infected with COVID. The workers believed that they are not given easy access to the health care because of discriminatory approach of hospital authority between Saudi and non-Saudi nationals.¹²⁴

Qadim shared his experience of trying to access health care facilities and called out practices he said were discriminatory towards non-Saudi nationals:

¹²⁰ Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 30 May 2020.

¹²¹ Interview in Jeddah, Saudi Arabia, May 2020.

¹²² Interview in Jeddah, Saudi Arabia, April 2020..

¹²³ Interview in Jeddah, Saudi Arabia, April 2020.

¹²⁴ Interview in Jeddah, Saudi Arabia, April 2020.

I had corona like symptoms, but I was not tested. No one comes to check on us. I am buying medicine with my own money. Only Saudis are heard. Outsiders are not getting any treatment. My health had deteriorated, so I called the government ambulance dialling 997, but even after that, no one showed.¹²⁵

Another worker said that his company impeded his access to health care. Shaurya, an Indian national working as a painter at Al-Sagayyar company in Saudi Arabia, told Equidem that the company did not take health related issues of the workers seriously and had the tendency to blame the workers when things get serious. He said

*There are arrangements for the treatment of those who have tested positive, but the company does not allow the workers to be treated properly. When I tell the company about my health conditions, it does not take it seriously and after several days when the disease is out of control, they blame the workers. I am fine now but we have many people in dire need of medical help. The company does not do anything, and they are forced to go to the medical store and buy medicine with their own money.*¹²⁶

Jamal, who had symptoms of COVID-19 was unable to access health care and had to be shuffled from hospital to hospital before he was admitted. He called 937, which took him to Riyadh Care Hospital, Riyadh but he was refused treatment there. The ambulance next took him to Al-Hayat National Hospital, also in Riyadh. This hospital too refused to treat him. Finally, a hospital in the Al -Jazeera Nassim area accepted him in the emergency department on 17th May.

Rohan, a labourer working for Civil Works Company, a major Saudi Arabian business, said his employer had failed to renew his and his co-workers' work

permits, or 'Iqama', resulting in them being unable to access the public health system:

*Many workers in the company do not have an Iqama. They cannot go to hospital because it is expensive. Many workers just buy medicine from shop without proper treatment. The company also have this policy of deducting the salary of workers if they take leave. Workers do not go to hospital to avoid salary cut.*¹²⁷



Nowhere to escape – the story of pregnant health care workers

In April, at the height of the pandemic in Saudi Arabia, Equidem spoke to 5 women working in hospitals in Saudi Arabia. They spoke about their inability to access routine tests and check-ups or receive specialist treatment because many government hospitals had been converted for COVID-19 medical care and were not able to provide facilities for gynaecological care. Although all the women were health professionals, such as doctors and nurses, their employers did not provide any alternate medical care and they continued to work while heavily pregnant, including in wards with patients infected with COVID-19. The women spoke about their fears of being infected, the risks this posed to their unborn children, and their anxieties about being unable to afford private health care. Between May and June, all the women were transferred back to India from Saudi Arabia with help from the Indian government, Equidem staff and community groups.

Mahima, an Indian national working as a staff nurse at King Salman Center for Kidney Diseases told Equidem:

*I am currently working as a registered staff nurse at King Salman Centre for kidney diseases, Riyadh in Saudi Arabia, under the Ministry of Health. I am pregnant with 32 weeks of gestation and expected to deliver my baby on 5 June 2020. I am working in a dialysis centre which doesn't have a gynaecology department. I did not get proper gynaecological check-up and medication. I am so worried about my health. It is also difficult to go for a routine gynaecology appointment and check-up outside hospital due to the curfew and transportation restrictions. There are also no basic facilities available for routine gestational ultrasound or other check-up to assist foetal growth and monitoring. I am unable to go outside because of lockdown. I do not have access to proper medication and medical care. The fact that most of the government hospitals in Saudi Arabia have been converted into COVID-19 treatment centres and are admitting only people with the COVID-19 infection has me worried. I am not in a financial position to go to a private hospital. My baby's health is at a risk if I do not get proper medical attention.*¹²⁸

Ziya, an Indian national working as a doctor in a hospital in Riyadh was due to return to India in early April said that she was unable to return following the lockdown. She told Equidem that she was unable to consult a gynaecologist and could not access proper medical care. She said:

I am now 26 weeks pregnant. I already had lots of complications during my first pregnancy and those complications still remain. My first child was born prematurely in MIMS Hospital, Calicut. My child was safe only because of quality of treatment and surgery was done in time. This delivery was also supposed to be done by the same

*doctor to avoid complications. The doctor is in India. I purchased tickets for my travel and was supposed to go on 7 April. We are completely under lockdown conditions and the whole family is at home, totally helpless. We don't have Medical Insurance and there are no facilities for surgery here. Not even a single gynaecologist is available for consultation. I do not have proper medical care here. I am worried about my health as well as my child's health.*¹²⁹

Preeti, a staff nurse at King Fahad General Hospital in Jeddah, spoke of her experience of lockdown while being heavily pregnant. "I am 34 weeks pregnant. It is difficult to find government hospitals that would provide medical treatment to people other than COVID-19 patients. At the same time, I cannot also afford the medical expenses of a private hospital as they are very costly. It will cost me more than INR 200,000 (\$2,650)."¹³⁰

Zareen, who was working as a staff nurse at a hospital in Dhahran, was faced with a similar situation:

*There are no basic facilities available for routine gestational ultrasound or other check-ups. I am not able to go for routine medical check-up due to the lockdown. I do not have access to any medical facilities. I am worried about my unborn child. It is my responsibility to take care of my baby. I am scared for my baby's health.*¹³¹

Preeti, who was 34 weeks pregnant when Equidem spoke to her, said:

The hospital where I am working does not provide vehicles for transportation, even if it is an emergency. They suggested that I call Red Crescent (the Saudi Arabia chapter of the International Federation of the Red Cross) and arrange an

125 Interview in Buraidah, Saudi Arabia, July 2020.

126 Interview in Jeddah, Saudi Arabia, April 2020.

127 Interview in Dammam, Saudi Arabia, July 2020.

128 Interview in Riyadh, Saudi Arabia, May 2020.

129 Interview in Riyadh, Saudi Arabia, May 2020.

130 Interview in Jeddah, Saudi Arabia, May 2020.

131 Interview in Dhahran, Saudi Arabia, May 2020.

*ambulance to go to any hospital in case of emergency but in this situation we cannot trust the ambulance as they are transferring many COVID-19 cases.*¹³²

The Ministry of Human Resources and Social Development (MHRSD) has recognised that pregnant women are a high-risk group in relation to COVID-19 and has directed that they and other employees at higher risk receive an additional 14 days' paid leave. However, it has not taken

additional measures to ensure pregnant women are able to access the care they need safely, even when they are frontline health care workers. As, Mahima, another pregnant nurse, told Equidem, "pregnant nurses who are working in the hospital do not get medical treatments at the hospital. They are not given check-up and medications even in this situation."¹³³

2.5 The psychosocial impact on migrant workers

I am very upset since I lost my job. I am worried to see how my family will manage without me earning a dime here. The responsibility of my household expenses is on me. They are worried there; I am worried here. We are all starving and there is no one to help us. I do not know what to do.¹³⁴

RAYAAN, A CLEANER WORKING IN RIYADH, SAUDI ARABIA

Migrant workers are having to deal with multiple issues because of COVID-19, which are raising their stress levels. These include anxiety over catching COVID-19, losing their job and how they will support themselves and their families. This is likely to take its psychological toll on many of those affected.

*We are all scared. We are well aware of what is happening in other countries. Many workers have lost their jobs, some of them have lost even their lives. We are scared for our life, our job, our family back in Nepal, who are also dealing with the same thing.*¹³⁵

Kiran, a Nepalese national and salesman at Redtag, Riyadh, said that having to deal with multiple issues because of COVID-19, was making him very stressed and anxious:

*The whole pandemic situation is nerve-racking. It is especially bad when you are all alone in a room. All sorts of bad thoughts come to you and you start panicking more. I am away from my family. It is very difficult to deal with the situation alone.*¹³⁶

Vivan, a Bangladeshi national working as a chef at Al-Ariad Sweet Corner, Riyadh fears he might not be able to feed his family if he loses his job. He said:

Of course, we are worried about our health. But for people like us, the more pressing issue is if we will have a job or if the company will pay us if they impose a lockdown. All of us are scared that we will not be able to feed our family if that happens. My family, they depend on me since I am the only one earning. I will have no other option than taking a loan if they

*decide to let me go. It will take me years to recover from this - if I manage to get a job afterwards.*¹³⁷

"We are also not sure whether the company will pay us for the period of lockdown we spent staying at our rooms," said Asad, a driver from Pakistan. He added:

*After cutting the salaries, it would be difficult for me to survive. In Pakistan, my family - my wife, three children, mother and an unmarried sister - completely depends on me. I was saving 20,000 Pakistani rupee (\$123) per month since January 2019 mainly to collect money for the expenses of my sister's wedding. However, after delaying my salaries for five months and a possible 30% cut, I would not be able to do it.*¹³⁸

"For the last two months, I have not been able to send even a single penny home. I have not received my salary for February, March and April," said Tejas. "They say they will pay if the lock down is lifted. The company I have worked for is not even paying us a single penny. Other workers, who stay with me are also facing the same problem. Neither the company nor the government is helping us."¹³⁹

*Lockdown was a very stressful time for me. I could not move anywhere. We were having difficulty to buy food and get drinking water. The owner did not help us. We did not get paid as well. I was very tensed. I had no money to buy food. My health was also very bad. I am a sugar patient. I had to borrow 3,000 riyals from my relatives in India to buy air ticket. I could only buy my medicine after that.*¹⁴⁰

An Indian national working as a welder at Azmeel Contracting Company, Dammam, said he is worried about his family, who are in India. He told Equidem, "I keep recharging my phone even

though it is very expensive because my family gets worried. The condition of my house is not good. When I used to send money, they could pay for their expenses, but I have not been able to send money for three months. I do not know how they are managing in such a difficult time. I am completely helpless here. I have two children. My younger son is six years old. He has some health issues and is undergoing treatment. We had to stop his medication because we have no money. I am very upset at this. I feel like I would have been able to manage something had I been at home."¹⁴¹

Viraj, an Indian national working as a labourer for International Recruitment Company at an Aramco site said:

*I have a wife, two children and parents back in India. They are all worried about me and want me to come back home. I am very upset because of how the company treated us during such time of need. It makes me sad to see how my family is worrying about money and struggling to put food on the table. I do not have any money right now and I am already in debt because I lost my job.*¹⁴²

Zayed, a Pakistani national working at Shirka Majmua Zayed Al Hassan Construction said, "The COVID-19 crisis has made me mentally sick. When I talk to my friends here, everyone is crying about their job insecurity, non-payment of wages or being laid off from the factories. No one is spared."¹⁴³

Qadim, an Indian national working as a steel and glass fixer said his financial condition has taken a toll on his mental health. He told Equidem:

¹³² Interview in Jeddah, Saudi Arabia, May 2020.

¹³³ Interview in Riyadh, Saudi Arabia, May 2020.

¹³⁴ Interview in Riyadh, Saudi Arabia, July 2020.

¹³⁵ Interview in Al Khobar, Saudi Arabia, March 2020.

¹³⁶ Interview in Riyadh, Saudi Arabia, March 2020.

¹³⁷ Interview in Riyadh, Saudi Arabia, April 2020.

¹³⁸ Interview in Jubail, Saudi Arabia, May 2020.

¹³⁹ Interview in Dammam, Saudi Arabia, April 2020.

¹⁴⁰ Interview in Buraidah, Saudi Arabia, July 2020.

¹⁴¹ Interview in Dammam, Saudi Arabia, April 2020.

¹⁴² Interview in Riyadh, Saudi Arabia, July 2020.

¹⁴³ Interview in Riyadh, Saudi Arabia, June 2020.

I am in a lot of mental stress right now. I had to borrow 3 thousand riyals (\$800) from my family members just to pay for my flight ticket back to India. I used the rest of the amount to test for COVID-19. I do not know if my employer will call me back for work. I already have a huge debt on my back and the interest is increasing daily. I do not know how I will pay this if I cannot go back soon.¹⁴⁴

Rabindra, a Nepalese national said that he was worried about how he would manage his finances after going back to Nepal:

I do not have any alternatives to earn money after returning to Nepal. I have to take care of my family on my own. I have been paying NPR 12,000 (\$101) every month for the education of my children. On the top of that I have to arrange paying expenses of my family and living cost. I am in a great tension that how I can arrange that amount. On top of that, the company is denying me tanazul (release letter). I do not know when I can go back to my family.¹⁴⁵

An Indian national working for the National Recruitment Company at an Aramco site told Equidem:

My family members have no source of income. I am very sad and upset at the loss of salary. At this time there is no work at my village either. My family members are also very upset. They are eating salt bread once a day because that is all they can afford. I have not sent them any money in months. My mother's treatment and child's medicine cost a lot. I do not know what to do. I have already borrowed a lot of money from my friends both here and in India. I cannot see my family like this.¹⁴⁶

A worker at Azmeel Contracting Company, another Aramco sub-contractor, also spoke about the impact the non-payment of wages had on his ability to support dependents back home.

I have no other source of income other than this job. I have not received my salary in 5 months. I am worried about my family. They are facing a lot of trouble. There is no money to buy medicine for my sick father. He has high sugar and blood pressure. They are managing the expenses now by borrowing from relatives, and I am running my expenses here by borrowing from my friends here.¹⁴⁷

Upkaar said he was worried about his family and shared the hardships his family is facing because the company is not paying him. He said, "I am worried about my family. I can barely sleep at night thinking about them. I came to Saudi so that I could save money for my son's treatment. He was sick even before I came to Saudi. Doctor says he has to take medicine for 5 years continuously. He is just 3 years old. The company is asking us to work in such risky time but not paying us. My whole life has turned upside down. I have not sent money in 5 months. My wife sold her jewellery to buy medicine. I am desperate and there is nothing I can do to help my family."¹⁴⁸

I am very upset about my situation now. It troubles me to see my family suffer as well. My family is dependent on my salary. We have no other source of income. We are already deep in loan, which I had taken to pay for recruitment fee. They charge monthly 5% interest for the loan. Now the company won't even pay my basic salary. I am in lot of mental pressure. I do not know what will happen, how I will survive without salary.¹⁴⁹

2.6 Migrant worker suicides

Equidem documented two instances of workers committing suicide in situations that co-workers claimed were linked to pressure and anxiety caused by their employers failing to pay their salaries during the lockdown period. Rabindra, a Nepalese national working for M.S. Al-Suwaidi Holding Co. Ltd at the North Terminal of Aramco, Dammam said, "workers were in a lot of mental tension after the company denied paying them. For many workers like me, this job is the only source of livelihood." Rabindra heard a Filipino worker, working for a different company but who used to live with him in the same camp, had committed suicide because he did not get paid. "Before he committed suicide in the bathroom of the camp, he did a video call to his family in Philippines and showed live video of the incident. That made all of us shudder, made us feel so sad. I can only imagine what he must have been through. The poor family must be devastated," Rabindra said.¹⁵⁰

"The company fired many workers from their job without their salary and end of service settlement," said Ajaya. Due to this, one of the workers from Bangladesh committed suicide. "His friends said that he was worried about his family and was in a lot of tension because the company was not paying his salary. We do not know what happened after that. The company does not inform us about such matters," Ajaya said.¹⁵¹

¹⁴⁴ Interview in Riyadh, Saudi Arabia, June 2020.

¹⁴⁵ Interview in Dammam, Saudi Arabia, July 2020.

¹⁴⁶ Interview in Dammam, Saudi Arabia, July 2020.

¹⁴⁷ Interview in Riyadh, Saudi Arabia, July 2020.

¹⁴⁸ Interview in Dammam, Saudi Arabia, July 2020.

¹⁴⁹ Interview in Riyadh, Saudi Arabia, July 2020.

¹⁵⁰ Interview in Dammam, Saudi Arabia, July 2020.

¹⁵¹ Interview in Dhahran, Saudi Arabia, July 2020.

The impact of COVID-19 on migrant workers in the United Arab Emirates

3



3.1 Background on the spread of COVID-19 in the UAE

The UAE registered its first case of COVID-19 on 29 January 2020 and identified other isolated cases in February and early March. It then began recording sustained and significant numbers of cases from 18 March 2020. The Government of the UAE started lockdown procedures at this time. This included suspending the entry of all non-Emirati nationals to the UAE on 19 March and closing public venues such as beaches, pools, cinemas and gyms, on 22 March. At the time of writing, the rate of infection was still rising rapidly and increased from 19,661

confirmed cases on 12 May to 60,503 cases on 31 July. However, the number of confirmed deaths from the disease are low with just 351 registered as of 26 May.¹⁵²

The UAE hosts the fifth largest migrant population in the world and more than 80% of its population is made up of foreign nationals. In 2017, remittances sent home by migrants working in the UAE were the third largest globally.¹⁵³

3.2 Loss of employment and income

On 26 March 2020, the Ministry of Human Resources and Emiratisation passed Resolution No.279, which exclusively applies to non-UAE employees. The Resolution outlines measures that private sector companies affected by government regulations to limit the spread of COVID-19 can take in relation to migrant workers. Under Article 2, employers, with the consent of their employees, can:

- Introduce a remote working system;
- Grant employees paid leave;
- Grant employees unpaid leave;
- Reduce employees' wages temporarily
- Reduce employees' wages on a permanent basis.¹⁵⁴

The resolution states that businesses that wish to temporarily reduce the wages of migrant workers while COVID-19 measures are in place must add an appendix to their employees' labour contracts and

provide a copy to the Ministry, if requested to do so (Article 5). Companies that wish to permanently reduce the wages of their employees must first obtain approval from the Ministry (Article 6).

Resolution 279 ostensibly seeks to encourage companies not to terminate the service of non-national employees and instead offer reduced wages or unpaid leave. A worker must consent in writing before an employer may change their salary. But with little government protection and limited access to justice, many migrant workers are in an extremely vulnerable position with no real ability to assert their rights or seek remedy for violations. While the UAE has long struggled with guaranteeing the human rights of migrant workers, the current pandemic has exacerbated and amplified these shortcomings. Workers who spoke to Equidem reported that their employers reduced their wages or put them on unpaid leave after Resolution No. 279 was issued.

¹⁵² Johns Hopkins University, COVID-19 Resource Centre, available at: <https://COVID-19.jhu.edu/map.html>, accessed 30 May 2020.

¹⁵³ International Labour Organization, <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm>, accessed 30 May 2020.

¹⁵⁴ UAE Ministry of Human Resources and Emiratisation, *Resolution No.279 (2020) Concerning Employment Stability in Private Sector Establishments During the Implementation Period of the Precautionary Measures to Limit the Spread of the Novel COVID-19*, 26 March 2020, available at: <https://www.migrant-rights.org/wp-content/uploads/2020/04/Ministerial-Resolution.pdf.pdf>, accessed 30 May 2020.

Arham, a security guard from Pakistan working at Transguard Security, said that he was compelled to accept exploitative terms of employment after Resolution No. 279 was issued. He said:

Our supervisor told us that the company has been suffering from losses because of the closure of Dubai airport. The supervisor gave us three options. It was verbal, not written. (1) Stay in company, provided with rooms without salary, other remaining food and expenses to be the responsibility of labourers. (2) Go on unpaid leave either locally or in our home country with own ticket (3) Sign on termination letter. I and most of the workers accepted option 1 because option 2 and 3 were not possible because there are no flights these days to Pakistan due to lockdown.¹⁵⁵

Other employees of Transguard Security told Equidem that they had faced a similar situation. Tanay, an Indian national working as a general helper at Transguard Group on the Dubai Expo, said:

After the lockdown started, the company completely neglected its workers. I did not get my 5 months' salary. They used to shout at me just for asking for my salary. They said, 'no one will get salary for this lockdown period.' After that, I was fired from work without any notice. The only explanation we got was that the company was making a loss. The company said they will transfer my salary amount once I got home. I have not got anything yet. I was also told they will call us back once work resumes. I do not know what will happen now. The company has stopped picking up my calls.¹⁵⁶

Shyam, a security guard from Nepal also employed by Transguard Security, said that the company deducted the amount for plane ticket and food from his end of service settlement and sent him empty handed:

My duty stopped from March 18. I came to Nepal on July 31. I did not get my salary from March to July. The company gave us tickets in their name, but in reality, they made payment for the ticket from our salary. They have deducted 1,830 AED (\$498) for tickets, 2,600 AED (\$708) for food from our end of service settlement. I should have received 5,000 AED (\$1361). I was entitled to leave and gratuity. They deducted money for ticket and food for the same and sent me empty handed. For the first few early batches of workers, they did not cut salary. But, for us, they said, "You are here because your government delayed your repatriation. The company has to keep you here because of your government. The tickets have also gone expensive. We will not pay for the tickets."

"I left my life as a teacher in Nepal. The recruitment agency promised me a handsome salary of 1,200 AED (\$327). I only agreed because of the salary. I was so happy to see that my salary was 1,200 AED (\$327) in the labour permit as well," said Shyam who worked at Transguard Security. But, he added:

When I came to the company, I got only 800 AED (\$218) a month. The company even goes on to reduce 20-40 AED (\$ 6-11) a month for wifi. The company pays 125 AED (\$34) for food, but if we eat from the canteen, they will reduce 305 AED (\$83) from our salary. The canteen only provides 2 meals a day. Paying 305 AED (\$83) a month is a huge amount for me. So, I ate outside on a monthly basis by paying 200 AED (\$54). They started giving us food allowance only after 2017. Before that, we did not get a penny for food. I could barely manage between my expenses here and my family's needs in Nepal.¹⁵⁷

He went on to add that the company neglected its workers and refused to hold any discussions with its workers.

The company never discussed any issues with its workers. There was absolutely no bargaining between

the workers and the company. The company said, "If you want to work, you can work, otherwise, you can go back to Nepal." We could go home after resigning. According to my understanding, the UAE government has given a free zone visa to the Transguard Company. This company does not have to deposit amount like other companies for visa. This is the reason why they do not stop and think about the workers. They can get as many workers as they like to make them do more work for nominal salary.

He also talked about the discriminatory practice the company had in terms of payment to nationals and non-nationals.

