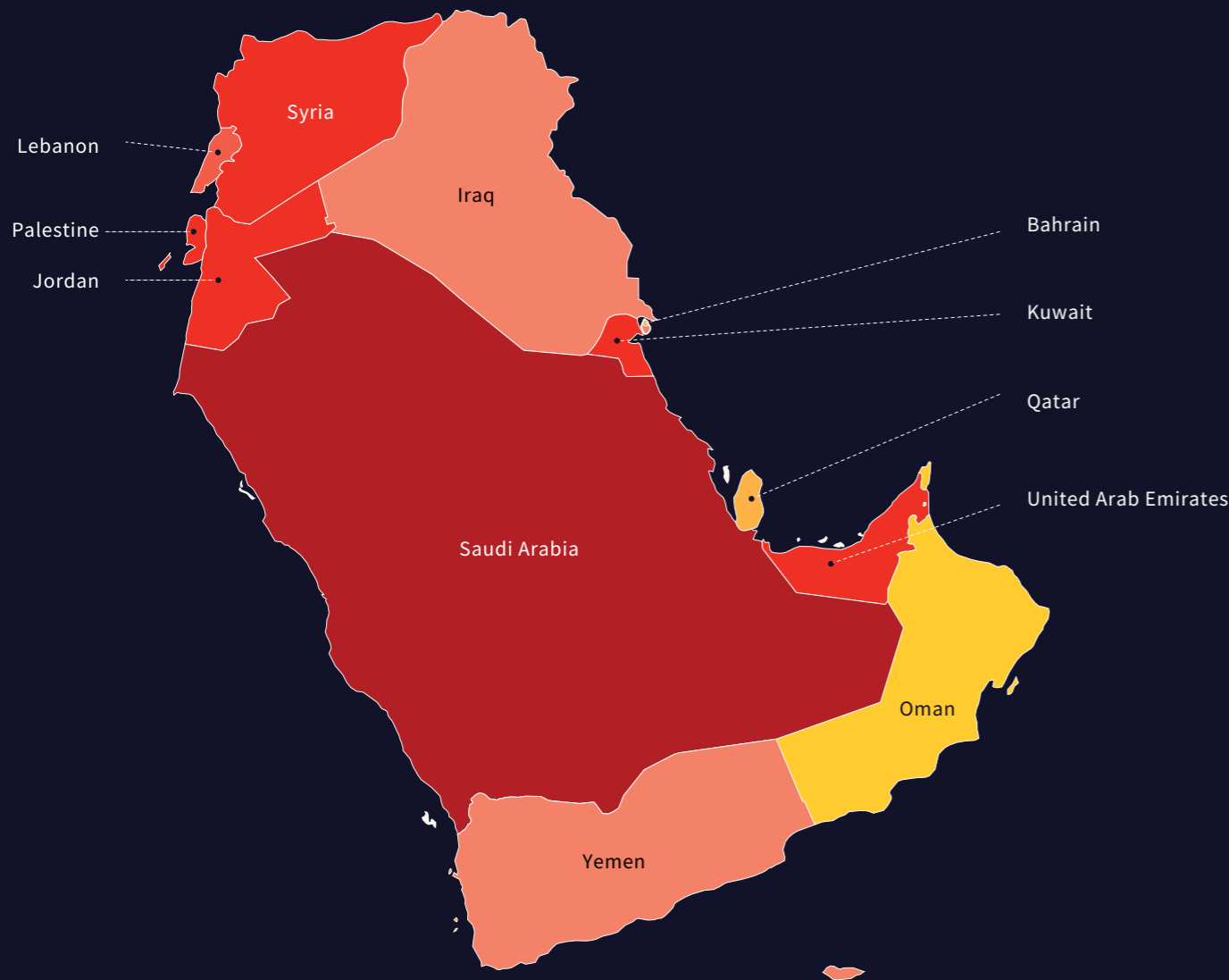


# ARAB STATES



Regional heat map: prevalence



The Arab States region is comprised of 12 countries, accounting for 2 per cent of the world's population. While the Arab States is the world's least populated region and smallest in terms of land mass, it comprises a rich diversity of culture, religion, industry, and geography. Yet, the region is impacted by the effects of conflict, political instability, economic shocks, and climate change — factors, among others, that drive modern slavery. More than 20 million refugees, asylum seekers, and internally displaced persons (IDPs) originate from the Arab States, and the region continues to host nearly 14.5 million of those who were forcibly displaced.<sup>1</sup> The effects of protracted conflicts in Iraq, Lebanon, Syria, and Yemen spur displacement, food insecurity, and economic instability.

The region is also home to nearly 37 million migrants, originating from within the region, Asia and the Pacific, and Africa.<sup>2</sup> Populations are vulnerable to sexual slavery and forced labour imposed by armed groups, forced labour as a result of displacement from their homes, and forced and child marriage to ease financial strain on households. In Jordan, Lebanon, and wealthier Gulf Cooperation Council (GCC) countries — Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE) — migrant workers are vulnerable to modern slavery under the exploitative *kafala* (sponsorship) system. Forced labour is reported in sectors such as domestic work,<sup>3</sup> construction,<sup>4</sup> hospitality,<sup>5</sup> and security.<sup>6</sup> Within these contexts, gender inequality, climate change, and the COVID-19 pandemic work to amplify existing vulnerabilities.

Bahrain took the most action to address modern slavery in the Arab States, followed by the UAE, while Iraq and Lebanon took the least action. Syria and Yemen were excluded from the assessment of government action on modern slavery due to ongoing conflict and extreme disruption to government function. The need to reform gender discriminatory laws and grant all workers, including migrants, equal protection under national labour laws remains a pressing issue. At the same time, far greater action is needed to address modern slavery in the context of conflict, crisis, and displacement.

## What is the extent and nature of modern slavery in the region?

An estimated 1.7