I went to work on a porter visa. I also worked as a visa service agent some years later. While working as a visa service agent, the locals there got 16,000 AED (\$4,356). But when I sat in the same chair, did the same job, I got 800 AED (\$218). I later worked as a social handling agent.

Equidem shared all the cases it documented with Transguard Security. In response, the company said:

Up until the global pandemic, Transguard Group had a workforce of more than 70,000. As clients paused or cancelled contracts due to COVID-19, we were forced to transition more than 12,000 employees out of the active work force. This right-sizing included terminations at all levels of the business, from site-based staff all the way up to senior management. This lack of job security and the stress that it leaves in its wake has been felt throughout Transguard and was an unavoidable necessity that is unfortunately not uncommon in the current global economy.

The situation was further complicated by the closure of not only airports in the UAE, but also airports around the world. For Transguard, this meant caring for an unprecedented number of idle staff while they awaited repatriation, not only in terms of providing basic needs like housing and food, but also taking care to ensure their continued health in the wake of COVID-19. These actions include (but are not limited to):

- Free food (three meals every day)
- Free accommodation in rooms that house no more than four individuals
- Free wifi
- Free triple-layer face masks
- Free laundry soap and toiletries (including sanitary items for females)
- Temperature checks at all accommodations
- High touch point cleaning every 20 minutes in every accommodation
- Hygiene reminders provided by video footage and posters
- Social distancing encouraged by signage, floor stickers, videos and support staff
- Strict protocol for suspected and confirmed COVID-19 infections, including the establishment of a dedicated isolation facility that offers individual rooms, free medical checks, wifi and three meals a day
- Cross-training opportunities that allow for otherwise idle staff to be deployed on other contracts as they wait for their original work to begin again

Transguard is fully in compliance with UAE labour laws and makes every effort to ensure that all our practices are legal and ethical. This includes strict adherence to regulations that require salaries be paid in full and on time, as well as ensuring that full and final payments are released prior to employees leaving Transguard's visa. Please note that "Iqama" is specific to Saudi Arabia and has no relevance to employees of UAE-based Transguard Group.

Transguard has always considered the continued wellbeing of its employees to be its top priority and if anything, COVID-19 has strengthened our commitment to provide a safe place to live and work.

¹⁵⁵ Interview in Dubai, UAE, April 2020.

¹⁵⁶ Interview in Dubai, UAE, April 2020.

¹⁵⁷ Interview in Dubai, UAE, July 2020.

Dubai Expo subcontractors failing to pay workers

The Dubai Expo is a mega project in the city of Dubai that involves multiple construction and infrastructure developments as part of a major international festival. Originally scheduled for October 2020, the Dubai Expo will now take place in 2021. The Expo will be a marquis event not only for Dubai but for the entire UAE. Equidem documented 9 cases of workers employed by 4 separate contractors operating on the Dubai Expo mega project who had not been paid wages. Govinda, a construction worker employed by JML (UAE) LLC on the Dubai Expo mega project, told Equidem that the 300 AED (\$80) he received from his employer every month to cover food expenses during the pandemic was insufficient, particularly as he has not received a salary since the start of the year. On top of that, JML said the food allowance would be deducted from his salary once he started working again:

*Now that the work has also started, and we do 10-15 days' shift in a month, we thought we would get our payment. We still have not got our salary. The company always tells us to have patience and we will get paid, but no one knows when we will be paid. All of us are struggling financially. We have responsibilities on our shoulders. Who will take care of our family if we are not paid?*¹⁵⁸

Harihar, an Indian national working as a fabricator at JML (UAE) LLC, a contractor on the Dubai Expo mega project, said he and a hundred or more colleagues did not get their end of service settlement. He said:

We did not get our end of service settlement. The company promised they would pay within

*2 months. We have not signed anything, rather it was a verbal promise. We are all waiting to go home. We are not sure if or when they will get their settlement, but they would rather go home and be with their family than to wait here at the risk of getting infected. About a hundred workers in my camp, all of us in this situation and there might be others like us (working for JML) in other camps.*¹⁵⁹

Govinda, who worked as a painter at JML (UAE) LLC told Equidem, "the company did not pay any of the workers during the lockdown. Instead of paying salaries, the company fired many workers without clearing their settlements. The company did not even provide flight ticket to go back home."¹⁶⁰

Our research documented cases involving thousands of workers who were left to starve without any pay and unable to return to their countries of origin. Gaurav, who works for the Dubai Expo contractor Ghantoot Group LLC, in Abu Dhabi told Equidem in June that approximately 1,800 workers in Mafric, Mussafah, "are suffering without food because the catering company has stopped delivering food to us. We heard this is because of outstanding amounts from the Ghantoot Group. None of the managers will speak to us"¹⁶¹

Other Ghantoot workers complained that they had not been paid wages. "The company is yet to pay my 3 months' salary. They fired half the workers after the lockdown started," said Gaurav. He added, "None of them were paid their remaining salary and benefits. The company said, "you guys (workers) either go back home or find work for yourself somewhere else". Many workers went back home. Those

who went home were not given air tickets as well. Some are still stuck with the company because of travel restrictions."¹⁶²

Another Ghantoot worker had similar treatment:

*I did not get my 4 months' salary from the company. They sent me home saying they will call me back as soon as the work starts. There is not much work there. My friends who are still there tell me they work for 10 days a month. They get paid for the same. Workers like me, who left the country early, are yet to receive 4-5 months of payment. I did not want to come back without getting my salary. I am in a lot of financial trouble now. I have a family to take care of. There is no job in the village as well. I desperately need the money the company owes me.*¹⁶³

"I have not received any payments in 5 months. I got fired without any end of service settlement from the company. Most of the work here has already closed," said Umar, who also worked at Ghantoot. "Only a few workers work a day's shift in a month. They are getting paid, but those who were fired, have not got anything from the company yet. We are all anxious about our payment. We do not know what will happen or when we will get our salary yet."¹⁶⁴

"I only came to Dubai seven months ago. Due to the lockdown, our company fired newly hired labourers," said Elaaj, a construction worker from Pakistan employed by the Dubai Expo contractor Al Naboodah Construction Group. He added, "now I am at dera (an accommodation where people live together by sharing costs) and jobless. Most of the people at our dera are from my hometown and they too lost their jobs due to the lockdown."¹⁶⁵

Equidem wrote to the Dubai Expo Committee, the organisers of the event, and all of the companies involved in the Dubai Expo. Although the subcontractors did not respond, the Dubai Expo Committee provided a detailed response that is available here. The Committee noted that they were in contact with Al Naboodah, Transguard and JML and that "All three companies reiterated their commitment to the Expo Worker Welfare policy, their willingness to cooperate with your investigation should you choose to contact them directly, and to address any situations that they are made aware of." The Dubai Expo Committee further noted:

Expo 2020 Dubai takes worker welfare extremely seriously. We employ a 12-strong Worker Welfare Team which is made up of global and regional experts in their field, supported by advice from world-class partners such as specialist risk consultancy Control Risks and PWC.

With regards to the specific allegations you have contacted us about, we would clarify that Expo only works directly with Al Naboodah and Transguard; while JML is employed as a subcontractor for a number of our main contractors.

Our Worker Welfare Assurance Standards, which are bound into every contract, set down both UAE law and requirements formulated from International best practice as required by Expo 2020. Of the additional standards required by Expo, half relate to employment practices, and the other half to workers' accommodation and transportation. For example, contractors are required to provide increased space for accommodation and enhanced recreation facilities. We work very closely with all of our

158 Interview in Dubai, UAE, July 2020.

159 Interview in Dubai, UAE, July 2020.

160 Interview in Dubai, UAE, July 2020.

161 Interview in Abu Dhabi, UAE, June 2020.

162 Interview in Abu Dhabi, UAE, July 2020.

163 Interview in Abu Dhabi, UAE, July 2020.

164 Interview in Abu Dhabi, UAE, July 2020.

165 Interview in Dubai, UAE, June 2020.

partners and stakeholders to make sure our worker welfare infrastructure remains best-in-class.

Every contractor working on our site is bound by contract to comply with our Assurance Standards, including our Policy on recruitment fees. In line with International Labour Organisation (ILO) guidance, our Policy and Assurance Standards both clearly state employers must ensure the free and fair recruitment of workers. That means all recruitment costs – including visas, airline tickets, and any other administrative costs – must be covered by employers without exception, and absolutely no fees should be paid by workers. If, during our monitoring, we discover fees have been paid, workers have been reimbursed.

A number of issues of non-compliance have been identified, as is typical of a project of this vast scale and complexity. That's why we have put such a rigorous, world class monitoring system in place to make sure we stay on top of issues as they arise and remedy them immediately. We share and discuss our monitoring issue tracker openly in our Expo-led Worker Welfare Forums. These take place every two months with compulsory attendance and presentations from all of our main contractors.

Issues identified during monitoring can vary from poor air conditioning in buses to too few first aiders in accommodation facilities. Some cases have been identified where accommodation facilities have been found to not be in line with UAE legal requirements. In such cases we work with a contractor to move workers to adequate accommodation facilities.

All our contractors are obliged to hold regular Worker Welfare Committees with worker-elected representatives, during which members can raise issues and concerns. These must be held at a minimum of every two months. In 2018 we

rolled out the Expo 2020 Worker Hotline – a free phone number available to all those working on the Expo 2020 site in eight languages, triaged by experienced call handlers. We have also launched Worker Connect, an app containing information on legal rights that all workers can access from their mobile phones. They can also use it to confidentially report grievances. In addition, we conduct regular face-to-face and unannounced interviews with workers on the ground on a confidential basis.

The two most regularly raised topics of concern are around wage payments and food, and we've work directly with contractors to remedy both immediately.

Yatin, a Bangladeshi national working at DHL in Dubai said that he did not get paid for the period of lockdown. "The company only pays us for the days we work. We did not get paid during the lockdown since we did not work. I did not get paid for 2 months, April and May. I could not send money to my parents for 2 months. The company paid us only when the work resumed."¹⁶⁶

Saksham, an Indian national working at Toyota Company, said that the implementation of Resolution No. 279 has had a severe impact on worker wages. He told Equidem: "The company is only paying half of my salary now. They are planning to send their workers on leave for at least 4 months."¹⁶⁷ Sundar, who also worked at Toyota Company, told Equidem how difficult it was to manage his finances after his salary was suddenly cut into half:

The company said that there will be some delay in the payment of wages. We did not get paid during the lockdown period. I have not received my 3 months' salary. I am facing a lot of trouble financially. I do not have money to buy food. I had to borrow money from

friends to buy some basic things. Even after the work resumed, we did not get any salary. The company has sent many workers back home. They too have neither been paid their salary nor other benefits. I do not know when I will get paid.

Other staff of the Toyota Company spoke about how the financial implications and the anxiety of receiving heavily reduced or no pay can be significant. "It is a very difficult time for me financially," said Sundar, who worked for the Toyota Company in Dubai. "I used to live in a flat. Since the company started paying only half of my salary, I am planning to share a room with others. I have to think about my family as well. I will need to spend as little as I can. I also have debt on my back. It will be difficult to manage all these with what I am earning now, but I will try my best."¹⁶⁸

Nihal, working as a driver for Mowasalat in Sharjah told Equidem: "The company was paying me 3,000 AED (\$817) a month. After the lockdown, our company started paying us 900 AED (\$245). No one ever asked whether I agree to this or not. This does not even cover the cost of food and accommodation."¹⁶⁹ Arbab, also a driver, who is employed by Fancy Transport said, "I have not received any payment since March. The government closed all the schools to contain the spread of COVID-19. I used to receive 300 dirham (\$817) a month. Now I earn nothing. The company has totally neglected us in such time of need."¹⁷⁰

Kul, who works at a restaurant in Abu Dhabi has not been paid since February. However, he and his colleagues have continued working in the hope they will eventually get paid. He told Equidem:

We are still working, but the company has not paid us since February. At first, they said they would pay us 70% of our salary. They even made us sign a paper. We

thought the company is going through a tough time, at least we are getting 70%. Now, we are not even getting this. The company is just providing us food and accommodation.¹⁷¹

Equidem spoke to five workers employed by Industrial Technology Services Middle East L.L.C. on sites for the Abu Dhabi National Oil Company (ADNOC). The men said their managers gave them two choices, to either resign and get an end of service settlement or to get fired by the company and receive neither final salaries nor end of service benefits. However, the workers now believe they never intended on paying them and simply wanted the workers to sign documentation that appeared to evidence their agreement to having contracts terminated and being sent to their countries of origin:

The company said that its work is not going well, so it will lay off employees. It put two options before us. First, the company will terminate everyone without salary and gratuity. The second option, if the worker resigns from his job, then he will get all the benefits including salary. The company said that we all have to choose one of the two options. All of us requested not to be sacked, but to reduce our pay. They did not listen. I did not have any other option than to sign the resignation. I signed it with the hope of getting my remaining four months' salary. The company also snatched my card and pass and canceled my visa too. But even after I resigned, I did not get my remaining salary and other allowance. After leaving the job, I was stuck here for four months and the company did nothing to help me.¹⁷²

Ram, a welder who worked for Industrial Technology Services Middle East at an ADNOC site had the same experience:

¹⁶⁸ Interview in Dubai, UAE, March 2020.

¹⁶⁹ Interview in Dubai, Sharjah, June 2020.

¹⁷⁰ Interview in Dubai, UAE, June 2020.

¹⁷¹ Interview in Abu Dhabi, UAE, May 2020.

¹⁷² Interview in Abu Dhabi, UAE, July 2020.

¹⁶⁶ Interview in Dubai, UAE, July 2020.

¹⁶⁷ Interview in Dubai, UAE, March 2020.

The company pressurized many workers along with me to sign their resignation. They said we should either sign the resignation letter and get our remaining salary or be fired by the company and get nothing. I resigned on 4 April 2020. My 4 months' salary is still pending. I did not even get my pay even after signing the resignation.¹⁷³

Harendra, a pipe fabricator employed by Industrial Technology Services Middle East on an ADNOC site, returned to his home country, India. He said:

*The company put two options before us, First the company will terminate everyone, then the workers will not get the arrears of salary and other benefits. The second option is that if workers resign from their job, then they will give all the benefits including the arrears of salary. I signed the resignation letter so that I would get what I am owed. However, I did not get anything. I was stuck there for 4 months without pay.*¹⁷⁴

"The company still owes me four months' salary," said Gopal, another former ADNOC employee interviewed by Equidem. He added:

We requested the company not to fire us. We were ready to accept a lesser salary, but the company did not listen to us. They told us the company was making a loss and could not keep us. They said we would get paid only after we signed the resignation. They said they would later transfer it to our bank account, but they have not sent it yet. Many workers like me were fired and sent back to their country.¹⁷⁵

Another worker employed by Industrial Technological Services Middle East, the ADNOC sub-contractor, who returned to his home country India described similar treatment:

*The human resources department (of the sub-contractor) decided to terminate the services of all staff currently outside the country on leave and who cannot return due to the closure of international airspace and that these employees will receive one month's salary. However, workers here have said they have effectively been fired without receiving their final pay checks or end of service payment, as required under UAE law.*¹⁷⁶

"The company pressured me to resign," said Umesh. According to Umesh, at the time of his resignation, representatives of ADNOC said that workers will be paid outstanding salaries and benefits before being sent home. He added further, "the company said only those workers who signed the resignation were entitled to the remaining settlement." He signed an agreement with ADNOC, which Umesh said was not read out nor explained to him, thinking he would receive his final salary and benefits. But, as of October 31, 2020, Umesh was one of around 200 other ADNOC workers have yet to receive any payments. "I am back in India, but I have not received anything from the company yet. While we were still at the company, 200 workers along with me requested the company to pay our salary, but no one heard our cry for help."¹⁷⁷

Although Resolution No. 279 makes clear that changes implemented under Article 2 should be agreed with employees before being implemented, interviews carried out for this report indicate that many companies took unilateral decisions regarding wage cuts and unpaid leave. In at least 20 of the 58 cases documented, migrant workers were not properly informed about changes being made to their terms and conditions of work, let alone consulted on them.

"No, the employer has not given me any information about salary and benefits," said Rachit, an Indian national working for an information technology company in Dubai. "No help has been received from the government or the company yet. Even though we requested help from the company many times about food and water, but no help was received," he said.¹⁷⁸ "Countless people have lost their jobs due to COVID-19. The money that we earned so far has just been spent here for expenses. I do not know what to do now. How can we live in the coming days," Rachit added.¹⁷⁹

In some cases, companies took the dual step of making workers sign agreements without their consent to terminate contracts and send them back to their country of origin, while keeping other workers employed without paying them. According to Ibrahim, a cook employed at InterContinental Dubai Festival City, a luxury hotel that is part of the InterContinental Hotel Group:

A Nepalese national working at the InterContinental Hotel, Dubai told Equidem that workers were placed on unpaid leave. He said, "We were on unpaid leave for a month in August. The hotel management notified the workers that they will be on unpaid leave. I had already considered going back to Nepal since we were not getting paid. For 3 months before August, I did only 2-3 hours of duty. It was getting very hard for me to manage my expenses. I have a family in Nepal, my parents, my wife and two children. We were barely surviving with only enough money to buy food. Finally, I am doing 8 hours duty. There are only a few guests now. Many workers are still on an unpaid leave. Some workers who were planning to go back to their home, are stuck because flights were suspended."¹⁸⁰

Ibrahim added that the hotel management continues to abuse workers. He said, "Workers are made to work for 12 to 15 hours a day without rest. They are not paid the full amount for their overtime duty."

The fact that migrant workers are tied to the employers through the kafala system and are usually dependent on their job to support their families and, or repay their debts, mean they have little choice but to accept whatever changes their employer makes to their wages or conditions of work, despite the hardship this will cause them.

Sunaina, an Indian national working as an aircraft crew member at Air Arabia Airline said that if the airline decided to downsize operations, employees would have no choice but to accept the company's decision. She spoke about this in reference to Resolution No. 279. Sunaina said, "In this highly competitive field, it will be very difficult to find a job immediately if the company is dissolved. The possibility of cutting crew members cannot be ruled out."¹⁸¹

Workers told Equidem of their anxieties of being made to return to their countries of origin where employment prospects were limited. "I am praying that the situation will improve soon," said Nihal, a taxi driver from Pakistan. "Otherwise I will have to go back to my hometown in Pakistan. There are no opportunities for employment there. I will be forced to move to other cities, like Lahore and Karachi. If I start working as a driver in Bunre, they will only pay me 20,000 rupees (\$125) a month."¹⁸²

Anil, an Indian national who worked as a valet driver in Dubai, said his visa expired on April However, his employer refused to renew it. He told Equidem, "One of the managers at my company

173 Interview in Abu Dhabi, UAE, July 2020.

174 Interview in Abu Dhabi, UAE, July 2020.

175 Interview in Abu Dhabi, UAE, July 2020.

176 Interview in Abu Dhabi, UAE, April 2020.

177 Interview in Abu Dhabi, UAE, July 2020.

178 Interview in Abu Dhabi, UAE, May 2020

179 Interview in Abu Dhabi, UAE, May 2020.

180 Interview in Dubai, UAE, July 2020.

181 Interview in Dubai, UAE, May 2020.

182 Interview in Sharjah, UAE, June 2020.

says that unless we sign a letter of consent to go home, they will stop providing food for us workers and will evacuate us.”¹⁸³ Kabir, a colleague of Anil, who is also a valet driver, said the company refused to renew his and other workers’ visas after they expired. “We were told to return home and they refused to renew our visas. My boss said the new law says that those who are currently out of the country can come to the UAE by December 31, but I am worried that my visa will get cancelled when I leave the UAE and I won’t be able to return. I need this job, I’m the only one sending money home to my family.”¹⁸⁴

A Pakistani national working as a driver at Hunter International Tourism, Dubai said the company he worked for fired workers without observing the notice period. He told Equidem:

*The company fired hundreds of us without giving any warning. Management said it had cut down its operations because coronavirus had a huge blow on tourism. At the time, international flights were not stopped and most of the workers went home. We are weak and cannot challenge the decisions of such big companies. I consider myself lucky that I did not get fired.*¹⁸⁵

Ekansh, an Indian national who used to work as a pipe fitting operator at Industrial Technology Services Middle East, Abu Dhabi said he did not get paid for 3 months and was eventually fired from work. He said, “The company did not pay my 3 months’ salary. I went to the manager multiple times asking for my salary. He said there was no money in the accounts, the business was losing money and will not pay any of us. I was then fired from work and I had to come back to India. I have not received any information as to whether I will get my job back or not. They have fired thousands

of workers already. To my knowledge, none of them got any payment from the company.”¹⁸⁶

Other workers who had been employed by Industrial Technology Services Middle East told Equidem they faced similar situations. Mohan, an Indian national, said:

*I have not received my four months’ salary from the company. They just kept saying the company has no contracts due to COVID. Many workers were fired without payment. There were 170 workers who got fired along with me. None of them got any settlement. The company made us sign a document saying only those who sign the document will get outstanding payment. But even after I signed the document, I did not get paid. They provided air ticket for India, but nothing else.*¹⁸⁷

“The company asked me to sign a resignation letter,” recalled Daksh, another Industrial Technology Services Middle East worker interviewed by Equidem. “My boss said, “if you want to get your final salary and end of service settlement you must sign this” and he motioned at the (resignation) letter.” He further explained:

There were 300 workers with me who signed the resignation letter. But after signing the letter, we did not get a single penny. We have yet to get our 4 months’ salary. The company took our health card and pass. My visa got cancelled as well. I want to go back to my family, but I do not have money to buy air ticket. I complained on the online complaint portal of the Dubai government, but the government did not take any action on my complaint. I also called the Indian Embassy and told my problems, but the embassy also did not help me. Then all of us workers complained about this matter to Dubai police, then the company people agreed to send me back home, workers

*arranged for tickets and PPE kits for the journey on their own, to go back home.*¹⁸⁸

Workers employed by Kiruba Technical Services LLC in Dubai said they did not get paid for 5 months and eventually were fired without any end of service settlement:

*After the lockdown started, the company stopped paying my salary. I did not get paid for 5 months. I was in lot of financial difficulty due to this. The company fired 300 workers after the lockdown. The company did not even provide air ticket to go back home. None of us got any settlement as we got fired. I did not have a single penny and I did not know anyone in Dubai. I had to borrow INR 50,000 (\$669) from my relatives in India. I spent 30,000 (\$402) on food and clearing debt here. I spent the rest on plane ticket. Now that I am back in India, I have no way of paying back the loan I took. I cannot find work in my village. It is even more difficult now due to COVID-19.*¹⁸⁹

*I got fired from my job. My boss said the company had to let me go because of (the loss of business and lack of profit) corona. My 5 months’ salary is still pending with the company. The company did not give us food during lockdown. I had to ask money from my family in India. They too did not have any money so they took a loan at 5% interest rate. The company did not tell us anything about when they will pay us. I am already in India. I do not know how I will get my money.*¹⁹⁰

The company did not inform us anything about our salary or when they will pay us. When we asked for our salary, every manager, every camp boss kept telling me and other workers the company has no money because of (the loss of business due to) the virus. They fired around 300 workers after the

*lockdown. None of the workers got any settlement from the company.*¹⁹¹

Workers employed by Al-Branzee Company said that the company made them sign their resignation letter:

*The company people told us that they are not doing well financially due to COVID-19 and lockdown. We were not paid since the lockdown started. They had said they will give us food allowance. A few days after this, the company people called us. They said we were being laid off and made us sign a letter. I do not know what was written in it. They said it was our resignation letter.*¹⁹²

*At first the company kept saying they will pay us our salary, but later, they said they were in a lot of financial pressure and had to let some of the workers go. A couple of days after that, the company called me and some other Indian workers and asked us to sign the resignation paper. We signed the paper hoping we would get at least our remaining payment. I was stuck in the company for 4 months due to lockdown. The company did not help me, nor did they pay my outstanding salary and other allowances.*¹⁹³

Three men employed by ANG Middle East Electromechanical Works LLC told Equidem that they were subjected to physical and verbal abuse simply for requesting unpaid wages owed to them. One of them men said:

I worked there for 6 months and did not received my payment for 5 months. During the time I was there, I asked for my outstanding salary many times, but they beat me and abused me verbally. They have blacklisted me just because I asked for my remaining salary. I cannot go back to Dubai for a year now. The workers were treated very badly there. We were not

183 Interview in Dubai, UAE, May 2020.

184 Interview in Dubai, UAE, May 2020.

185 Interview in Dubai, UAE, May 2020.

186 Interview in Abu Dhabi, UAE, July 2020.

187 Interview in Abu Dhabi, UAE, July 2020.

188 Interview in Abu Dhabi, UAE, July 2020.

189 Interview in Dubai, UAE, July 2020.

190 Interview in Dubai, UAE, July 2020.

191 Interview in Dubai, UAE, July 2020.

192 Interview in Ajman, UAE, July 2020.

193 Interview in Ajman, UAE, July 2020.

*given proper food to eat. The company made me sign a paper and fired me immediately. I was stuck there for 4 months. I did not have money to buy air ticket, so I had to borrow 1,000 AED (\$272) from a friend. I have a loan of 2,500 AED (\$680) in Dubai alone.*¹⁹⁴

Another of the three men said, “the company beat me and many other workers just for asking to pay our salary. They beat us so that we would keep quiet. I have not received my salary in 5 months. I can barely afford to buy food. I do not have any money to send to my family, who are also suffering.”¹⁹⁵

“The company said that the work is not going well due to COVID-19. After that, the company fired me in the name of retrenchment,” said Udit, the third worker who spoke to Equidem. Udit said ANG did not pay him or his colleagues five months of wages. He claimed that company staff physically assaulted him and other workers to dissuade them from complaining. After his contract was terminated, Udit remained in the UAE for four months living in poverty and constant hunger:

*The company did not help me. It did not care whether we lived or die. I had no money to eat. They did not even provide us food. I used to borrow food from my friends and relatives in the lockdown. They used to beat us when we asked for our salary. When I think about those four months that I spent there, only tears come out of my eyes.*¹⁹⁶

The Government has directed, through Resolution No. 280 (26 March 2020), that support packages be used to help keep UAE citizens in their jobs or to find them new ones.¹⁹⁷ However, the only provision made in Resolution No. 279 to try and

support migrant workers who have lost their jobs is the introduction of a facility for “sharing employees”. This allows employers with a “surplus” of non-national employees to register them on the Ministry’s Virtual Labour Market System to enable them to work for other employers (Article 3). With the exception of employees’ salary, the initial employer remains responsible for all other entitlements (e.g. housing, leave, medical insurance, etc.).

The effectiveness of this initiative is likely to be reduced by the fact that flights into and out of Abu Dhabi and Dubai have been significantly restricted since April 2020 to help reduce the spread of the COVID-19 pandemic.¹⁹⁸

Workers with informal employment arrangements or who are undocumented have faced particular challenges because their status makes it difficult for them to seek help to obtain unpaid wages or resolve other labour disputes. Tayyab, a Bangladeshi national who works on a free-visa arrangement in Dubai told Equidem, “I always keep money in my hand for unforeseen threats, because I’m not a permanent employee with any company and I only get paid when I find work. I don’t have any formal job, but I must pay house rent in due time and have to buy groceries and other things, which is very challenging. We have very little savings left. I do not know how long we will last here without money. Employers do not take any responsibility of employees who are on a ‘free visa’. We do not have any written contract with them, just verbal agreement of things. Due to this, we cannot legally compel them to help.”¹⁹⁹

3.3 Stranded in the UAE

Migrant workers have also been affected by restrictions on their freedom of movement, notably from other States limiting repatriation of their nationals abroad. Migrant workers who wanted to return to their home countries—whether because of job loss, required unpaid leave, or other reasons—were instead left stranded because of travel restrictions placed on incoming flights from the UAE due to the COVID-19 pandemic. Moreover, while States have broad authority in immigration matters, in prohibiting non-Emirati nationals from entering the country, the UAE government prevented thousands of migrant workers from arriving to resume or start work, many of whom had valid visas.

On 19 March 2020, the UAE prohibited all non-Emirati nationals from entering the UAE until further notice, including those with valid visas and residents who were abroad at the time of the announcement.²⁰⁰ This affected thousands of migrant workers who were unable to return to or take up jobs they had secured in the UAE. A significant proportion of these people would still be left with ongoing debt from the recruitment charges they paid to secure work in the UAE, which remain regardless of whether they are able to travel to start their job. On May 19 the UAE government has stated that from June 2020,

it will start accepting back people with valid residency permits whose families are in the UAE.²⁰¹ Conversely there were also tens of thousands of migrants in the UAE who either lost their jobs or income and wanted to return home, but were unable to do so because there were no flights. For example, on 25 March 2020, India closed its borders and imposed a 14-day quarantine on all nationals who arrived via the Gulf.²⁰²

The UAE put pressure on some migrant worker countries of origin such as India²⁰³ and Pakistan²⁰⁴ to facilitate returns. It announced in early April 2020 that it was considering restructuring its cooperation and labour relations with countries refusing to take back their nationals, including introducing quotas in recruitment operations and suspending memorandums of understanding.²⁰⁵ On 11 April 2020, the Indian Ambassador responded by stating that India could not accept repatriated workers until the lockdown in India was lifted, which would not happen before early May.²⁰⁶ Those trapped in the UAE without salaries were desperate to return home. The scale of the problem was made clear when the Indian government announced it would start facilitating a phased return of its citizens from the UAE on 7 May 2020 and immediately, 200,000 Indian nationals registered for repatriation.²⁰⁷

194 Interview in Dubai, UAE, July 2020.

195 Interview in Dubai, UAE, July 2020.

196 Interview in Abu Dhabi, UAE, July 2020.

197 BSA, *A summary of Ministerial Resolutions Nos 279 and 280*, April 2020, available at: <https://bsabh.com/a-summary-of-ministerial-resolutions-no-279-and-no-280/>, accessed 30 May 2020.

198 MEED, “Mena COVID-19 cases cross 166,000 mark”, 30 April 2020, available at: <https://www.meed.com/mena-COVID-19-cases-cross-166000-mark>, accessed 30 May 2020.

199 Interview in Sharjah, UAE, May 2020.

200 Varun Godinho, “UAE suspends entry of residency visa holders abroad, stops issuing work permits”, *Gulf Business*, 19 March 2020 available at: <https://gulfbusiness.com/uae-suspends-entry-of-residency-visa-holders-abroad-stops-issuing-work-permits/>, accessed 30 May 2020.

201 “UAE to expand nightly COVID-19 curfew, allow more residents to return”, *Reuters*, 19 May 2020, available at: <https://in.reuters.com/article/health-COVID-19-emirates/uae-to-expand-nightly-COVID-19-curfew-allow-more-residents-to-return-idINKBN22V113>, accessed 30 May 2020.

202 Ministry of Foreign Affairs and International Cooperation, 19 May 2020. Available at: <https://www.mofaic.gov.ae/en/mediahub/news/2020/5/19/19-05-2020-uae-visas>, accessed November 16, 2020.

203 “Kerala CM says UAE quarantine facilities ‘inadequate’”, *Aljazeera*, April 13, 2020, available at: <https://www.aljazeera.com/news/2020/4/13/kerala-cm-says-uae-quarantine-facilities-inadequate>, accessed November 16, 2020.

204 “Pakistan concerned at workers returning from UAE with coronavirus” *Aljazeera*, 6 May 2020, available at: <https://www.aljazeera.com/news/2020/5/6/pakistan-concerned-at-workers-returning-from-uae-with-coronavirus>, accessed November 16, 2020.

205 Tawfiq Nasrallah, “COVID-19: UAE considers imposing restrictions on these countries”, *Gulf News*, 12 April 2020, <https://gulfnews.com/uae/government/COVID-19-uae-considers-imposing-restrictions-on-these-countries-1.1586688517978>, accessed 30 May 2020.

206 Andrea Wright, “No Good Options for Migrant Workers in Gulf COVID-19 Lockdown”, *Middle East Report Online*, 30 April 2020, available: <https://merip.org/2020/04/no-good-options-for-migrant-workers-in-gulf-COVID-19-lockdown/>, accessed 30 May 2020.

207 Sebastian Castelier, “Who is to blame for Gulf’s deserted labor force?”, *Asia Times*, 5 May 2020, available at: <https://asiatimes.com/2020/05/who-is-to-blame-for-gulfs-deserted-labor-force/>, accessed 30 May 2020.

Those who had been dependent on the support of friends for food and a place to stay were particularly anxious to get home. "It's impossible for a person to stay here without a job and money. I am so glad that the government of India has taken a step, at least now, to bring us back home," said Timin, who was living in destitution in Sharjah after his company terminated his contract in April. "There are millions of migrants here like me. I don't know whether I will get a job after this epidemic situation," he added.²⁰⁸ "I am eagerly waiting for

an opportunity to get back to Kerala as soon as possible," said Timin.²⁰⁹

The UAE has sought to assist stranded migrants by providing free, automatic three-month extensions for residency visas that expired from 1 March 2020. In addition, administrative fines associated with infractions on any services provided by the Federal Authority of Identity and Citizenship will be waived for a three-month period from 1 April 2020.²¹⁰

3.4 Measures to protect the health of migrant workers

The Government of the UAE has taken measures to promote social distancing and protect the health of all workers. These include directing companies to:

- Implement protective measures for employees working on their premises, including by: limiting the number of customers visiting their premises to 30% of capacity; strictly observing health and safety precautions; providing screening devices; and taking employees' temperatures;²¹¹
- Ensure that when workers are transported to and from work no more than 25% of the vehicle's seating capacity is used and a safe distance is maintained between workers;²¹²
- Limit the percentage of their workforce that can physically continue to work at their premises

to 30%. However, work that is considered essential - and which is usually performed by migrants - is excluded from this requirement (e.g. infrastructure projects, catering, food processing, hospitality, cleaning, etc.).²¹³

Individuals who do not comply with government regulations to maintain public health and prevent the spread of the virus (e.g. they leave their homes unnecessarily, break the curfew or refuse to submit to a medical test upon request) could face fines of between AED 500 and AED 50,000 (\$136 and \$13,600 respectively). Fines may be doubled in the case of repeat offenders.²¹⁴

208 Muhammad Shaffeque, an Indian national working in an exchange firm in Sharjah.

209 Binni Johnson, an Indian national working at a company in Abu Dhabi.

210 Shuchita Gautam, "UAE Cabinet: Residency visas and Emirates IDs to be automatically extended for three months", *The National*, 30 March 2020, available: <https://www.thenational.ae/uae/government/uae-cabinet-residency-visas-and-emirates-ids-to-be-automatically-extended-for-three-months-1.999440>, accessed 30 May 2020.

211 UAE Ministry of Human Resources and Emiratisation, Ministerial Resolution No.281 of 2020, 29 March 2020, available at: <https://www.bakermckenzie.com/-/media/files/insight/publications/2020/03/ministerial-resolution-no-281of-2020--english-translation-and-arabic-resolution.pdf>, accessed 30 May 2020.

212 UAE Ministry of Human Resources and Emiratisation, Ministerial Resolution No.281 of 2020, 29 March 2020, available at: <https://www.bakermckenzie.com/-/media/files/insight/publications/2020/03/ministerial-resolution-no-281of-2020--english-translation-and-arabic-resolution.pdf>, accessed 30 May 2020.

213 UAE Ministry of Human Resources and Emiratisation, Ministerial Resolution No.281 of 2020, 29 March 2020, available at: <https://www.bakermckenzie.com/-/media/files/insight/publications/2020/03/ministerial-resolution-no-281of-2020--english-translation-and-arabic-resolution.pdf>, accessed 30 May 2020.

214 Emirates News Agency, *UAE Attorney-General issues updated resolution on enforcement of list of fines, penalties ranging AED1,000-AED50,000 to contain COVID-19*, 29 March 2020, available: <https://wam.ae/en/details/1395302833526>, accessed 30 May 2020.

Fears of infection at workplaces

Despite these measures, workers told Equidem that they did not feel safe at work because there was no way of avoiding close contact with other people. Balendra, an Indian national working as a mechanical engineer in Dubai, said despite efforts by the Government of the UAE to protect the health of all workers, he did not feel safe at work. He said, "The problem is we never know who might be infected. This has made us all a little anxious. ... We interact with different kinds of people through the day."²¹⁵ Sunaina, a member of aircraft crew for Air Arabia Airline, said:

*I am worried about the current situation of COVID-19 infection. This is especially scary to me because I work for an airline company. In our line of work, we come in contact with various kinds of people. This is unavoidable. This makes it difficult to manage my health care in this lockdown. I am scared to go back to work. I do not know how I can work in this condition. I do not know what will happen to me if I get infected.*²¹⁶

Equidem spoke to Abdul, an Indian national working as an equipment operator at Dubai International Airport, who had been placed on leave in March. In April his employer ordered him to return to his job at the airport. Abdul was concerned about resuming work because a high percentage of airport employees had tested positive for the COVID-19. Yet, his employer pressured him to return. When Equidem spoke to Abdul in April, he had just returned to work. He said:

They have not closed the airport yet. There is high flow of people both in and out of the country. So many people working at the airport got infected with

*COVID-19. The ground level staff, who were mostly in contact with travellers got infected. They then were placed on leave. This is the reason I was afraid to go back to work. But if I don't go to work, they would terminate me from work. The company had verbally warned us. Because of this, I have been working again since yesterday.*²¹⁷

Azad, a Pakistani national working at Modern Bakery LLC in Dubai, said that he was concerned about his health as he has to interact with a number of people every day and this puts him at a risk of being infected. He told Equidem:

*I am afraid I will get infected with COVID-19. I know some workers working in other factories at different areas in UAE's have died due to COVID-19. We do not know who is infected and who is not. Allah is great but I don't like to die in a country like UAE. Because I work at a bakery, we use masks and wear it regularly. But most of the people I meet do not have the PPEs.*²¹⁸

Women and men working as low-wage workers in the UAE are compelled to work in conditions where they do not feel secure because the alternative is staying at home and not getting paid. Girindra, who works at a supermarket in Dubai, spoke for many of the women and men interviewed by Equidem when she said:

One of my female co-workers, who is also my promoter, has not come to work because of fear of Corona infection. She will not get paid because she is not working. I cannot afford to not work but yes, of course I'm scared. We are working in fear.²¹⁹

One worker specifically raised the issue of migrant nurses from India not being provided with the appropriate personal protective equipment at work.

215 Interview in Dubai, UAE, March 2020.

216 Interview in Dubai, UAE, May 2020.

217 Interview in Dubai, UAE, April 2020.

218 Interview in Dubai, UAE, June 2020.

219 Interview in Dubai, UAE, April 2020.

A lot of Malayali²²⁰ nurses are working here without any proper safety measures. Their duty hours have been increased to 14 hours a day. They go right back to their families after work. They are not working in a safe environment. Along with them, their family is also at risk.²²¹

High risk of infection in densely population worker accommodation camps

Workers were particularly concerned about the risks of contracting COVID-19 in their accommodation because of overcrowding. Most of the workers interviewed by Equidem in the UAE said it was impossible to maintain social distancing because they lived and slept in very close proximity with their colleagues. Ahmed, an Indian national working as a labourer in Abu Dhabi, described how he had to live in a small, dorm-like room with seven other men.²²² His case is neither extreme nor exceptional, as evidenced by the following testimonies. Bilal, a construction worker in Dubai, said:

*The labour industry does not have enough facilities to accommodate and keep patients in isolation. We are living in the rooms which each have 10-15 people staying together. A single labour camp has 1,000-2,000 people. Now I want to ask you, do you think the way this government is addressing the issue is enough for us?*²²³

Rachit, an information technology worker, said, "I am sharing my room with seven other people. The other six people lost their jobs after their visa

expired. They have not worked in three months. have no jobs in three months."²²⁴ Dev, an AutoCad designer in the construction industry, said, "the condition of workers is not good. We live in camps where four to eight people are in a single room with 30-40 rooms in each floor. They all have to share bathroom and kitchen. There is a high risk of transmission in this case."²²⁵

Chatura, who works as a labourer in Dubai was particularly concerned about the risks of contracting COVID-19 in his accommodation camp because of overcrowding and the inability to practice social distancing. He said:

*I am staying in a labour camp along with hundreds of other migrant labours. There are four to six labourers staying together in a room, according to the rule of the municipality. In my camp, there are hundreds of migrant labours from other firms too. They are from Pakistan Bangladesh, China, Nepal and India too.*²²⁶

Yatin, a porter employed by DHL in Dubai said that there was insufficient space to maintain social distance at his camp. He said:

*Ninety-three workers in the company got infected by COVID-19. There were about 600 people in the camp. The infected workers were isolated and rest of the people there were advised to maintain physical distance to avoid infection. However, there are a lot of people in the camp. We cannot maintain social distance because of the number of people in the camp.*²²⁷

Equidem wrote to DHL in Dubai about the conditions of its staff documented in the report. A response was received from DANZAS AEI Emirates

LLC, which employs the workers working for DHL in Dubai:

We refute the allegations in your email below which are incorrect and misconceived. DANZAS AEI Emirates LLC is controlled and operated by Investment Trading Group LLC, and has been compliant with local employment law, rules and regulations in all matters related to its personnel during the Covid-19 crises, including with respect to accommodation and salary payments which are provided in accordance with labour/employment contracts and UAE labour laws and regulations.

Danzas AEI Emirates LLC, which operates as the independent affiliate of DHL Global Forwarding in Dubai and the Northern Emirates, adheres to the general principles found in the United Nations Global Compact. As you may be aware, the United Nations Global Compact is a pact in respect of the implementation of amongst other matters, socially responsible policies, including reporting on implementation.

Balendra, who works in the construction industry, also voiced his concerns about infection from living in close proximity with other workers. "We are scared that if even one person is infected, we all are at risk."²²⁸

Other workers spoke in similar terms:

*For two months now, we have been confined in our room sized 12X12 feet, where we ten people are sleeping. There are only five bunkbeds. It is a small villa with a little courtyard. We get specific limited time for shopping. We cannot maintain physical distancing according to the WHO guideline in a tiny, congested room. All of us are at health risk.*²²⁹

*All 100 of us live in the same camp. We get sanitizer and masks from the company but there is very little space to keep away from others. I am sure if one of us gets infected, everyone will.*²³⁰

*Even after the lockdown, there are ten people in a room. There are 3,000 workers in the camp where I live. Each floor has a kitchen and toilet and around 80 people share a single toilet and kitchen. It gets very crowded. In the morning there are lines to use the bathroom. There is no way we can maintain social distance in such small area.*²³¹

*I used to sleep in a room with seven other people. There were around 500 workers in our camp. We all shared bathrooms, kitchen and a hall to watch TV. It gets very crowded. We cannot maintain social distancing because there were too many workers in a single place at once.*²³²

*There are eight people in a room now. The company used to keep up to 15 people in a single room before the lockdown. There are about 400-500 people at the camp. Nobody follows the rules of social distancing at the camp. The company did not even give masks and sanitizers. We bought it with our own money.*²³³

*I stayed in an accommodation provided by the hotel. There were 10 people in the room where I lived. There are very small rooms, with no space to social distance. We manage with whatever space we have. We try our best to avoid other people, but it is impossible to do so in such a confined place.*²³⁴

There were about two thousand workers in my camp during the lockdown. Currently there are 4 people in a room. The number of toilets in the housing is low compared to the number of workers there. The toilets here are public, which many workers use. There is a

²²⁰ Malayali is a language spoken in southern India and is the dominant language in Kerala state.

²²¹ Interview in September 2020, Dubai, UAE.

²²² Andrea Wright, "No Good Options for Migrant Workers in Gulf COVID-19 Lockdown", *Middle East Report Online*, 30 April 2020, available at: <https://merip.org/2020/04/no-good-options-for-migrant-workers-in-gulf-covid-19-lockdown/>, accessed 30 May 2020.

²²³ Interview in September 2020, Dubai, UAE.

²²⁴ Interview in Abu Dhabi, UAE, May 2020.

²²⁵ Interview in Dubai, UAE, March 2020..

²²⁶ Interview in Dubai, UAE, April 2020.

²²⁷ Interview in Dubai, UAE, July 2020..

²²⁸ Interview in Dubai, UAE, May 2020.

²²⁹ Interview in Sharjah, UAE, May 2020..

²³⁰ Interview in Dubai, UAE, July 2020.

²³¹ Interview in Dubai, UAE, July 2020.

²³² Interview in Abu Dhabi, UAE, July 2020.

²³³ Interview in Abu Dhabi, UAE, July 2020.

²³⁴ Interview in Dubai, UAE, July 2020..

lot of crowding in the kitchen and hall. The company has done nothing to control the crowd or manage it in any way.²³⁵

One worker told Equidem that he believed the infection spread fast at his camp because people were not able to maintain social distancing:

There were 12 people in my room and more than 500 workers in the camp. People were not able to social distance because of how small the camp itself was. It became a transmitting ground for COVID-19. Once a few workers got infected, hundreds of workers in the camp followed. I too got infected. It spread so fast because we could not maintain social distance at the camp. Upon that, the company did not provide any information related to the health and safety of workers during COVID-19 pandemic and how to avoid infection. It has not provided us with safety kits such as masks, sanitizers and soaps. Many workers in the company got infected due to lack of awareness and basic safety tools.²³⁶

This is particularly worrying because the nationwide curfew was extended on 19 May by two hours, so that it is in force from 8pm to 6am.²³⁷ This may have had the unintended consequence



235 Interview in Abu Dhabi, UAE, July 2020.

236 Interview in Abu Dhabi, UAE, July 2020.

237 "UAE to expand nightly COVID-19 curfew, allow more residents to return", *Reuters*, 19 May 2020, available at: <https://in.reuters.com/article/health-COVID-19-emirates/uae-to-expand-nightly-COVID-19-curfew-allow-more-residents-to-return-idINKBN22V113>, accessed 30 May 2020. The curfew was lifted on 24 June 2020, "UAE lifts coronavirus-related curfew: Tweet", *Reuters*, 24 June 2020, available at: <https://uk.reuters.com/article/us-health-coronavirus-uae/uae-lifts-coronavirus-related-curfew-tweet-idUSKBN23V2ZE>.

238 Interview in Abu Dhabi, UAE, May 2020.

239 Interview in Dubai, UAE, April 2020.

240 Interview in Dubai, UAE, April 2020.

of increasing transmission of COVID-19 among migrant workers who are living in overcrowded accommodation. Rachit, who survived a wave of infections that hit his camp, said:

I have seen how COVID-19 affects people up close. My room mates had fever and other symptoms for a few days. All of them are in bed. It has been just two or three days since they got their sense of taste and smell back. Looks like corona has hit everyone. The rest of us are sitting here just like this. No one is going anywhere. To be honest, there is no place to go.²³⁸

It is clearly not possible for migrant workers to maintain social distancing when they are living with between four, ten or more other people in one small room. Some workers also noted that not everyone takes the appropriate measures to avoid spreading the virus to their colleagues. For example, Chatura, a construction worker in Dubai, said, "sometimes we get annoyed because the people who do not wear their masks, they cough and sneeze. So, we are in a condition, where we must wear masks even when we sleep."²³⁹

Even when other roommates do not become ill, workers are still likely to be quarantined and this may lead to them losing their income. As one worker explained:

The roommates of one of my co-workers, who was infected with corona, are there in their room only in quarantine. They could not work, and the company is refusing to pay them as they are not working. They get food from outside. We do not have any information about them. We tried calling them many times, but they do not have a phone with them.²⁴⁰

3.5 Accessing health care services

Although all workers are entitled to free health care, a number of workers told Equidem they were unable to access it and had to pay for medical services and medicine. Bilal, a construction worker in Dubai said that when workers like him fall sick, they don't visit the hospital. He told Equidem, "As the health and hospital industry is very expensive, a major portion of migrant workers never visit hospitals. Many workers like me are on visit visa. Whenever we fall sick, we all manage with cheap Panadol tablets."²⁴¹

"There is no system of treatment here, people get medicine with their money," said Rachit. "The company does not pay for treatment, all people get drug treatment with their own money. I cannot even go to the hospital because I am on a visit visa."²⁴² Some workers, like construction worker Bilal, felt strongly that the authorities cared more for their nationals than low-wage migrant workers like him. "We are sure that the UAE government will only take care of their citizens, who constitute only half of the actual population. They have already declared it indirectly. The press releases say other countries should take care of their own citizens, who are living in UAE."²⁴³

Dalbir, who worked as a welder with ADNOC until his contract was terminated during the pandemic, said many workers in the company were infected with COVID-19 and claimed some of them died of the infection:

Only the workers working at the company were provided treatment facilities. For workers like us, who were fired and were stuck without pay or access to medical facilities, the company chose to completely

neglect us. One day I got sick. I had fever and body ache. I called the company people for treatment but they neither took me to the hospital nor gave me medicine. I ate a medicine my friend gave me. Many workers' health had worsened. Some of them were seriously ill. They did not have the money to buy medicine, so they were asking for money from their home and getting medicine.²⁴⁴

After resigning, the company cancelled my visa and health card. After that some workers were sent to the Mussafah Camp (in the outskirts of Abu Dhabi) and some were sent to another camp. The company did not take care of workers who were fired. In the month of May, I was having high fever and severe pain in my head, so I called the company people for treatment. The company did not help me with anything. We could not go to the hospital because our visa was cancelled. I was scared to go out because the police could take legal action against me.²⁴⁵

After I was fired, the company sent me to the Mussafah Camp (in the outskirts of Abu Dhabi). There I thought I had some symptoms of COVID-19. I spoke to the company but they did not do anything about it. I had my COVID-19 test done with my money. I paid 250 AED (\$68) for the test. My report came back negative. The company is negligent towards the health of workers like us. If I had tested positive, I could have died but the company would not do anything.²⁴⁶

We do not get proper treatment facilities here. I was sick with high fever during the lockdown, but I was not taken to the hospital. My friends bought medicine for me. The company also used to deduct money from worker's pay if they took sick leave. This is the rule

241 Interview in September 2020, Dubai, UAE.

242 Interview in Abu Dhabi, UAE, May 2020.

243 Interview in Dubai, UAE, September 2020.

244 Interview in Abu Dhabi, UAE, July 2020.

245 Interview in Abu Dhabi, UAE, July 2020.

246 Interview in Abu Dhabi, UAE, July 2020.

of the company. If anyone takes leave, that day's pay gets reduced.²⁴⁷

The company stopped renewing workers' health card after the lockdown. There were many people in the company who got sick and had high fever. But the company did not do anything to help us workers. I too had high fever and body pain once, after the lockdown. I was not taken to a hospital. I had to buy medicine on my own. I spent 60 AED (\$16) for medicine, twice because of body pain.²⁴⁸

The company did not even give me a health card. I could not go to hospitals because I did not have health card. There are many workers in the company who face the same issue. This is why the workers there go to the medical store and take medicines with their own money.²⁴⁹

During the research, Equidem frequently encountered workers who said they were reluctant to visit hospitals or even take a sick leave because companies reduce that day's pay from their salary. Seven of the respondents talked about the same policy their companies had.

The general rule at the company is that the day any worker remains absent from work, they reduce that day's pay. I once had a very high fever but because the company would deduct my pay, I did not take any rest.²⁵⁰

We have to apply for leave along with 80 AED (\$22) to the company. Each one of us has to pay the amount, else they will deduct it from our salary. They even call and disturb us asking the amount. It is not worth the hassle, so we pay it upfront. Most of us do not even

take leave to save the amount.²⁵¹

There were thousands of workers in my company who did not have access to health care facilities because their Iqama expired. The truth is, most of us would not even go to a hospital, because our salary for the day would be deducted if we took leave. The workers bought medicine with their own money. The company refused to renew Iqama even after we requested many times. They even kept our passport with them.²⁵²

If a worker takes sick leave, his salary is deducted. The company's rule was that the number of days you would rest, the company used to deduct salary for that day. We do not have the luxury to take rest for headache or fever.²⁵³

The company does not give medical leave. They deduct salary for taking medical or any other leave. The company's rule is that the number of days you will not work, those days' amount will be deducted from the wages of the workers.²⁵⁴

The hotel I work at had the policy to reduce pay of workers if they took any leave. It did not matter if we were sick or not.²⁵⁵

If workers take sick leave, the company deducts that day's money from their salary. The company said, 'we pay you to work, not to rest'.²⁵⁶

Equidem documented a handful of extremely serious cases in which employers did not take appropriate action or show a duty of care to their employees who contracted COVID-19. Mohd. Iqbal, an Indian national, died in Dubai in April 2020 after his employer stopped paying him

before the lockdown started. Because he wasn't paid, he couldn't afford to purchase food and was always hungry. In April he felt ill and had a cough and fever and eventually died and at no point was taken to see a doctor by his employer. His family in India told Equidem, "He was living at a labour camp. He said they did not have enough food. Over a few days his health worsened. His

coughing had tremendously increased. He did not have any money to even buy medicine," Hredhaan recalled. "He said he contacted the company several times asking to arrange for food and medicine. The company did not do anything. We also tried calling the company. The company did not do anything. He sadly passed away in the same labour camp."²⁵⁷

3.6 The psychosocial impact on migrant workers

Migrant workers have to deal with significant insecurity and stress as they are struggling to survive financially and do not know what will happen to them if they contract COVID-19. Bilal, a construction worker in Dubai, said he was anxious about his health and pointed out a very alarming concern that many migrant workers might resort to suicide out of fear of getting infected and the impact this would have on their earnings. He told Equidem:

*As we understand it only people who have the strong immunity system can survive this disease and the rest who do not have good immunity can't survive. This has led us to panic. I am afraid and have depression as well. Nobody knows the extent of the mental toll this situation has put on us. There is a very real chance that many workers will resort to suicide. The Government should do something for us. Its either that or they'll have to send our dead bodies home.*²⁵⁸

Nakul, an Indian national in Dubai committed suicide after fears that he would no longer be able to support his family. According to colleagues who spoke to Equidem, he was anxious that, if he contracted the disease, he would not be able to access medical care. Just days before his death, he spoke to a social worker and told him, "Due to the lockdown, there is a constant fear in my mind. If work gets stopped,

how will I be able to pay for my daily expenses and my family? I am very upset about this."²⁵⁹ Nakul had been working as a supervisor for a company in Dubai for the past 10 years. In April he was given a COVID-19 test after throat pain and a slight fever. His camp mates, who spoke to Equidem, recalled that he went into a state of panic waiting for the results. Friends comforted him, saying that he probably did not have the virus. One of his friends recalled Nakul saying, "I would have some hope if I could fly home but there are no planes in the sky," as, at the time, the airspace around the UAE had been closed as part of global efforts to contain the spread of the virus. Nakul also spoke with his employer on the phone, over concerns regarding his job, and whether he would continue to get paid. After speaking with his employer, Nakul returned to his apartment. The other members in his apartment told Nakul that they did not want to socialise or share any household essentials with him. They asked him to leave and return only after the COVID-19 test results. He died on April 24 after first cutting his veins and jumping from the top of an apartment building. His COVID-19 results came out after he passed away: the result was negative.

Dev, who works in the construction industry in the UAE said, "I am not sure if I can survive this pandemic. Aside the health risks, I am not doing well financially. The company is only paying half

247 Interview in Ajman, UAE, July 2020.

248 Interview in Abu Dhabi, UAE, July 2020.

249 Interview in Dubai, UAE, July 2020.

250 Interview in Abu Dhabi, UAE, July 2020.

251 Interview in Dubai, UAE, July 2020.

252 Interview in Dubai, UAE, July 2020.

253 Interview in Abu Dhabi, UAE, July 2020.

254 Interview in Dubai, UAE, July 2020.

255 Interview in Dubai, UAE, July 2020.

256 Interview in Dubai, UAE, July 2020.

257 Interview in Dubai, UAE, April 2020.

258 Interview in Dubai, UAE, April 2020.

259 Interview in Sharjah, UAE, June 2020.

of my salary. I have huge debts on my back, and this is my only source of income.” He added, “the company is already talking about sending its workers on leave. It could last four months, or even more. How am I supposed to manage my expenses and take care of my family, without a source of income?”²⁶⁰

“I felt anxious to be in my room all day during the lockdown,” said Girindra who works as a salesman at a shopping mall in Burj Khalifa, Dubai. “I was in distress because my room is very small. We are three people staying in a room. We couldn’t move properly. We were also worried about our finances because the company did not give salary for the days we did not work.” Girindra also said that it was impossible to social distance in the camps. “There is a high risk of getting infected with COVID-19. Unfortunately, we do not have a choice.”²⁶¹

“I am now completely devastated. I do not see any hope for workers like us in this foreign land,” said Arbab, a driver at Fancy Transport, “I am a diabetes patient and I do not have any money to pay for my health expenses. The company has not paid me since March because all the schools have closed down. I am scared for my health and scared that I might get infected. I do not know when corona virus will end, and our situation will be normal.”²⁶²

“I go to work with so much fear and anxiety. I live in a flat in Dubai with my wife and child. As a father, I’m more worried. I do not have any problem even if I get infected. I am more worried about my 6-year-old,” said Abdul an equipment operator at Dubai International Airport. “How do I interact with my

family when I work at an airport where numerous people are infected? I am in a lot of mental stress right now. My wife also works at a hospital. We have not been able to hire a babysitter because all of them are scared of getting infected. We both cannot take leave from our job. We are forced to leave our child alone at home.”²⁶³

Nihal, a driver at Mowasalat in Sharjah told Equidem, “I am in a lot of mental stress right now. I fear I might lose my job. I am able to support my family in Buner, Pakistan solely because of this job.”²⁶⁴

“Honestly, we are caught between unemployment and COVID-19 risks. We do not go outside our rooms because of fear of infection,” said, Zayyan, a labourer at Gulf & Safa Dairies in Dubai. “I do not know when this catastrophe will end. I am especially worried about my job. I am hearing news that hundreds of factories, including our own, will be closed because of losses due to COVID-19. God help us.”²⁶⁵

“I’m in constant fear of losing my job. It is mentally torturing me. I am continuously thinking about what will happen in the upcoming months. There are rumours that the company will lay off large number of workers the coming month,” said Warjas, a Pakistani national working at National Paints Factory in Sharjah. “This job is very important for me because I have to take care of my family back in my hometown in Pakistan. I have a wife. My parents are very and often need special medical care. I have not been able to send them any money because the company has not paid me since April.”²⁶⁶

260 Interview in Dubai, UAE, March 2020.

261 Interview in Dubai, UAE, April 2020.

262 Interview in Dubai, UAE, June 2020.

263 Interview in Dubai, UAE, April 2020.

264 Interview in Sharjah, UAE, June 2020.

265 Interview in Dubai, UAE, June 2020.

266 Interview in Sharjah, UAE, June 2020.

3.7 Migrant worker suicides

Equidem documented three instances of workers committing suicide in situations that co-workers claimed were linked to pressure and anxiety caused by their employers failing to pay their salaries during the lockdown period. Nakul, an Indian national in Dubai committed suicide after fears that he would no longer be able to support his family. According to colleagues who spoke to Equidem, he was anxious that, if he contracted the disease, he would not be able to access medical care. Just days before his death, he spoke to a social worker and told him, “due to the lockdown, there is a constant fear in my mind. If work gets stopped, how will I be able to pay for my daily expenses and

my family? I am very upset about this.”²⁶⁷

Madhav, an Indian national working as a foreman in Jebel-Ali, committed suicide on 24th April. In the days leading to his death, he was anxious he had contracted COVID-19 and faced prejudice and animosity from colleagues. His wife told Equidem, “My husband committed suicide because of the fear of potentially losing his job and his financial obligations. His mental health was neglected by his work colleagues. He could not get proper medical attention in time. The suspense of the test results triggered his anxiety and caused him to take his life.”²⁶⁸

3.8 The impact on people who depend on migrant workers

Along with personal concerns, migrant workers are also worried about how they will support their families in their countries of origin and pay back loans they took to secure their jobs in the UAE. “I am the only earning member of my family. I have a lot of financial responsibilities because I took a loan to help my family,” said Girindra. “I have still to pay back most of it. Even in Dubai, I am sharing a room with three people. One of my roommates was fired. He does not have work and no salary. I am managing his food, accommodation and other expenses as well. So now, I am struggling financially. All workers are facing this kind of problems.”²⁶⁹

*I came to Dubai paying 200,000 Pakistani rupees (\$1,264) as recruitment fees. I had to borrow the money from my relatives. It had only been a few months since I started paying them back, but then I lost my job. I was also saving money for my sister’s wedding which is to happen this winter. In Pakistan, it is our culture to buy furniture, clothes and other essential items for sisters during their wedding. My father told me that it would cost around 3,500 AED (\$953). I had to spend what little I had saved to buy food and pay the rent. We will have to sell our piece of land in the hometown to arrange for our sister’s wedding now. In our Pashtun culture, selling land is considered very bad. But in this crisis, what can we do?*²⁷⁰

For Elaaj, the lack of an income was a matter of humiliation not only for himself but his entire family.

“The company has not paid my salary since March. I have to support a five-member family and did not send any remittance for the past three months,” said Izad.

267 Interview in Abu Dhabi, UAE, July 2020.

268 Interview in Dubai, UAE, April 2020.

269 Interview in Dubai, UAE, April 2020.

270 Interview in Abu Dhabi, UAE, June 2020.



My father told me that the grocery shopkeeper has stopped lending grocery after he did not get dues for March and April. My mother and father both are heart patients and they also need regular medicines, which are very expensive. This COVID-19 crisis has made my life difficult.²⁷¹

You may understand, for the past months there was no work. Allah knows, how long it will continue. We could not send money home since April. The Bangladesh government, some corporates and social institutions are distributing relief in my home country. My family is not entitled to the aid. I am in immense mental stress because my family back home is suffering.²⁷²

I have a family of 18, and I am the only one earning money. I take care of all their needs. I have been struggling since the company decided to pay only 50% of my salary. It was Ramadan last month and in Pakistan, family expenses increase in the holy month of fasting. I was not able to send money not only for Ramadan but also on Eid. It was for the first time that my children could not buy new clothes on Eid.²⁷³

I have not sent money to my family since March. I cannot even borrow from my friends here because everyone is suffering. Two of my younger brothers are studying in private schools there and if my economic situation does not get better, they will be forced to drop out. We came to UAE to save money mainly to support the education of my brothers. But it seems our dreams will not be fulfilled.²⁷⁴

Before the COVID-19 crisis, I was earning around 2,000 AED (\$544). I barely earn 1,000 AED (\$272) now. I used to send 800 to 1,000 AED (\$217 to 272) to support my family in Pakistan but since the start of COVID-19, I have sent money by borrowing it from friends in Dubai. Now I am in debt of 2,500 AED (\$680). I have no option but to borrow more if the situation does not normalize.²⁷⁵

I have a family back in Kerala. The only reason I came to Dubai is to take care of them. I had to mortgage my wife's gold to pay for my recruitment fee. Only a few months after I came here, my father got sick. I took some additional amount as loan to pay for his treatment. I have a lot of financial responsibilities. If I lost my job, the loan alone would kill me.²⁷⁶

I have a family of 5 members. My parents are old, and they have special needs including medicines and nutritious food. I could not get a job here, so I sold my mother's jewellery and took a loan of INR 80,000 (\$1,071) from a local money lender at 5% monthly interest rate. I worked in Abu Dhabi for 7 months and got paid for only 3 months. Now I am back to India. I have a huge loan on my shoulder. I have a family to take care of. It scares me a lot just thinking about what I am going to feed my family tomorrow.²⁷⁷

My whole family depends on my salary. I have no other source of income. My family is very worried about

our finances now that I lost my job. I had to pay INR 70,000 (\$937) as requirement fee. We did not have that kind of money, so we had to take a loan. I spent all my savings to pay it back. Now I am struggling to even buy food.²⁷⁸

I was stuck there for 4 months because all international flights were suspended. During that period, all I could think about was my family. I did not have money to send them. Every bite of food I took here, I remembered my family. It pained me knowing that they are struggling to buy food. We have no farmlands like other people in the village. We have no other source of income.²⁷⁹

I have a huge debt on my back. I had to borrow 1,000 AED (\$217) to buy air ticket to come back home. It had only been 6 months since I went to Dubai. I had not paid the loan I had taken to pay recruitment fee yet. I have a family to take care of. There is no job here in my village. I do not know what to do next. I am in a lot of mental tension now.²⁸⁰

I am the only earning member in my family. My family depended on my salary which I have not been able to send in 5 months. We are all worried about the future, about how we are going to survive without money. I cannot sleep at night because of all the tension. My father had a heart operation last year. He is also a patient of tuberculosis. My father is on medication for eight thousand Indian rupees (\$107) a month. We are facing a very difficult time.²⁸¹

I have not sent money to my family in five months. They know that the company has not paid anything. I asked them to borrow money from lenders for now to buy food and other essentials. I thought I would pay back once I got my salary from the company.

The company fired me, and we have not got any settlement money yet. The lenders come to my home every morning to ask for money. They charge 5% interest rate a month. I am helpless here. I cannot do anything unless I get paid.²⁸²

I was very upset because of what the company did. They pressurized us to sign our own resignation letter. I could not get out of the country for four months. At that time, I did not have a single penny to buy food. I used to eat food by borrowing money from my friends and relatives. My family are in the same state of despair. We do not have money to buy food. My wife does not have money to buy milk for our children. My family is starving and there is nothing I can do.²⁸³

I am very upset with the loss of my job and company refusing to pay us during lockdown. I am already in debt. On one hand, I am under pressure to repay the debt, and on the other, to arrange food for my family. At this time there is no work even in the village. I do not know what to do. I cannot borrow money again since I have not repaid my previous debt. It is really a very difficult time for me.²⁸⁴

I came back to India after I lost my job in July. I already have a lot of debt on my back. The loss of my job hit my mother the hardest. She was worried about me and the family. She had high blood pressure. Around the first week of August, her health started to decline rapidly. I did not have any money. My neighbours lent me INR 5,000 (\$67) and I took her to the hospital. Her health did not improve and she passed away on 9 August 2020. The company took everything away from me. I lost my mother because of my job.²⁸⁵

271 Interview in Abu Dhabi, UAE, June 2020

272 Interview in Sharjah, UAE, May 2020.

273 Interview in Dubai, UAE, May 2020.

274 Interview in Sharjah, UAE, June 2020.

275 Interview in Dubai, UAE, June 2020.

276 Interview in Dubai, UAE, July 2020.

277 Interview in Abu Dhabi, UAE, July 2020.

278 Interview in Abu Dhabi, UAE, July 2020.

279 Interview in Ajman, UAE, July 2020.

280 Interview in Dubai, UAE, July 2020.

281 Interview in Abu Dhabi, UAE, July 2020.

282 Interview in Abu Dhabi, UAE, July 2020.

283 Interview in Abu Dhabi, UAE, July 2020.

284 Interview in Dubai, UAE, July 2020.

285 Interview in Dubai, UAE, July 2020.

My family depended on my salary. We have no other source of income. There are 11 members in my family. Who will take care of them now? The company fired me ruthlessly and snatched my only source of income. My brothers had planted some paddy and corn, but the flood destroyed everything. When there is heavy rain, the water enters our home. I am worried all day. I cannot sleep all night. There are no other jobs that I can do in the village. What will I do now?²⁸⁶

In addition to the other pressures they have, migrant workers are also facing increased prejudice

and discrimination in the wake of the pandemic.

Things are getting worse day by day. There are a lot of trolls on the internet about COVID-19. I see some of them are directly attacking migrant workers saying "COVID-19 has spread because of the migrant workers staying in GCC countries." It is hurtful and insensitive. We all became migrant workers with a desire to live a decent life. All migrants work hard, like the way the people here work. We would like to be considered and respected like other labourers in the world.²⁸⁷

The company manager told us to sign a document. He thrust the papers towards us and said, "if you don't sign this document, I will call the police and send you to jail." The document stated that due to COVID-19, the company's contract was terminated, and I am not working. It also said the company is providing accommodation so I have to agree to not get paid a salary and will not contest this in any legal way.²⁸⁸

KABITA, A CLEANER FROM NEPAL WORKING IN DOHA, QATAR



286 Interview in Dubai, UAE, July 2020.

287 Interview with Joseph in August 2020, Dubai, UAE.

288 Interview in Doha, Qatar, May 2020.



Photo: typhoonski

The impact of COVID-19 on migrant workers in Qatar

4



4.1 Background

The Qatar Government has instituted a range of labour reforms since it reached a technical cooperation agreement with the International Labour Organization (ILO) in 2017, some of which are significant changes in line with the country's international labour convention obligations. These reforms include an overhauled labour dispute system, a wage monitoring process, a universal minimum wage, the abolition of the exit permit and no objection certificate, and steps towards allowing collective worker representation at the enterprise-level. Qatar was also the first Gulf state to establish a comprehensive migrant worker wage guarantee and insurance fund. The fund would be the most comprehensive in the world if adequately implemented. The country is the only one of the three mentioned in this report where international trade union bodies and independent human rights observers have been permitted to operate. Through these channels and the development of a labour relations department, migrant workers are able to submit complaints and activists have been able to formally request assistance from state authorities and the ILO on behalf of migrant workers. The Supreme Committee for Delivery and Legacy (Supreme Committee), the state-funded body responsible for delivering the

Qatar 2022 FIFA World Cup, applies its own worker welfare standards to companies employing an estimated 30,000 migrant workers across a range of tournament projects. The welfare standards provide protections above those mandated under Qatar's labour laws, and the Supreme Committee has been a leader in industry-led responses to a range of labour exploitation practices, including the reimbursement to workers of illegal recruitment charges, quality worker accommodation, and complaints mechanisms.

Qatar registered its first case of COVID-19 on 8 March 2020 and started lockdown procedures roughly one week later, including quarantining part of the Industrial Area (from Street No.1 to Street No.32) on 17 March to May 6 2020.²⁸⁹ At the time of writing, the rate of infection was still rising rapidly and increased from 25,149 confirmed cases on 12 May 2020 to 132,556 cases on 31 October 2020. However, the number of confirmed deaths from the disease are extremely low, with just 232 registered as of 31 October 2020.²⁹⁰ Foreign nationals make up approximately 95 percent of its total labor force²⁹¹ and remittances sent home by migrant workers were the tenth largest in the world in 2017.²⁹²

289 "Industrial Area reopens; entry, exit regulated", Gulf Times, May 6, 2020, available online at: <https://www.gulf-times.com/story/662511/Industrial-Area-reopens-entry-exit-regulated>, accessed 30 October 2020.

290 Johns Hopkins University, COVID-19 Resource Centre, available at: <https://COVID-19.jhu.edu/map.html>, accessed 30 May 2020.

291 World Report 2020, Human Rights Watch, 2020, p. 467. available online at: https://www.hrw.org/sites/default/files/world_report_download/hrw_world_report_2020_0.pdf, accessed 1 November, 2020.

292 Migration and Remittances: Recent Developments and Outlook, World Bank Group, April 2019, available online at: <https://www.knomad.org/sites/default/files/2019-04/Migrationanddevelopmentbrief31.pdf>, accessed 1 November, 2020.

4.2 Loss of employment and income

I haven't received my salary since March. We do not get food allowance either. Now we have to wait on the charities to get food, and sometimes we collect enough money to buy some basic items to cook. Some nights I go to bed hungry. Our employer was also supposed to pay house rent but they do not pay it regularly. I came here to work for my family, not to be a beggar living on my own.²⁹³

AARUL, A CLEANER FROM BANGLADESH WORKING IN DOHA, QATAR

The Government of Qatar has stated that migrant workers who are in quarantine or undergoing treatment will receive their full salary from their employers. It has allocated 3 billion rials (\$824m) in loans to support companies to fulfil this obligation to their employees.²⁹⁴ However, evidence gathered for this research shows that companies large and small and across industries are not complying with this directive. Many migrant workers have no idea if, when or how much they will be paid by their employers. The non-payment of wages raises concerns about forced labour, as stipulated in Article 8 of the International Covenant on Civil and Political Rights, to which Qatar is a party. Qatar is also a party to the International Covenant on Economic and Social Rights, which codifies the right to just and favourable work conditions in Article 7. This right is implicated by the reduction of wages and unexpected delays of payment, together with inadequate food and housing provisions, currently happening on the ground. With limitations on the state's capacity to enforce rights protections and limited access to justice, many migrant workers are in an extremely vulnerable position with no real ability to assert their rights or seek remedy for violations. It is incumbent on the Qatar business community and its international partners to ensure compliance

with laws, policies and guidelines established by the state of Qatar to ensure workers receive their salaries, food allowance and other benefits, and other support during this period of pandemic.

Ashura, a mechanical engineer from Kenya working at Swan Global told Equidem, "I am now under quarantine and yet to receive my salary from March, several of my co-workers are facing the same challenges from this company."²⁹⁵ Mahesh, a Nepalese national, told Equidem that although the Qatar government had instructed companies to pay their workforce, government rules had not been implemented. He said, "The government says companies should pay their workers, even if they are in a lockdown. My company is silent about this. I haven't received anything yet since March when I stopped working."²⁹⁶

"We will not be able to take care of our family. We will not be able to buy their basic needs," said Hari Mohan, a mason at Manforce Trading and Contracting Co WLL, has not been paid since March. It is a very crucial time. They might need money for health care if something is to happen, and if it happens, I am afraid, I won't be able to send them money as I am not being paid."²⁹⁷ Kabita, cleaner employed by Italiano Hospitality and Cleaning in Doha told Equidem, "The last payment I received

was QAR 100 (\$25) as food allowance in February. When the manager told us that they could no longer pay us because our contract was cancelled by the client, I was devastated."²⁹⁸ Santosh, a Nepalese national working as a supervisor at Traffic Tech WLL said that employers were not paying workers and were not transparent about wage-related information despite the Qatar government allocating 3 billion rials in loans to support companies to fulfil the payment of wages to their employees. "My employer has said we will be able to get back to work after the lockdown ends, but we are not sure whether we will get the salary owed to us," he explained. "Whenever I ask the camp boss he says this is not his department. We never get to speak to the managers. I worry they won't give us the money owed to us."²⁹⁹

Based on the interviews conducted with workers in Qatar, it appears that there is considerable variation in how companies are responding to the crisis. Some companies are paying their employees full salaries, while others have terminated migrant workers' contracts or put them on unpaid leave, annual leave or on reduced hours. "My company is not paying workers adequately. Some workers are getting full basic salary, some are getting half, and some are not getting paid at all,"³⁰⁰ said Surendra, a scaffolder working from Nepal employed by Future Solutions. Bikash, a pipe fitter at Flying Trading and Contracting Co. WLL, mentioned a similar situation. "The company I work for has only paid half of the basic salary to its workers. It is not much but is better than not being paid. I have seen other fellow workers not being paid at all by their employers."³⁰¹

Workers in the hospitality sector have been particularly effected given drastic reductions

in international travel into Qatar due to the pandemic. "The hotel was paying only half of my salary till June. They reduced the salaries of housekeeping and security staff by 20%. However, the salaries of food and beverage staff was cut by 50%," said Ramesh, a Nepalese national working at Crowne Plaza Business Park Hotel. He added:

After June, the hotel kept me on an unpaid leave. Food and accommodation are being provided by the hotel. They have promised our job back once the hotel operates normally. For now, only a few of my friends are working for a few hours a day. The contract of those workers who were contracted through a third party has been terminated for the time being."³⁰² Another Nepalese national working as a cleaner at Crowne Plaza Business Park Hotel said, "I used to work two days a week before September 1. I have started working full time, six days a week, now. Around 80% staff who were on an unpaid leave are on duty now. The remaining 20% are on a long leave. The company has told them to go home. If the hotel's business does not go well until December, I am planning to go back to Nepal in January."³⁰³

A Nepalese national working at the InterContinental Doha said:

We were on an unpaid leave for a month in August. The hotel management notified the workers that they will be on an unpaid leave. I had already considered going back to Nepal since we were not getting paid. For 3 months before August, I did only 2-3 hours of duty. It was getting very hard for me to manage my expenses. I have a family in Nepal, my parents, my wife and two children. We were barely surviving with only enough money to buy food. Finally, I am now doing eight hours of duty per day. But there are only a few

293 Interview in Doha, Qatar, June 2020.

294 Letter from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020.

295 Interview in Doha, Qatar, April 2020.

296 Interview in Doha, Qatar, March 2020.

297 Interview in Doha, Qatar, March 2020

298 Interview in Doha, Qatar, May 2020.

299 Interview in Doha, Qatar, April 2020.

300 Interview in Doha, Qatar, April 2020

301 Interview in Doha, Qatar, April 2020

302 Interview in Doha, Qatar, June 2020.

303 Interview in Doha, Qatar, September 2020.

guests now. Many workers are still on an unpaid leave. Some workers who were planning to go back to their home, are stuck because flights were suspended.³⁰⁴

In response to Equidem's finding, InterContinental Hotels Group (IHG), which provides the franchise license to the Crowne Plaza Business Park Hotel and the InterContinental Doha but does not own or directly operate these businesses, sent the following response:

With respect to the points set out in your emails, we can confirm the following for the Crowne Plaza Doha – The Business Park and the InterContinental Doha:

- *Due to a significant drop in business and reduced operations, a number of employees have unfortunately had to be made redundant. All redundancies have been undertaken in accordance with Qatari labour law.*
- *Those employees who were made redundant have been allowed to remain in staff living accommodation with free food and medical assistance until they find new employment and/or decide to return to their home countries.*
- *Assistance has been provided to former employees to find new employment in Qatar. Where former employees have decided to return home, the hotel has funded the cost of repatriation.*
- *In order to preserve as many jobs as possible, a number of employees entered into unpaid leave agreements for limited periods of time, proportionate to departmental business needs.*

- *Employees' pay continued proportionate to the hours worked, including any applicable overtime and full benefits (including accommodation, meals and medical assistance) continued to be provided.*
- *Employees who could not work in their normal roles during this period due to the impact of the crisis and for whom alternative hotel work could not be found, were paid reduced salaries for limited periods of time. These salaries were considered sufficient to support living costs and full benefits (including accommodation, meals and medical assistance) continued to be provided.*
- *All unpaid leave/reduced salary agreements have now ended and therefore all employees are now subject to their normal working agreements.*³⁰⁵

The employers of the workers whose cases are documented in this report did not provide any further information about steps they had taken to address their situations.

According to a letter to Equidem from the Spokesperson for the Supreme Committee for Crisis Management, changes to the law since the pandemic give employers the right to terminate employment if the termination complies with Qatar's labour laws.³⁰⁶ This directive offers no protection for migrant domestic workers as Qatar Law No. 15 of 2017, which relates to domestic workers, allows employers to dismiss their domestic workers with no prior warning. While the Qatar authorities have permitted employers to lay off staff or put them on unpaid leave, it has specified that:

- *Employment contracts must be terminated in accordance with the Labour Law (e.g. complying with the notice period, paying outstanding benefits, etc.) and employers must provide*

workers with adequate food and housing free of charge, until the workers' repatriation procedures are secured at the employer's expense.

- *Employers should reach agreements with staff on taking unpaid leave, annual leave or on reduced hours and even then employers must continue to make available food and/or housing (or relevant allowances) free of charge to workers where these were previously provided.*³⁰⁷

In practice, migrant workers may not be able to negotiate with their employer about whether to take unpaid leave or not. With families to support in their countries of origin and debts to repay as part of the migration process, few migrant workers can afford to lose their jobs.

"I came to Nepal before the lockdown started. I am now on an unpaid leave. I do not have any other source of income," explained Jhanka, a Nepalese national working as a cleaner at Offroad Group WLL. He said that he and his colleagues were not able to negotiate with their employer about whether to take unpaid leave or not. "I am the only one earning in my family. I spent all of my savings before coming to Nepal. I did not expect something like this will happen. Everyone is worried. What do I do now? How do I pay for my children's school fees? How do I buy food?"³⁰⁸

A cleaner working with Italiano Hospitality and Cleaning in Doha told Equidem that she was made to sign a paper that said she was willing to be on unpaid leave.

The company manager told us to sign a document. He thrust the papers towards us and said, "if you don't sign this document, I will call the police and send you

*to jail." The document stated that due to COVID-19, the company's contract was terminated, and I am not working. It also said the company is providing accommodation so I have to agree to not get paid a salary and will not contest this in any legal way.*³⁰⁹

Pooja, a Nepalese national working as a Customer Service Assistant at Hamad International Airport said 30% of workers, an estimated three to five hundred women and men, lost their job. This includes her husband who worked in for Qatar Airways' customer service department: The company told him they could no longer keep all the employees because all planes were grounded. Our family is not financially strong. We have a lot of responsibility. We had to take a huge loan just after we came to Qatar to pay for my father-in-law's surgery. We have not paid even half of the loan yet. Now they are ending my husband's contract.³¹⁰

Aasif, an Indian national who works as a driver at Super Limousine Service, said he is paid per task and does not receive a basic salary. When the lockdown was announced in March 2020, his employer stopped paying him. "I do not have a job anymore. I am neither getting money nor allowances from company. I will get paid only when I am running my car because I used to drive my own car for work," he told Equidem at the height of the lockdown in April. "The situation here is very bad. I am unable to go out due to this lockdown and Covid-19 situation. I have not got money for my expenses. I have not been able to send money to my family for months."³¹¹

"The company does not pay workers like me who are on leave. I cannot buy basic needs like food, toiletries, nothing because the company

304 Interview in Doha, Qatar, September 2020.

305 Letter from InterContinental Hotel Group to Equidem, November 9, 2020. The full letter is available on Equidem's website here: [OPTIMA TO UPLOAD LETTER AND PROVIDE URL].

306 Letter from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020

307 Ministry of Administrative Development, Labour and Social Affairs, "Regulating the contractual relationship during the current crisis", 15 April 2020, available at: <https://www.adlsa.gov.qa/en/news/Pages/news150402020.aspx>, accessed 30 May 2020.

308 Interview in Doha, Qatar, March 2020.

309 Interview in Doha, Qatar, May 2020.

310 Interview in Doha, Qatar, May 2020.

311 Interview in Doha, Qatar, May 2020.

hasn't paid us and we cannot leave the camp,"³¹² said Kishor, a scaffolder from Nepal working for Pigeon Engineering Projects, a construction sub-contractor that, according to the company's website, has worked on a number of World Cup 2022 stadium construction sites.³¹³ He has not been paid since the start of the lockdown in March 2020 and, as of October 30, 2020, has remained on unpaid leave.

Equidem shared its findings with Pigeon Engineering Projects. In October 2020, the company responded saying it had paid all workers unpaid wages up to August 31, 2020. The company further said:

During the entire pandemic period, we had ensured that our employees received good food, face mask, hand gloves, sanitizers, temperature gun for daily health monitoring and the accommodation is frequently sanitized. We have been circulating awareness messages issued by the Ministry of Public Health and WHO to discourage social gathering, crowd in mess hall and assembly areas and stopped practice of leaving the accommodation premises without any valid reason.

The world is going through stress due to the COVID-19 Pandemic, and our employees cannot be an exception to it. Pigeon understands that migrant workers are more vulnerable to such situations as they are away from home and this situation created panic here and in their home countries as well. Thus, to minimize its effect, we provided support and counseling (sic) to the employees. We motivated them to follow the safety instructions and share their knowledge about COVID-19 with their relatives back in home. We provided financial advance payments to the needful, took everyone's body temperature regularly, prepared isolation rooms for the suspected and normal sick employees. For the employees under quarantine, we

provided them free recharge cards to communicate with their family back home.

Most of the vacation requests could not be entertained owing to restricted flights and safety procedures specified by the regulatory authorities in the home country of employees. Immediately after flights resumed, we have started sending employees on vacation so the stress level comes down and everybody stays hopeful and positive about their departure from Qatar.

We also have been raising awareness amongst the workers about mental health and stress management through notice boards, flyers and prep-talks in the construction sites and during bus boarding. We are grateful to the government of Qatar for showing such robust resistance, containment plans and initiative, quick circulation of information, extensive awareness programs and medical tests, free quarantine facilities, free sanitization of accommodation and streets, voluntary awareness campaigns, and PPE, food and other material distributed during the pandemic. We also have benefited from the loan program of QDB, National Response Guarantee Program, from Qatar government which finances salary payment to employees and lease rent payments for 6 months to help companies to mitigate financial crisis during this pandemic.

Equidem wrote to the Supreme Committee of Legacy and Delivery about the cases documented involving companies on Qatar 2022 projects. The Supreme Committee sent Equidem a response noting:

With regard to the specific companies mentioned in your letter, we note the following:

Pigeon Engineering - Through our audits and inspections mechanism, the SC identified the issue of non-payment by this contractor. The SC raised this

issue with the contractor and all outstanding salaries were settled by early August 2020. There are currently no outstanding salaries for SC workers. During this process, the contractor also paid full salaries to non-SC workers who were not working during the onset of COVID-19 (i.e. March and April 2020).

Rise and Shine – There is no record of Rise and Shine ever working on Al Bayt stadium. The SC has received several requests recently from the contractor to mobilise on various SC projects, but they were rejected due to critical non-compliances with Qatar's Labour Law and our WW Standards.

The Supreme Committee letter further added:

The SC constantly engages with all our contractors, and handles every issue related to salaries on a case-by-case basis. Our audits show that less than five percent of the SC workforce have been affected by salary delays of a month or more since March 2020. We have proactively worked with contractors to rectify instances of non-payment through the options available to us, including:

Payment suspension and direct payment to workers by main contractor – based on the SC's intervention and direct instruction, some main contractors made direct payments to affected workers from the defaulting subcontractors. In the case of one contractor, this arrangement continued for at least six months, until the sub-contractor's financial situation improved.

Reporting to Ministry of Administrative Development, Labour and Social Affairs (MoADLSA) – the SC has reported non-compliant contractors to MoADLSA. In the majority of instances, MoADLSA has taken punitive action that included issuance of warnings to defaulting contractors, placing an administrative block on their activities, and other stringent measures on a case-by-case basis.

Watchlisting/blacklisting – where non-compliance persisted, we placed offending contractors on our watch-list / blacklist prohibiting mobilisation on any SC site until sufficient evidence of satisfactory

rectification was demonstrated.

Through the aforementioned rectification measures, the SC was able to address and rectify all the salary delay issues within the same quarter.

In relation to the impact of COVID-19 on migrant workers and responses to it, the Supreme Committee noted:

COVID-19 presented an unexpected challenge for the SC. Our proactive strategy enabled us to manage the spread of COVID-19 on SC projects. The first positive test on our sites occurred six weeks after the first reported case in Qatar. A dedicated COVID-19 inspection task-force was established and continues to operate. High-risk workers identified by the SC (workers with pre-existing chronic conditions and those aged above 55) were promptly demobilised temporarily and relocated to a separate accommodation to ensure their health and well-being. They continue to receive their salaries, benefits and accommodation.

During the peak of the pandemic, the SC (with the guidance and approval of the Ministry of Public Health (MoPH) introduced a dedicated 1000-bed capacity isolation facility for treating workers infected with COVID-19. We engage twice a week with all workers that test positive to monitor their situation and ensure their well-being.

The SC also worked closely with specialists at MoPH and the Mental Health Service of Hamad Medical Corporation to develop a mental health awareness campaign designed for workers. The campaign focuses on key areas of concern for any person during such times, including general well-being, depression, anxiety, managing quarantine and social distancing, and the importance of physical activity. The content is translated to eight languages and was shared with over 18,000 SC workers via SMS. We also coordinated with 15 embassies to assist with distribution to workers. As part of this campaign the SC also contributed to the development of an app that to date has over 203,000 downloads.

312 Interview in Doha, Qatar, March 2020.

313 Pigeon Engineering Projects is providing manpower support for R.C.C. Structure Complete at Al Bayt Stadium Project, Al Rayyan Stadium & Preceint and Al Wakrah Stadium. It is a sub-contractor for Block Installation & Plastering Works at Al Rayyan Stadium and Precinct Project. See <http://www.pigeoneng.com/projects/>

Because there is no path to naturalisation and citizenship for low-wage migrant workers in Qatar, even workers who have spent their entire adult lives have had to return to their country of origin. “I worked in this company for eighteen years, but as soon as the lockdown started, they forced me to go back home,” said Kumar, an Indian national who was employed as a shuttering worker at Al Darwish Engineering WLL. “My two months’ salary (April and May 2020) was still pending,” Kumar said he was fired without receiving his final salary and benefits. The company told him to contact them two months later, after he had returned to India, to arrange payment of his remaining salary and benefits. However, despite multiple phone calls to Al Darwish Engineering from India, Kumar said the company had yet to pay him. “They don’t even pick up the phone anymore. They tell us to find another job.” According to Kumar and other workers interviewed by Equidem, up to two thousand workers employed by Al Darwish Engineering had their employment terminated. The workers were only notified of termination the day it occurred, in violation of Qatar law requiring a minimum 30 days³¹⁴ notice period. Most did not get their salary and end of service settlement either.³¹⁵ “Some workers were sent back home, and some are still with the company,” said Suhaan, another Al Darwish worker. “We were all worried about what was going to happen next. None of us wanted to lose our job. But once the company made its decision, there was nothing we could say or do to save our job.” Suhaan was one of the employees who was fortunate enough to return to work after a few months of lockdown. “. Now since the work is back on, I am finally getting paid.”³¹⁶ Equidem wrote to the company about these claims in August

2020 but as of November 13th, 2020, did not receive a response.

Like Al Darwish Engineering, workers from Al Mukhtar Contracting & Trading Co. WLL, another labour supply company, said their employer terminated the employment of hundreds of workers who were sent back to their country of origin without receiving their final salaries or end of service entitlement. “The company stopped paying our salary after the lockdown started. My boss said the company was losing money and could not afford to pay our salary. I did not even get an end of service settlement,” said Chetan, an Indian national working as a carpenter at Al Mukhtar Contracting & Trading. “There were twenty five other workers with me when I got fired. There are hundreds of us who haven’t received any payment from the company. We all returned to our home (countries). We had to buy our own plane tickets.”³¹⁷

Some workers simply could not return home because their employer would not cover the cost of an airfare to their country of origin. “I’ve been working with this company since 2016. I got fired five months ago because of the lockdown,” said Karan, a duct installer with Spring International Trading and Contracting WLL. “The company said it was going into closure. I am in a lot of financial trouble. I’ve spent all my savings to pay the rent. I had to move to a charity organisation, who is giving me a place to stay for free. I cannot go back to India because I don’t have a single riyal left to pay for an airfare and I’ve still to get my end of service settlement.”³¹⁸

314 Section 18, Labour Act No. 3 of 1962. Available online at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/49369/65107/e87qat01.htm#c2> accessed on Nov 13, 2020.

315 Interview in Doha, Qatar, July 2020

316 Interview in Doha, Qatar, June 2020.

317 Interview in Doha, Qatar, July 2020

318 Interview in Doha, Qatar, July 2020



Rise and Shine Group Qatar workers at the Al Bayt Stadium construction site, a Qatar 2022 FIFA World Cup project. © Equidem 2020.

Rise and Shine Group Qatar – the story of an abusive Qatar 2022 sub-contractor

Rifat, a Bangladeshi national working at Rise and Shine Group Qatar said that workers at the company were subjected to physical abuse by the hands of their employer. He said, “Often, we face many problems. Sometimes, employers show bad attitude, sometimes they physically assault the workers for small mistakes too. Once, they beat a worker and he was bleeding. But they did not take him to hospital. Then we protested and told them if they do not take him to hospital we will not work. Then they took him to hospital. And gave him two-day rest. But they deducted his two-day salary. Our embassy people also do not bother about us.”³¹⁹

Another Rise and Shine Group employee, Kareem, shared his experience of physical abuse at the company. He said, “The company’s behavior towards the workers was very bad. They don’t give proper overtime payments. If I get sick, they deduct my salary for the days of rest. There was no way to talk to the managers directly. We had to talk to the agent (who recruited them in Qatar) if anything happened. In March 26 during the lockdown, I caught high fever. One of my co-workers went to the manager to tell them I was ill, but nobody came to see me for two days. Then I myself went to the manager’s office. They scolded at me saying

319 Interview in Doha, Qatar, July 2020.

320 Interview in Doha, Qatar, July 2020.



‘why did you come here?’. I didn’t understand their language. Then someone caught my hand and tried to drag me out of the office. I said I was sick and asked them to call a doctor or inform the agent. They said they cannot do anything. Moreover, someone slapped me. Then other people started beating me. One of them hit me on the head with a stick. Another worker came and saved me, my head was bleeding. Then the Bangladeshi workers protested that if they do not send me to hospital nobody will work. Only after that the company took me to hospital. I was there for two days. When I got back to my camp they (managers) said I don’t have to work. They will only allow me to work after discussing it with the agent. But nobody came there for two weeks. I would stay at the camp, but I had no work. Then the agent came later and told me that the managers will not keep me in the workplace. They deducted two-days of salary, the days I was in hospital.”³²⁰

Rifat, a construction worker employed by Rise and Shine Group, a Qatar 2022 sub-contractor, said that his friend who was infected with COVID-19 was not isolated and was taken to the hospital four days after testing positive:

My friend Kareem had high fever for four days. We informed the company about his health but he remained in our camp and was not isolated. He was taken to hospital only after four days. He died at a hospital while undergoing treatment. Our

camp boss told us that he was diabetic and had breathing complications that caused his death. In our camp a total 9 people showed COVID-19 like symptoms, but they did not get any treatment. They were not even isolated. The company has not designated any area for isolation and quarantine. They said, "you have only mild symptoms of COVID-19, take rest here, nothing will happen." There was a clear negligence on the part of the employers.³²¹

Employers not providing food and shelter

The Qatar government has stated that it is distributing food, drinks, masks and hand sanitizers to residents of the Industrial Area on a daily basis.³²² However, worker after worker told Equidem that they were unable to access sufficient food because their employer was ignoring the Government's directive that they must continue to provide workers with food and housing until they are repatriated. For example, a Filipino beautician who had been in Qatar for two months was dismissed and received just half a month's pay and no further support. She told Equidem:

My boss says he has no money. How about my family in the Philippines? They need my money ... How will I get food? There is no one to help us. Even my boss is not giving [food].³²³

Shekhar, who works at a café in Al Wakrah, said that he was left homeless after his employer evicted him and other employees from their accommodation:

The owner informed us that the café is going to be

closed permanently. We told the recruitment agent in Doha and asked them either to find us another job or arrange for us to go home. By then, the flights were already stopped (because of the pandemic). The recruiter suggested we wait until they find another job for us. One day in the morning, it was Friday, we were told to vacate out our accommodation and left homeless.³²⁴

"It has been almost 52 days since I came to Qatar, but I have not received my salary yet, nor got any allowance to pay for food," said Shankar, a painter from India working for a company in Doha he said employs four to five thousand people, all men from South and South East Asia. "Not only me, all of my colleagues are struggling with this problem, they are not getting salary or any food allowance. People are upset with the problem of food but have not received any help from the company or the government."³²⁵

These are not isolated examples, as illustrated by other workers interviewed by Equidem. Jack, a security guard from Kenya spoke about his experience during the three month period of lockdown in the Industrial Area of Doha:

There was a total lockdown in the labour camps, all the staff were barred from leaving except on medical grounds. We got food rations provided irregularly by the camp authorities and security personnel. The meals were provided irregularly, and from 17 March (when the government announced the lockdown) we had to make do with minimal rations. On Sunday the 22 March 2020 we didn't get breakfast and lunch, we were only provided supper. On such days when the meals are not adequate we normally would share among ourselves the supplies that one individual has

in store. Even now with the lockdown ended, I've become used to always being hungry. But you know I'm one of the lucky ones because I still have work. When you're busy you don't think about it much. When you're stuck in the camp it is very frustrating.³²⁶

"I informed the manager that I had quit the job and was staying at the company's accommodation camp. He got angry at me saying he had to keep paying my rent," said Sharmila, a Nepalese national working at Moustafa Mohmoud Service Contracting and Hospitality, a small hospitality labour supply company. Sharmila was subjected to emotional and verbal abuse at the camp because she dared to quit her job because of poor working conditions. She remains at the camp because, in line with Qatar government requirements, her former employer is providing her with accommodation. However, Sharmila is constantly harassed she believes because her former employers are trying to evict her from the camp. "I am being subjected to mental and verbal abuse at the camp. The camp boss comes in everyday, scolds me, and says things like "when will you go? go home, go back to Nepal, don't stay here," she said. "I rely completely on other people at the camp for food. I have no money to get food on my own. It is bad enough to lose your job and be penniless in a foreign country, being subjected to such kind of harassment every day is frustrating. He knows I am jobless and do not have anywhere else to go."³²⁷

A group of Nepalese domestic workers who worked in private homes during the day and returned to their own rooms at night, were also left destitute after they refused to move in with the families they worked for after the outbreak of COVID-19. "The company cancelled our contracts because we didn't want to stay with the families," one of the women told Equidem. "My boss made us sign a paper, it said we agree to terminate our salaries

right away. She said we would get our final pay and benefits but since early March we've only received 100 rial (\$27). After the company terminated us we were told to leave the camp, now we have nowhere to live."

There is also considerable concern over what will happen to migrant workers once the lockdown is lifted. For example, Manoj who works as a security guard was told by his employer that he will only be paid for the days he works and that when work resumes, his salary would be reduced by twenty percent. He told Equidem that his colleagues had been told the same thing.³²⁸

I am willing to work 18 hours a day, I cannot afford to lose my job

With thousands of workers having contracts terminated or being placed on unpaid leave, migrant workers who continue to work risk exploitation from employers because of the scarcity of paid employment opportunities. Raghav, an Indian national working as a delivery driver at DHL Qatar, said he had to work for up to 18 hours a day without being paid for overtime duty hours because of fear of losing his job. He said:

Since the lockdown has been lifted, my workload has increased massively, and I have to work for more than 18 hours a day. I do not even get a single minute's rest. The company is not paying for the overtime duty hours. I have heard a lot about people getting terminated from their job in other companies. I am afraid this will happen to me as well. I have a family to take care of at home. I am willing to work 18 hours a day, I cannot afford to lose my job.³²⁹

321 Interview in Doha, Qatar, July 2020.

322 Letter from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020.

323 Pete Pattison and Roshan Sedhai, "Qatar's migrant workers beg for food as COVID-19 infections rise", *The Guardian*, 7 May 2020, available at: <https://www.theguardian.com/global-development/2020/may/07/qatars-migrant-workers-beg-for-food-as-covid-19-infections-rise>, accessed 30 May 2020.

324 Interview in Doha, Qatar, April 2020.

325 Interview in Doha, Qatar, April 2020

326 Interview in Doha, Qatar, March 2020

327 Interview in Doha, Qatar, May 2020

328 Interview in Doha, Qatar, May 2020.

329 Interview in Doha, Qatar, August 2020.

4.3 Measures to protect the health of migrant workers

Since the beginning of April 2020, the Government of Qatar has issued directives that require companies to take a range of measures to ensure social distancing and protect the health and safety of all workers. These include:

- Staggering the entry and exit of workers to and from their workplaces;
- Reducing work hours to six hours daily;
- Limiting bus capacity to a maximum of 50%;
- Increasing the frequency of cleaning and sanitizing procedures;
- Ensuring masks and hand sanitizers are available at workplaces;
- Limiting the number of people accommodated in one room to four and ensuring that there is a minimum of six square metres per worker.³³⁰

As of 30 October 2020, the Government also made it mandatory for all those leaving their homes to wear a face mask, unless alone whilst driving or exercising.³³¹

The Qatar Government has stated that the Labor Inspection Department will monitor employers' compliance with the regulations it has put in place to reduce the spread of COVID-19 and that those found not to be following the regulations will face penalties. To support its enforcement efforts, the Government set up a dedicated hotline to receive reports of any violations of its

workplace or accommodation directives. Workers can also submit any labour related complaint via text message through the labour complaints service, which is available 24 hours a day in several languages.³³² Between 15 March and 18 April 2020, there were 11,419 calls to the hotline and 3,404 workers made complaints. According to the Government 86% of these complaints were resolved.³³³

These measures should help protect workers and mitigate the spread of the COVID-19. However, the number of calls and complaints made by workers to the hotline are likely to underestimate the scale of non-compliance with government directives. This is because many workers will not be aware of the service (as noted in 'Section 2.5 Access to information' below) and others will be reluctant to use it for fear of losing their jobs. Migrant workers' concerns that reprisals will be taken against them if they make a complaint against their employer are not without foundation. For example, one worker noted that around 30 of his co-workers were given warning letters by their employer because they requested the implementation of the six-hour working shift, as stipulated by the Government.³³⁴ Some migrant workers may have well-founded reservations about the effectiveness of the complaints procedure.

As with its provisions relating to employers' obligations relating to the provision of salaries, food and accommodation, there appears to be

a significant number of companies that are not implementing these procedures. The women and men who spoke to Equidem, often in situations of significant distress and fear of reprisal, repeatedly reported that their employers were failing to take even the most basic preventative measures to reduce COVID-19 infection rates in their workplaces. "I do not feel safe at the company. There are over 2,000 workers working at the company," said, Agni, a Nepalese national working for Scientific and Technical Services. He added:

*I feel like the chances of being infected here at work are more than at the camp. The camp is similar in terms of number of people, but you have at least the choice to avoid human interaction at the camp. We sleep four to a room but during the day there are some spaces outside to keep away from others. What makes it worse is the company has not provided any safety kits like masks, hand wash or sanitizers to its workers.*³³⁵

"The worst is food handling," said Silas, a security and occupational safety consultant, said that his employer was ignoring even basic health and hygiene measures. "Self-service is still the practice thus the risk of virus spread is real. In my camp alone, all 550 employees have to use one spoon per dish to get servings of food."³³⁶ Sagar, a Nepal national working as civil and decoration department at New Vision Construction, said his employer had failed to provide workers with masks or implement social distancing rules. He said, "Workers here are scared for their health. There are about 400 workers at my company. The company has not taken any steps to ensure the safety of workers in the pandemic. There is no distancing, and we don't have any protective equipment."³³⁷

Balj, an Indian national working as a civil contractor at Scientific and Technical Services Co. WLL, was concerned about inadequate preventive measures from his employer to stop the spread of infection. "There are health check-up booths at the work site, said Balj, "But the company has not taken any preventive measures to help halt spreading COVID-19 like providing face masks, gloves or hand sanitizer. I try to be careful but always I'm worried about getting infected."³³⁸

Manish, a Nepalese national working as a labourer at Imar Trading and Contracting, said that his employer had failed to take even the most basic preventative measures to reduce COVID-19 infection at their workplaces. He told Equidem, "The company has not given us workers the basic essentials such as masks and hand sanitizers. It is an essential tool to prevent spreading the infection."³³⁹ Andres, a Philippines national working as electromechanical contractor at Vector Electromechanical Company, said, "Our employer has not provided us with any hand sanitizers, mask or gloves."³⁴⁰ A Nepalese national working as painter, decorator at New Vision Construction, said, "My company has not done anything to ensure the safety of its workers. It has not even provided basic things like safety information or protective equipment to us."³⁴¹ Rifat, a Bangladeshi national working as a construction worker at Rise and Shine Group Qatar said, "After the works resumed, they (manager/ employer) provided us with masks for the first two/ three days. Later they asked us to manage masks on our own. We replied how could we manage that. We are not even allowed to go to the market. They said, 'if needed, use your cloths to cover your face'. They do not even provide sanitizers or soap

330 Letter from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020. See also The Ministry of Administrative Development, Labor and Social Affairs, *Policy regarding the measures that companies should take to protect workers and mitigate the spread of COVID-19 in the workplace and accommodation*.

331 "Precautions guidelines for lifting of covid-19 restrictions:Phase-4", Ministry of Public Health, Qatar, September 2020, available online at: <https://covid19.moph.gov.qa/EN/Documents/PDFs/ENG%20PHASE%20IV.pdf>.

332 Ministry of Administrative Development, Labour and Social Affairs, Regulating the contractual relationship during the current crisis, 15 April 2020, available at: <https://www.adlsa.gov.qa/en/news/Pages/news150402020.aspx>, accessed 30 May 2020.

333 "The Ministry monitors labour complaints statistics received through March and April", Ministry of Administrative Development, Labour & Social Affairs, Qatar. See: <https://www.adlsa.gov.qa/en/news/Pages/news1942020.aspx>

334 Interview in Doha, Qatar, April 2020.

335 Interview in Doha, Qatar, March 2020.

336 Interview in Doha, Qatar, April 2020

337 Interview in Doha, Qatar, March 2020.

338 Interview in Doha, Qatar, March 2020

339 Interview in Doha, Qatar, March 2020.

340 Interview in Doha, Qatar, March 2020.

341 Interview in Doha, Qatar, March 2020.

at the workplace. Now we do not have masks or gloves. We use cotton towels to cover our face. The manager said, 'it is good enough'.³⁴²

However, some workers noted that the Qatar authorities had been conducting inspections to ensure company compliance with guidelines for the prevention of COVID-19 infection. For example, Manoj, told Equidem that his employer initially refused to provide them with masks and only started to do so after an inspection was carried out by state authorities.³⁴³

Testimonies from migrant workers also show that some businesses are continuing to accommodate as many as twenty people in one room despite the government regulation that stipulates that no more than four people can be housed together.³⁴⁴ In one of several instances documented by Equidem, a worker recalled his experience under quarantine during the lockdown period that started in the Industrial Area of Doha in March 2020:

*We were stuck at the camp throughout the lockdown. We could only go to the next-door room. We were not permitted to go outside the camp. There are 12 rooms in total, where 400 workers are living. In our room, there were 20 people including me.*³⁴⁵

A Nepalese National working as a labourer at Doha Mountain Trading & Contracting WLL, said his employer was accommodating as many as eight people in one room despite government regulation that stipulates that no more than four people can be housed together. He told Equidem:

*It is not physically possible to maintain social distancing because there are eight people in my room alone. And more than 1,000 people live in the camp in which I live. There are eight people inside one room, due to which there is a lot of difficulty in cooking, eating, living and sleeping.*³⁴⁶

A Nepalese national working as electrician at Gulf Industrial and Marine Services Co. told Equidem, "We are six people staying in same room. I try to avoid physical contact as much as possible. We all use masks inside the room as well. Sometimes we walk up to the roof to get fresh air. It helps break the monotony of the day."³⁴⁷

Suraj, who works as a cleaner at Puro Cleaning Services, said he was concerned about sharing his room with five other workers. He told Equidem that, "The workers are at risk of infection. It is difficult not to when there are at least five people in the same room. We interact with thousands of people each day, both in the health care centre and the camp."³⁴⁸

Kumar, a shuttering worker for the construction company Al Darwish Engineering, said that his camp accommodated four to five thousand people making it impossible to adequately implement social distancing procedures. He told Equidem:

*The situation is very bad here. There is no space to social distance. My friends said that there are 8-10 people in each room right now. There is a line to go to toilets to baths and wash clothes. The food is available from the canteen, which is always crowded, and there is no proper sanitation there.*³⁴⁹

Another worker employed by Al Darwish Engineering, Suhaan, said:

*There are about four thousand people living in this camp. When the lockdown first started, the situation here was very bad. No one followed any social distancing. There were 8-10 people in a room. There are toilets, bathrooms and laundry in one place. It was always crowded. The dining area too was very crowded. The number of people has significantly decreased now since the company fired more than thousand workers.*³⁵⁰

Pradeep, a welder from Nepal working for Techno Blue WLL, said that even where the number of people sharing a room is limited to four, it had limited effectiveness in preventing people from infecting each other. "It is impossible to keep a distance from one another because there are four people in my room and the room is not a big one."³⁵¹

A Bangladeshi national working as a construction worker on a Qatar 2022 FIFA World Cup construction site for Rise and Shine Group said, "112 workers are living in 3 rooms. How do I move around and maintain social distancing?"³⁵² Once word of poor experiences in quarantine facilities reaches other workers they may be reluctant to report symptoms that may indicate infection

with COVID-19. "Those who are infected again do not want to tell the company," one worker told Equidem. "The main reason behind that is their previous experience in the quarantine centre. Instead, they would rather sit in their room and eat paracetamol tablets."³⁵³

Similarly, interviews with migrant workers indicate that some businesses are not implementing the Government's directives on reduced work hours and running buses at 50% of their normal capacity. Silas, spoke for many who were interviewed by Equidem, when describing the anxiety of living, travelling and working under the constant risk of infection:

*Social distancing is a big challenge and is not being observed especially in company buses - we are all sitting next to each other like before. Yet there are guidelines from government on the same that aren't being enforced. Every day I travel to work I wonder will it be my last, will I die of COVID-19 today?... Workers are still working for long hours despite a government directive about a six-hour shift.*³⁵⁴

Rise and Shine Group workers are housed in crowded and unsanitary accommodation camps in the outskirts of Doha, Qatar where social distancing is impossible. © Equidem 2020.



342 Interview in Doha, Qatar, July 2020

343 Interview in Doha, Qatar, May 2020.

344 The 2005 Minister of Civil Service Affairs and Housing Decree No. 17 states that workers in permanent accommodation should only sleep four to a room and each worker should have four square metres of their own space in their bedroom. Minister of Civil Service Affairs and Housing Decree 17 of 2005.

345 Interview in Doha, Qatar, July 2020.

346 Interview in Doha, Qatar, April 2020.

347 Interview in Doha, Qatar, April 2020.

348 Interview in Doha, Qatar, March 2020.

349 Interview in Doha, Qatar, July 2020.

350 Interview in Doha, Qatar, June 2020.

351 Interview in Doha, Qatar, May 2020.

352 Interview in Doha, Qatar, July 2020.

353 Interview in Doha, Qatar, July 2020.

354 Interview in Doha, Qatar, April 2020.

4.4 Access to health care

The Qatar government has committed to providing free health care services and treatment to all individuals infected with COVID-19 regardless of their immigration status. It has stated that:

Those who do not have valid working visas and are illegal in the country are also being treated free of charge without penalty. Hence, all workers, quarantined or otherwise, are provided with free testing with appropriate medical treatment, and undocumented workers can seek medical treatment without fear of detention.³⁵⁵

While medical treatment may be available free of charge, some migrant workers are not aware of this or how they can access testing or care. “There is no system of treatment of workers in my company, the workers here still pay for medical treatment with their own money,” explained Shankar:

The company does not pay for the treatment. That is why I and other workers pay for medical treatment with our own money. None of us have yet contracted COVID-19, but I am very fearful of it (because) we do not have medical cards (to access the public health system). I don't know how to get free testing or register for a medical card.³⁵⁶

Kashi, a construction worker, said he was aware that medical treatment was available for migrant workers free of charge, yet he had no idea how to access testing centres or seek medical care. “I have absolutely no idea how to access health care and services, who to contact for information or help, and how we will be taken care of,” Kashi said.³⁵⁷ Yet even in situations where companies provided health services at work and accommodation sites, workers who spoke to Equidem complained about

the challenges in accessing medical care even after contracting the virus. For example, Ashit, a construction worker employed by Bojamhoor Trading & Contracting, recalled the time that some of his co-workers were infected with COVID-19. Even though the company had a doctor on-call on the company premises, he rarely visited the infected workers. According to Ashit, the workers were never taken to a hospital:

I got terminated from my job on June 22. Until that day, 22 workers were confirmed to be COVID-19 positive. They were kept in a room at the end of the compound. None of them were sent to the hospital. The camp's permanent doctor would come to visit them sometimes only. Neither camp manager, nor anybody from the company came to see their condition.³⁵⁸



Some workers said they were reluctant to visit a hospital or see a doctor because their employer would deduct that day's pay from their salary as unpaid sick leave, a common practice in Qatar. For example, Kumar, a shuttering worker with the Qatar 2022 sub-contractor Al Darwish Engineering, told Equidem:

Most of us never go to the hospital. If we get sick and have to go to see a doctor, the company deducts that day's pay from our salary. That is a huge amount for us. Even if we do see a doctor, they will charge us for various tests, even though we have a medical card.³⁵⁹

Workers told Equidem they were also concerned about the time it takes to transfer women and men who tested positive to COVID-19 to quarantine facilities where they can be separated from other workers and access the medical services. Silas, who was employed by Altrad, said one of his colleagues was only quarantined 19 days after he tested positive for COVID-19:

The government says everyone who tests positive will be evacuated [to quarantine] immediately. This is a white lie, (in) my own accommodation today it has been five days yet those who tested positive haven't been picked for isolation yet! They are still going to work as usual possibly spreading the virus to other healthy workers.³⁶⁰

Feye was quarantined after presenting with COVID-19-like symptoms but he was later found to be suffering from the common flu. He spoke about a range of problems he faced, including the lack of regular communication with the doctors about his status; his inability to communicate with this family due to a lack of WiFi; and the insufficient segregation of different categories of patients at the quarantine facility where he was kept:

The washrooms were not as per expected standards because they are shared irrespective of COVID-19 status and whether one is asymptomatic or has manifested symptoms. This increases the likelihood of transmission of the virus.³⁶¹

Bishal, who works as a storekeeper in Doha, tested positive to COVID-19. He said he was quarantined

in a crowded treatment facility for 54 consecutive days. Bishal believes he was reinfected at the centre due to the lack of adequate quarantine:

They have tested me 10 times already. I will get discharged only if I test negative twice consecutively. I tested negative a couple of times, but I got re-infected. Everyone is talking about how we should maintain 'social distance'. We do not have enough space to do so. They had a separate building for people who tested negative. They could recover in the building. Due to the rise in number of cases, they have kept everyone together. I have to share room with new people. This increases my risk of getting re-infected. There are people who recovered in 14 days, whereas I have been here for 54 days. They should at least allocate separate places for people who test negative and positive.³⁶²

Some of the workers interviewed who had been infected by COVID-19 emphasized that while their experience of medical facilities in Qatar was good, the same could not be said for quarantine facilities. Aluf, for example, praised his experience of the medical facilities where he was treated immediately upon being tested for COVID-19. He was quickly transferred away from his company accommodation and isolated. Equidem interviewed him while he was in quarantine. He said:

Unfortunately, I cannot say the same thing for the quarantine area. I do not see any medical support here. The government says nurses make medical rounds every hour. It is not the case. It's been fifty days since I am in quarantine. They have added tents outside due to lack of space. It is physically impossible to maintain social distancing here. My flatmates are in quarantine. They were taken two weeks ago. To date, no one has come to check them.³⁶³

355 Letter from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020.

356 Interview in Doha, Qatar, April 2020.

357 Interview in Doha, Qatar, March 2020.

358 Interview in Doha, Qatar, July 2020.

359 Interview in Doha, Qatar, July 2020.

360 Interview in Doha, Qatar, April 2020.

361 Interview in Doha, Qatar, April 2020.

362 Interview in Doha, Qatar, May 2020.

363 Interview in Doha, Qatar, May 2020.

4.5 Overcrowded quarantine facilities – a recipe for disaster

Equidem spoke to workers who tested positive to COVID-19 about their experience in quarantine facilities. Raju spoke for many when he shared his experience of living in a cramped quarantine center after he was tested positive for COVID-19.

They took our swab test in the middle of the night. After taking our swab, we were transferred to Al-Shahaniya 9B, a camp set up by a company to house its workers. There were small villas in the camp. There were three people in one room. There was attached bathroom. I was tested on May 13. The report came on May 14. I was tested positive. They immediately transferred us from that camp to a tent in Umm Salal Ali at night. I only got to stay in the previous camp for 5 days. We were taken by Karwa Bus. We were let inside only after we were tested in the camp. I stayed up all night waiting for my turn. There were many buses lined up, carrying people to get tested. Only those who had a chronic illness, they were to be taken to Hamad Hospital. Those who have no other disease, except COVID-19, were kept in tents.

There were 1836 people from around 15-16 countries in a single tent. There were 918 beds. There were 8 tents in total. There was a single bed in the early

tents. As more people were added, double beds were added. All the tents were very crowded. Even though we were said to be kept in isolation, it was nothing like what isolation area should be. The beds were in close proximity with each other. People were always bumping into each other due to small space. The same thing happened during lunch hours. There was a huge line to get food every day. They used to provide breakfast from 6 am to 8 am. Those who went ahead would get food and those who were late, there would be nothing left for them. Lunch was at 12 pm to 2 pm. Dinner was served from 6-8 pm.

There was no water in the toilet. There was not enough water to bathe as well. When I could not take a bath in the morning, I used to get up at 12-1 at night and take a bath. I was scared for my health the whole time I was there. I wrapped my whole bed with plastic so that I would not catch other diseases in the camp. The sooner your report came negative, the sooner you could get out. But how can your report be negative when you are kept in such a crowded area with other infected people? I had to stay there for 27 days.³⁶⁴



Both women and men who tested positive to COVID-19 complained that the quarantine facilities for migrant workers where they were held were basic and crowded, making social distancing impossible. © Equidem 2020

364 Interview in Doha, Qatar, July 2020.

4.6 Access to information

Effective communication is an essential component of any programme to protect workers and prevent the spread of an infectious disease. The Government of Qatar has made significant efforts to ensure that migrant workers do have access to the appropriate information, including through:

- Distributing handouts in different languages: English, Arabic, Bengali, Urdu, Tagalog, Hindi, Nepali, Malayalam, and Sinhalese.
- A national campaign on social media and radio stations catering to migrant and domestic workers to inform them of their rights.
- A Whatsapp Business service that provides information on how to stay safe (available in Arabic, English, Hindi, Nepali and Malayalam).³⁶⁵
- Outlining the measures that companies should take to protect workers and mitigate the spread of COVID-19, including awareness raising.

Despite these measures, many interviewees did not feel well informed about COVID-19 or the best mechanisms for avoiding infection. Several underlined the failure of their employers to provide them with the relevant information. “We have not received any information regarding COVID-19 from the company,” said Prabhat, a construction worker in Doha.³⁶⁶ Kashi, a Nepalese national working as a labour supply worker for Domopan Qatar, was happy that medical treatment was available for migrant workers free of charge. But he had no idea how to access testing centres or seek medical care. “Our employer has not provided us with information about how one gets infected with

COVID nor how we can be protected from it nor the information about how we can get health care,” he said.³⁶⁷ Dhaakir, a Bangladeshi steel worker at Gulf Panel, said his company did not tell him anything about COVID-19 or how to mitigate against being infected by it. He told Equidem, “I am not sure if the company has even made a plan. They would have informed us if they had a plan. All they said to us was to stay in the camp and they will tell us when things get better.”³⁶⁸

Staff of Imar Trading and Contracting, a labour supply company, told Equidem that their employer had not provided any information about the virus. “No one has explained what COVID-19 is and how to reduce the risk of infection. I have got information on my own by searching the internet or through social media,” said Manish, a Nepalese national employed by Imar Trading and Contracting and working as a laundry cleaner.³⁶⁹

Suhaan, an Indian national working for the Qatar 2022 sub-contractor Al Darwish Engineering WLL who got infected with COVID-19 soon after the lockdown was announced in March 2022, said that his employer failed to provide even basic information about the virus. “The company did not provide us any information on how to avoid infection, what safety measures to take or what to do in case anyone is infected. I feel like the reason I got infected is due to the lack of information.”³⁷⁰

As migrant workers spend almost all their time at either their accommodation or workplace, these are the best places to communicate public health information about the virus. However,

365 Letter to Equidem from Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government’s actions to support and protect migrant workers from COVID-19, 7 May 2020.

366 Interview in Doha, Qatar, April 2020.

367 Interview in Doha, Qatar, March 2020.

368 Interview in Doha, Qatar, March 2020.

369 Interview in Doha, Qatar, March 2020.

370 Interview in Doha, Qatar, June 2020.

many employers are clearly not taking steps to ensure that the relevant information is available to workers in these locations, despite being directed to do so by the Ministry of Administrative Development, Labor and Social Affairs. While many migrant workers will be able to access information online, others will not have access to free WiFi and this will limit their ability to do so. The Government has pointed out that there are facilities in different parts of the country, including the Industrial Area, that are equipped with free WiFi services which can be used by migrant workers.³⁷¹ However, not all migrant workers have access to these facilities where they live or work and cannot travel during lockdown to other locations where they could access them.

For example, Feye spent three weeks in quarantine during which he was not able to leave the building and had no access to WiFi.³⁷² In these circumstances, migrant workers will prioritize using their mobile data for staying in touch with their families rather than searching for information

about COVID-19 online:

*I don't have easily accessible communication with my immediate family due to lack of data/WiFi. This is further complicated by the restrictions of visits and movement. Before the lockdown there was free WiFi but now without it I feel like I'm in a cage. It is so hard to speak to my friends or call my family back home and see my children.*³⁷³

Other workers also complained about being cut off from their families and information due to a lack of ready access to communication facilities. For the thousands of workers facing the pandemic in isolation and on reduced or no salaries this adds a further financial burden of having to pay to use mobile credit to keep in touch with the outside world. As Raju, a Nepalese construction worker, told Equidem, "We do not have WiFi connected in the camp. I use mobile data to connect with my family. It is expensive compared to WiFi, but we have no other option."³⁷⁴

4.7 The psychosocial impact on migrant workers

Every worker, whether they've tested COVID positive or not is in a high level of stress. But there is no emotional support even to those who are in isolation.³⁷⁵

SILAS, A SECURITY AND OCCUPATIONAL SAFETY CONSULTANT IN DOHA

Just like everyone else, migrant workers worry about catching COVID-19 and the impact it might have on them and their loved ones. However, their concerns are intensified by their financial insecurity and their separation from families and other support networks that they could have relied on if they got sick at home.

Raju, a Nepalese national working as a driver at Gulf Warehousing Company QPSC said he was terrified of COVID-19:

371 Letter to Equidem From Lolwah Rashid Al-Khater, Spokesperson for the Supreme Committee for Crisis Management, outlining the Qatar Government's actions to support and protect migrant workers from COVID-19, 7 May 2020.

372 Interview in Doha, Qatar, May 2020.

373 Interview in Doha, Qatar, April 2020.

374 Interview in Doha, Qatar, April 2020.

375 Interview in Doha, Qatar, April 2020.

*I had COVID-19 like symptoms when I was at the camp. I was terrified of COVID-19. We had the misleading information that people would die as soon as they got infected with corona. Rumours of many deaths across Italy were circulating on Facebook. It had made me anxious. I was struggling to breathe. It was like the same difficulty one would get after hours of crying non-stop. Really I thought that I would die. It felt as if I would return to Nepal only in a casket. None of us had thought we would recover. We used to console ourselves in the camp.*³⁷⁶

Other workers told Equidem that they had similar anxieties about the virus. Pradeep, a Nepalese national working as welder at Techno Blue WLL, said he was worried about his health and the risk of infection. "Yes, it worries me a lot [the risk of infection]. What if I die here? Will they send me back in a basic coffin for my wife to receive at the airport [in Kathmandu]? I am always worried and never relaxed."³⁷⁷ Some workers simply struggled to continue working because of fears of infection, the risk of death it entailed, and the financial and emotional impacts this would have for their families back home. "We are in a lot of mental stress because we are not at our home in this pandemic and very scared of being infected by this deadly disease,"³⁷⁸ said Kishor, A Nepalese national, working as scaffolder at Pigeon Engineering Projects, the Qatar 2022 sub-contractor. "No, I do not feel well taken care of. I do not know what is going to happen next. I am not sure how long the crisis will continue for,"³⁷⁹ said Jhanka, who works as a cleaner in Doha.

Harsh, an Indian construction worker, said he was scared to go back to work because of the risk of getting infected:

376 Interview in Doha, Qatar, July 2020.

377 Interview in Doha, Qatar, May 2020.

378 Interview in Doha, Qatar, March 2020.

379 Interview in Doha, Qatar, March 2020.

380 Interview in Doha, Qatar, September 2020.

381 Interview in Doha, Qatar, May 2020.

*We worked throughout the lockdown period. Even though we were scared to go back to work because of high risk of getting infected, the company insisted that we go back to work. The company halted its work only for 5 days in the beginning of the lockdown. We did not have any safety kits like masks or sanitizers. The company did not even provide masks. My friend shared his hand sanitizer first day at work. The next day, I brought my own.*³⁸⁰

Bishal, a Nepalese National working as a storekeeper who was taken to several medical facilities for COVID-19 testing, said being constantly transferred from one hospital to another made him anxious:

*I thought there was something wrong with me. Each time they said I was being transferred, an uneasy feeling came to me. I got anxious thinking where they were taking me to. The first day they brought me in quarantine, everything was fine. I was not worried at all. I was getting adjusted and did not have time to think otherwise. A few days after when they started transferring me from hospital to hospital, I started getting scared. In the end they took me to five different hospitals.*³⁸¹

While the Ministry of Public Health has set up a hotline for inquiries related to COVID-19 which can provide medical and psychological assistance, there does not appear to be any pro-active engagement to offer psychosocial support to migrant workers either in the community or when they are admitted as patients to government run health facilities. For example, two Kenyan migrant workers who were admitted into medical quarantine facilities because they showed COVID-19 symptoms appeared in need of counselling because the isolation, lack of information and their uncertainty about their

future were having a negative impact on their mental health. One of the men had his quarantine period extended at the last moment without any explanation. He consequently suffered from panic attacks, but still was not offered any counselling or other support.³⁸²

Stress levels for migrant workers are particularly acute where they are not receiving their full salary because they are then unable to support their families in their country of origin and/or repay the loans that they had to take to secure work abroad in the first place. Some may even need to take out additional loans to meet their subsistence needs while in lockdown. As Ghanashyam, who works as a laundry cleaner, explained to Equidem:

*It is the income the workers earn here which puts food on the table at home. Many of my friends have only been here for a month or two, and they have a huge debt on their back. They still have to earn their investment they made on recruitment fee. The lenders do not forgive the interest [on loan repayments] just because we are not able to work here.*³⁸³

It is common practice for migrant workers to be charged illegal fees by recruitment agents back home to secure work in Qatar. Many of the workers interviewed spoke of the emotional toll from the financial strain of being unable to service recruitment debts because they were no longer being paid their salaries. “I am not able to send money home. I am worried about the survival of my family in one hand and equally worried about how to pay back the loan.”³⁸⁴

Dhakwan, a Bangladeshi national working as a construction labourer at Alahad Group, said he was worried about the loan he had to obtain after he lost his income. He said, “In the two

years I have been in Qatar, I have only sent 100,000 Taka (\$1,181) to my family. I had to spend 350,000 Taka (\$4,133) for my visa. I did not have such a huge amount, so I borrowed all this money from my relative. Due to irregular payments, I have not been able to pay the loan. My family is overburdened with loan and we are all worried.”³⁸⁵

“The company did not pay my salary from March. I had paid 70,000 Indian rupees (\$938) as recruitment fee by mortgaging my farm,” explained Chetan, an Indian national working as a carpenter at Al Mukhtar Contracting & Trading Co. WLL. He said he was worried about his family and fears he might lose the land he had mortgaged to pay recruitment fee. He added:

*My contract was for 9 months but the company said they will renew it. I agreed for QAR 1,500 (\$412) but I got only QAR 1,000 (\$274) a month. The recruitment agency deceived me in this too. Now they sent me back to India. My whole life is uprooted. My family is worried because we have no money. If I do not pay the loan soon, I will lose my land. I have two small children. I cannot even afford to buy them milk. I am very upset seeing my family in a situation like this.*³⁸⁶

Rajendra, a Nepalese national working as plumber at Vector Electromechanical Company, was worried about the impact of the lockdown and non-payment of wages on his family:

*I am worried about losing my pay and my job. I am under a lot of financial pressure because my children are going to college from the coming year. This can be quite expensive. I could manage a month or two without payment, but after that, I am afraid to say, I will not be able to pay rent or even buy food. Every few days my wife asks if there is any news about pay.*³⁸⁷

Suraj, a cleaner employed by Puro Cleaning Services LLC in Doha has been placed on unpaid leave since the start of the lockdown in March. He is concerned that if he isn't paid soon, he'll have to borrow from moneylenders. “I will be forced to take loans at a high interest rate. I'll have to work for months, even a year to pay off the loan,” he told Equidem. “It is a mental torture for me. I came here to work but now there is nothing, no money. I don't even have credit to call my family [back in Nepal].”³⁸⁸

Bazish, a Bangladeshi national working as a Mason at Oaks Build, said he had to borrow money from his friends to be able to buy tickets to go back home after he was left with no job and no money. “I had spent a lot of money to get a job in Qatar,” he explained. “The sub-contractor stopped all construction work after the lockdown. Now I am left with no job and no money. My family is worried about my health. I have to go back even though the flight cost has doubled. I bought the air ticket borrowing some money from my friends. I am worried how I am going to pay the loan back. I have not even recovered from the loan I took to apply for my visa.”³⁸⁹

Aarul, who works as a cleaner at Al Baidha Cleaning Co. WLL, said his family is in dire need of help since he has not been able to send them money. “My four member family is fully dependant on me. But I work in a manpower supply company and I only get paid when I work assignments,” he explained. “We do not get paid regularly and even then, my salary is not satisfactory. I have no work and my family members are also in a dire situation back home. I have borrowed money from friends and have been buying goods on credit. I could not send money to my family. I can only pray everything goes back to normal soon.”³⁹⁰

“I am stressed about my work and I am worried about my family,” said Chandra, an Indian national working as a carpenter at Nasser S. Al-Hajri Company. He said he was worried because he has not been able to send money to his family in months. He further explained:

*“I do not know how they will manage all the expenditures without me being able to send any money. I do not know how I will send my children to school. I still have debt on my back. I had borrowed money for my mother's treatment, but I have not been able to return it yet. These days, I am praying every day. Only god can save us now.”*³⁹¹

Some of the workers who spoke to Equidem were coming near the end of their contract period for work in Qatar. Yet they expressed concern about their prospects of finding new work in Qatar given the downturn in the economy, restrictions in travel to find new employment, and the limited job prospects in their home countries. Kumar, an Indian national working as a shuttering worker at Al Darwish Engineering WLL, told Equidem:

*I came back after the lockdown started. My visa will expire on August 10. I do not know what I will do then. This is my only hope for employment and taking care of the family. I am the only earning member in my home. I have 5 children who go to school. I don't have farms, I buy everything. There is very little to no chance that I will get some employment in my village, especially during this period of pandemic.*³⁹²

“I have not sent money to my family in 4 months. I have a wife, my mother, and two children. They are all worried about me and counting the days I come back home,” explained Karan, a duct installer who was nearing the end of his contract. “I want to go

382 Interview in Doha, Qatar, April 2020

383 Interview in Doha, Qatar, March 2020.

384 Interview in Doha, Qatar, March 2020.

385 Interview in Doha, Qatar, July 2020.

386 Interview in Doha, Qatar, July 2020.

387 Interview in Doha, Qatar, May 2020.

388 Interview in Doha, Qatar, March 2020.

389 Interview in Doha, Qatar, July 2020.

390 Interview in Doha, Qatar, June 2020.

391 Interview in Doha, Qatar, July 2020.

392 Interview in Doha, Qatar, July 2020

home but I do not have money to buy plane tickets. The company has not paid my end of service settlement and remaining salary. I am worried that I will not be able to go home to my family.”³⁹³

“My family is my only support. I have my parents, my wife and two children, who are in India. As soon as they heard about the lockdown, they were scared. They wanted me to come back, but I could not go,” Raghav, a delivery driver working for the DHL courier company, told Equidem. He further explained:

*Me going back to India would mean unemployment for me. God only knows how long the situation will last. I have to work to feed my family. I am the only earning member of my family. I have a lot of responsibility at home. School, food, medicine, everything is expensive in India. I have been working here for 8 years but my savings is nil. Last year, I had to take INR 100,000 (\$1,339) loan because we had to fix the roof. I am trying to save each penny to pay back the loan. I will not return to India until I have enough to pay the loan back.*³⁹⁴

393 Interview in Doha, Qatar, July 2020

394 Interview in August 2020, Doha, Qatar.



Migrant workers and racial discrimination

5

On March 16, the owner (of the company) glared at me. He told me to sign a document, he did not explain what it was. After I signed it he said I was terminated. The company discriminated against us. They fired many other workers but did not fire a single Saudi. We did not get any help or money after signing the paper. I neither have money nor accommodation. I am buying food borrowing some money from my friends and relatives. I am living in an old building, which is not built for accommodation purposes. We have to bring water from far away for the building.³⁹⁵

QADIM, AN INDIAN MIGRANT WORKER IN SAUDI ARABIA

Saudi Arabia, the UAE, and Qatar have obligations to protect migrant workers from racial discrimination under international conventions and national law. All three states have ratified the Convention on the Elimination of All Forms of Racial Discrimination (CERD),³⁹⁶ although neither Saudi Arabia³⁹⁷ nor Qatar³⁹⁸ have adopted a legal definition of racial discrimination that fully implements the Convention. Article 1 of the CERD defines racial discrimination as:

Any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or

any other field of public life.

The three states have also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)³⁹⁹, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)⁴⁰⁰, the Convention on the Rights of the Child (CROC)⁴⁰¹. But only Qatar has ratified the International Covenant on Civil and Political Rights (ICCPR)⁴⁰², the International Covenant on Social, Economic, and Cultural Rights (ICESCR)⁴⁰³. All three states have ratified the Forced Labour Convention, 1930 (No. 29)⁴⁰⁴, Abolition of Forced Labour Convention, 1957 (No. 105)⁴⁰⁵, Discrimination (Employment and Occupation) Convention, 1958 (No. 111)⁴⁰⁶. However, Qatar has

³⁹⁵ Interview in Buraidah, Saudi Arabia, July 2020.

³⁹⁶ Saudi Arabia ratified the CERD on September 23, 1997, the UAE on June 20, 1974, and Qatar on July 22, 1976.

³⁹⁷ OHCHR, Committee on the Elimination of Racial Discrimination examines the report of Saudi Arabia, 27 April 2020, available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23004&LangID=E>, accessed on November 16, 2020.

³⁹⁸ UN Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, April 27, 2020, available at: <https://undocs.org/en/A/HRC/44/57/Add.1>, accessed on November 16, 2020.

³⁹⁹ Ratified by Qatar in 2009, by Saudi Arabia in 2000 and by UAE in 2004, available at: <https://indicators.ohchr.org/>, accessed on November 16, 2020.

⁴⁰⁰ Ratified by Qatar in 2000, by Saudi Arabia in 1997 and by UAE in 2012, available at: <https://indicators.ohchr.org/>, accessed on November 16, 2020

⁴⁰¹ Ratified by Qatar in 1995, by Saudi Arabia in 1996 and by UAE in 1997, available at: <https://indicators.ohchr.org/>, accessed on November 16, 2020

⁴⁰² Ratified in 2018, available at: <https://indicators.ohchr.org/>, accessed on November 16, 2020

⁴⁰³ Ratified in 2018, available at: <https://indicators.ohchr.org/>, accessed on November 16, 2020

⁴⁰⁴ Ratified by Qatar on March 12, 1998, by Saudi Arabia on June 15, 1978 and by UAE on May 27, 1982, available at: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO::>, accessed on November 16, 2020.

⁴⁰⁵ Ratified by Qatar on February 2, 2007, by Saudi Arabia on June 15, 1978, and by UAE on February 24, 1997. available at: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO::>, accessed on November 16, 2020.

⁴⁰⁶ Ratified by Qatar on August 18, 1976, by Saudi Arabia on June 15, 1978 and by UAE on June 28, 2001, available at: <https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO::>, accessed on November 16, 2020.

not ratified Equal Remuneration Convention, 1951 (No. 100)⁴⁰⁷ and none of the three states has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

The constitutions of Saudi Arabia, United Arab Emirates, and Qatar enshrine the principles of non-discrimination and equality before the law. Article 35 of the Permanent Constitution of Qatar enshrines rights to racial equality and non-discrimination: “All persons are equal before the law and there shall be no discrimination whatsoever on grounds of gender, race, language or religion.” In addition, articles 18, 19 and 34 contain several legal guarantees of equality. Justice, freedom and equality, along with benevolence and high moral standards, are highlighted as core societal values under article 18. Articles 19 and 34 include provisions for equal rights, opportunities and duties for all citizens.

Article 8 of the Constitution of Saudi Arabia states that “the system of government in the Kingdom of Saudi Arabia is established on the foundation of

justice, “Shoura” and equality in compliance with the Islamic Shari’ah (the revealed law of Islam).” Article 47 states that “Both citizens and foreign residents have an equal right to litigation. The necessary procedures are set forth by the law.”

The Constitution of the United Arab Emirates affirms the principles of non-discrimination and equality only in the context of citizenship. Article 14 states that “Equality, social justice, ensuring safety and security and equality of opportunity for all citizens shall be the pillars of the Society. Co-operation and mutual mercy shall be a firm bond between them.” Article 25 states that “All persons are equal before the law, without distinction between citizens of the Union in regard to race, nationality, religious belief or social status.” The Federal Decree Law No. 2 of 2015 On Combating Discrimination and Hatred defines discrimination as “Any distinction, restriction, exclusion or preference among individuals or groups based on the ground of religion, creed, doctrine, sect, caste, race, colour or ethnic origin.”⁴⁰⁸

5.1 Racial discrimination in pandemic response

As this report has documented, state authorities and business enterprises have been guilty of racial discrimination in their responses to the COVID-19 pandemic. In the United Arab Emirates and Saudi Arabia, state authorities passed legislation requiring private sector companies to protect the wages and other benefits of nationals. In comparison, both states passed laws that permitted businesses to place non-national employees on reduced or no wages. In Saudi Arabia, a company that has

benefited from the furlough programme that is only for Saudi nationals must pay the wages of all other employees, both Saudi and foreign nationals, during the furlough period.⁴⁰⁹ However, the authorities have not provided financial support for companies to pay the salaries of non-national staff. The governments of all three countries require employers to seek the consent of employees before making reductions in wages. In contrast, our research indicates that these changes,

which significantly reduced earlier employment protections under the labour laws of Saudi Arabia, the UAE, and Qatar, created an enabling environment for dozens of businesses to end wage payments to low-wage migrant workers and renege on paying wages and end of service benefits already accrued by workers before the pandemic started. At least 16 of the 206 individual migrant workers interviewed for this report said they were made to sign documents against their will. The figure may be much higher, however, as Equidem was not able to ask every worker interviewed whether they signed similar documents. Making workers sign such documents gives the appearance that these women and men had freely agreed not to receive wage payments. Yet the authorities did not monitor these practices, nor, as far as Equidem is aware, penalise companies for these practices.

At least 9 of the 37 businesses documented for this report, also appear to have used the changes in employment protections for non-nationals and the economic downturn caused by the COVID-19 to simply not pay workers the wages and benefits owed for work performed before the pandemic. Although it is difficult to quantify the exact figure, it appears hundreds if not thousands of workers were left to languish in crowded accommodation camps or had their contracts terminated at the height of the pandemic. As one worker in Qatar told Equidem, “my company is not firing Qatari nationals nor workers from the Gulf but is only firing workers of other nationalities. They have sent most of us home.”⁴¹⁰ Even migrant workers fortunate enough to continue to receive wages complained about discrimination based on nationality in the payment of salaries. As one worker noted, “there are different salary scales for the same profession. My colleagues, who are Qatari nationals get more

salary than what I get. As I am a foreigner, they won’t pay as much as Qataris get paid, even though we do the same job.”⁴¹¹ Migrant workers in Saudi Arabia and the UAE mentioned similar situations of discrimination, namely that their employer continued to pay nationals their wages while they were not.

The lack of access to health facilities, the slow response to provide health care to migrant workers who tested positive to COVID-19, and the poor quality of quarantine facilities catering solely for low-wage migrant workers are further evidence of racial discrimination. As the UN special rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance said in her country report for Qatar in 2019, “Although States may make distinctions between citizens and non-citizens, including with respect to exclusions, restrictions and preferences, these may not be applied in a racially discriminatory manner or as a pretext for racial discrimination.”⁴¹² Her statement is equally applicable to Saudi Arabia and the UAE. The special rapporteur further noted that a state’s “human rights obligations require it to eliminate labour market discrimination and segregated or discriminatory housing practices, and to ensure that businesses open to the general public do not engage in racial discrimination.”⁴¹³ By these standards, the segregation of low-wage migrant workers into large, crowded accommodation facilities away from the wider population, and, in some circumstances, essential services amount to racial discrimination. Moreover, such restrictions on low-wage migrant workers severely restrict their access to leisure and cultural activities, significantly increasing the psychosocial impact of the already challenging conditions they face due to the COVID-19 pandemic.

407 Up-to-date Conventions and Protocols not ratified by Qatar, ILO, available at: https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103429, Ratified by Saudi Arabia on June 15, 1978 and by UAE February 24, 1997, available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO:::~: accessed on November 16, 2020.](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11001:0::NO:::)

408 Article 1, Federal Decree Law No. 2 of 2015 on Combating Discrimination and Hatred, UAE, available at: https://www.tlg.ae/source/uploads/ck_files/1570684072.pdf, accessed on November 16, 2020.

409 Clyde & Co., *COVID-19 Middle East: Employment update on new government initiatives*, 13 May 2020, available at: <https://www.clydeco.com/insight/article/COVID-19-middle-east-employment-an-update-on-new-government-initiatives>, accessed 2 November 2020.

410 Interview in Doha, Qatar, July 2020

411 Interview in Doha, Qatar, June 2020.

412 UN Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 27 April 2020. <<https://undocs.org/en/A/HRC/44/57/Add.1>> pg 5.

413 UN Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, 27 April 2020. <<https://undocs.org/en/A/HRC/44/57/Add.1>> pg 5.

Business responsibilities under international human rights standards

6

States have obligations to respect human rights under international treaties, customary international law, and international standards. Businesses also have responsibilities to respect human rights under international law and standards. Unanimously endorsed by the Human Rights Council in June 2011, the United Nations Guiding Principles on Business and Human Rights (UNGPs) are the most internationally accepted standards on business and human rights.⁴¹⁴ The UNGPs are a practical guidebook on how to respect human rights in business operations. The UNGPs do not introduce new international obligations, but instead seek to provide a framework for governments, businesses and other actors to ensure respect for human rights in business activities.

Many business activities have an impact on human rights; whether these impacts are positive or negative depends upon the approaches taken by the state and the business community. A business might hire workers through a company that subjects them to forced labour and harassment. Or it may institute programs that allow workers to exercise their rights, such as access health care or collectively bargain. According to international standards on business and human rights, state authorities and business enterprises must respect, protect and fulfil all human and labour rights.⁴¹⁵ These standards are articulated in a number of different international treaties, guidelines and frameworks, many of which have been enshrined into the national laws, policies and project-specific standards applied by business enterprises in Saudi Arabia, the UAE, and Qatar.⁴¹⁶

6.1 State human rights obligations and business activities

The UNGPs affirm the state's obligation to protect against human rights abuses that are committed by third parties (including business enterprises) within its territory and jurisdiction. It also calls on states to clearly set out the expectation that all business enterprises domiciled in their territories and/or jurisdictions must respect human rights throughout all aspects of their operations. In relation to the duty to protect rights, the UNGPs call on states to:

- Enforce laws that require business enterprises to respect human rights, and periodically assess their effectiveness and address any gaps.
- Ensure other laws governing business enterprises do not constrain but enable business respect for human rights.
- Provide effective guidance to businesses on how to respect human rights.
- Encourage and require, as appropriate, businesses to communicate how they address human rights impacts.
- Provide access to judicial and non-judicial grievance mechanisms to victims of human rights abuses involving businesses.

⁴¹⁴ UN Human Rights Council, Resolution 17, A/HRC/17/L.17/Rev.1, 15 June 2011. <<https://documents-ddsny.un.org/doc/UNDOC/LTD/G11/141/87/PDF/G1114187.pdf>>

⁴¹⁵ UN Guiding Principles on Business and Human Rights. Other internationally recognised standards include the OECD Guidelines for Multinational Enterprises and the ISO 26000.

⁴¹⁶ For industry-led project-specific standards see, for example, the Qatar Foundation Mandatory Standards of Migrant Workers' Welfare for Contractors & Sub-Contractors: https://www.migrant-rights.org/wp-content/uploads/2018/01/QFMandatoryStandards_Rev0_20April20131.pdf, Supreme Committee For Delivery and Legacy Workers' Welfare Standards: <https://www.qatar2022.qa/sites/default/files/documents/Workers-Welfare-Standards-Qatar-2022-EN.pdf>; and the Expo 2020 Dubai Worker Welfare Assurance Standards: <https://www.expo2020dubai.com/en/legal/worker-welfare>.

States should take additional steps to protect against human rights abuses by business enterprises that are owned, controlled by or receive substantial support from the state. Where appropriate, this should include requiring human rights due diligence and oversight of 1) state-owned businesses and 2) third parties with which state

parties have entered into commercial transactions. This is particularly relevant in Saudi Arabia, the UAE, and Qatar, where the state owns, controls or supports a wide range of business enterprises in several sectors, including construction, infrastructure, agriculture, hospitality, ports and transportation, security, and oil and gas.

6.2 The human rights responsibilities of business under international standards

The UNGPs require all business enterprises to respect internationally recognised human and labour rights standards.⁴¹⁷ The responsibility to respect human rights, therefore, exists independent of the state.⁴¹⁸ Businesses are expected to respect the principles of internationally recognised human rights “to the greatest extent possible in the circumstances, and to be able to demonstrate their efforts in this regard.”⁴¹⁹ Respect for human rights extends not

only to a business’s own activities, but also to its working relationships, such as its dealings with sub-contractors, suppliers and service providers. Activities that risk causing or contributing to gross human rights abuses should be treated the same as any other legal compliance issue.⁴²⁰

Business enterprises have a number of key responsibilities to respect human rights. They should:

Avoid adverse effects on human rights

Avoid causing or contributing to adverse human rights impacts linked to their operations, products and services, or business relationships, and address these impacts if they occur.⁴²¹

Create policies to commit to respect of human rights

Create policies and processes that commit them to respect human rights. These policies and processes should include a human rights due diligence process to identify, prevent, mitigate and account for how the businesses address their human rights impacts as well as processes to remedy adverse human rights impacts due to their activities.⁴²²

Human rights policies be approved by senior leadership

Approve human rights policies at their most senior level in consultation with relevant internal and external stakeholders directly linked to operations, products or services. Such policies must be publicly available and communicated to all staff, partners and other relevant parties, and be embedded in operational policies and procedures.⁴²³

Identify actual or potential adverse effects on human rights

Identify and assess actual or potential adverse human rights impacts that emerge due to their activities or business relationships.⁴²⁴ Businesses should also track the effectiveness of their responses to identified human rights impacts.⁴²⁵

Provide or cooperate in grievance mechanisms

Provide or cooperate in grievance mechanisms that seek to remedy adverse human rights impacts linked to their activities.⁴²⁶ Remedies may be provided through state-based processes, such as the courts, or non-state-based processes, including industry, multi-stakeholder and/or other collaborative initiatives.⁴²⁷

In cases where there is a large number of entities in the supply chain, businesses should identify general areas where the human rights risks are the greatest (whether they be due to certain suppliers’ or clients’ operating contexts, the particular operations, products or services involved, or other relevant considerations) and prioritise these areas for human rights due diligence.⁴²⁸

From the over two hundred cases documented in this report, it is evident that government and businesses in Saudi Arabia, the UAE, and Qatar are not meeting the standards set out in the UNGPs. One of the core principles of the UNGPs is that businesses should fully understand and respond to the human rights impacts of their activities.⁴²⁹ Businesses are expected to give particular attention to areas where the risk of adverse human rights impacts is likely to be greatest. Due to the

fact that many of the most serious human and labour rights issues that are relevant to businesses in Pakistan have been well documented, there is little excuse for businesses to fail to identify, prevent, mitigate and remedy any adverse impacts caused by their activities.

But businesses alone are not responsible for ensuring that rights are respected in the context of business activities. The state, trade union bodies and other civil society and the wider community also have roles to play in protecting human rights and identifying, preventing and remedying abuses linked to business activities. Actions to prevent abuses or provide remedies after abuses have occurred are most effective when all stakeholders work together.

417 Principle 12, UN Guiding Principles on Business and Human Rights.

418 Commentary to Principle 11, UN Guiding Principles on Business and Human Rights.

419 Commentary to Principle 23, UN Guiding Principles on Business and Human Rights.

420 Principle 23, UN Guiding Principles on Business and Human Rights.

421 Principle 13, UN Guiding Principles on Business and Human Rights. See also Principle 24.

422 Principle 15, UN Guiding Principles on Business and Human Rights. Regarding human rights due diligence, see also Principle 17.

423 Principle 17, UN Guiding Principles on Business and Human Rights. Regarding the external communication of the business enterprise’s actions on human rights, see also Principle 21.

424 Principle 18, UN Guiding Principles on Business and Human Rights. See also Principle 19.

425 Principle 20, UN Guiding Principles on Business and Human Rights.

426 Principle 22, UN Guiding Principles on Business and Human Rights.

427 Principles 28-30, UN Guiding Principles on Business and Human Rights. Non-judicial grievance mechanisms should be: (a) legitimate, (b) accessible, (c) predictable, (d) equitable, (e) transparent, (f) rights-compatible, (g) a source of continuous learning, (h) based on engagement and dialogue. See also Principle 31.

428 Commentary on Principle 17, Principles 28-30, UN Guiding Principles on Business and Human Rights.

429 Principle 11, UN Guiding Principles on Business and Human Rights.

Looking forward – A new normal?

7



The Coronavirus pandemic has been an unprecedented challenge for the world, not just the Arab Gulf countries. With economies hugely dependent on international migration, trade, and travel, the societies of Saudi Arabia, the United Arab Emirates, and Qatar were perhaps particularly exposed to the health and other risks posed by the virus. The authorities in these three countries were quick to outline measures to protect and mitigate the risks of the pandemic on health, livelihoods and the wider economy. Yet, as this report sets out in detail, those measures have been inadequate when confronted with the human rights impact of the virus on one of the most vulnerable and essential groups in their societies – migrant workers. At its heart, this failure is due to a two-tier labour system that treats low-wage migrant workers as less human than nationals and high-wage migrant workers.

Over the last decade, the authorities of Qatar, Saudi Arabia and the United Arab Emirates have been on the path to reforming their labour markets and addressing key rights protections. With the support of the ILO and international trade union bodies, Qatar has passed a suite of major legislative reforms that seek to address the most violative aspects of the kafala sponsorship system. The United Arab Emirates has sought to develop a local labour market by allowing workers to change jobs or leave the country with greater freedom than previously existed. Saudi Arabia has announced a raft of labour reforms that, if implemented, would enable workers to change jobs and leave the country as they choose. Some business enterprises have led the way in developing worker welfare standards that, in some key areas, match or expand upon labour rights protections under international conventions.

Even in the context of the pandemic, there have been examples of good practice and positive policy initiatives, which have been introduced by one or more of the three countries reviewed in this report. The fact that government authorities in the Gulf are prepared to commit to policies like providing

free health care to migrant workers, on an equal basis with its citizens, and regardless of race, gender, ethnicity, nationality or residency status, is a positive advance. So too is Qatar's stated ambition that many of the measures introduced to support and protect migrant workers as part of its efforts to combat COVID-19 "will lead to permanent changes that have a positive effect on the society as a whole." Promises of a reform to the kafala system in Saudi Arabia from March 2021, particularly steps towards the elimination of the exit permit and increased internal labour market mobility, are welcome. If these changes were to be enacted into law and adequately implemented consistent with international conventions and standards, they could lead to a significant improvement in rights compliance in the Qatar and Saudi labour markets.

But even these changes cannot address the significant gaps in protecting the human rights of millions of migrant workers in Saudi Arabia, the United Arab Emirates, and Qatar. In a time of unprecedented financial shock businesses may need to reassess budgets for wages and other benefits. But the speed and level of support given to key businesses by state authorities has not always translated into adequate protection of migrant worker wages and wellbeing. Qatar, Saudi Arabia, and the United Arab Emirates all passed laws that allow employers to place migrant workers on unpaid leave, annual leave, reduced hours and/or reduced wages. These provisions were supposed to be enforced through mutual consent. However, even if migrant workers were aware of this provision, the kafala system and a power dynamic that favours employers, make it extremely hard for migrant workers to effectively oppose contractual changes that adversely impact them in the absence of their ability to lawfully join or form a union and collectively bargain.

Gulf authorities must address the highly discriminatory character of their labour regimes which enshrine protections to nationals but not to non-nationals. The poor conditions of quarantine

facilities and gaps in access to health care and protections against the virus are also a reflection of the discrimination faced by migrant workers. Were the rights of low-wage migrant workers respected without discrimination, they would surely not be left to languish in squalid, crowded, and unhealthy camps and quarantine facilities.

The inability to respect the right of migrant workers to form and join a union, and collectively bargain, means that a critical ingredient to resolving labour disputes and developing a mature, rights-compliant labour market is absent. Given the scale of the migrant worker populations, an estimated 24 million in the three countries combined, state authorities and businesses alone will continue to struggle with labour disputes involving dozens, hundreds and even thousands of workers at a time. Equidem's research uncovered serious situations of racial discrimination and labour exploitation. But the most common violations faced by migrant workers are centered around the payment of wages and other benefits. As the international labour system recognizes, these issues are best resolved through a tripartite process that includes worker representation through trade unions. Moreover, trade union bodies are already active in one shape or form in many of the Gulf states, including Qatar and Saudi Arabia.

A path to citizenship through naturalisation is also critical to ensuring that the women and men who toil in arduous and often back-breaking low-wage jobs are fully recognized as members of wider Gulf societies. Naturalisation would not only enable the state to codify and implement rights protections into law and practice more effectively. As Gulf authorities recognize the need to shift their economies away from a dependence on the oil and gas industries, naturalisation would help grow and diversify the labour market along with the economy. Most importantly, only naturalisation can address the wide gap between the rights and protections afforded to non-nationals and nationals. States must respect their human rights

obligations to all women, men and children regardless of their nationality or circumstances. But a path to citizenship would reflect the de facto reality: that for thousands of migrant women, men and children who have lived there for years if not decades, Qatar, Saudi Arabia, or the United Arab Emirates is their home.

It is Equidem's assessment that the governments of Saudi Arabia, the United Arab Emirates, and Qatar do have the capacity, resources, and skill to take immediate and long-term steps to ensure respect for the human rights of migrant workers. What is lacking is the political and social will. But the current situation is unethical, unsustainable, and constitutes a serious breach of Saudi Arabia, the United Arab Emirates, and Qatar's obligations under international human rights and labour rights conventions and standards. In the absence of urgent reforms, businesses will be operating in an environment where racial discrimination and modern slavery are ever present across virtually all sectors and industries.

With governments and business gathering for the G20 Summit in Saudi Arabia this week, there is a unique opportunity to reset the clock on rights protections for migrant workers in the Gulf. Though the challenge is immense some simple measures could have a significant positive impact: ensure financial support is extended to everyone including migrant workers without discrimination, enforce existing labour protections, develop a process for workers to have collective representation as a first step towards making union participation legal, establish a fund to indemnify worker wages and benefits during periods of economic shock and downturn. COVID-19 may have started as a crisis, but it need not end that way.







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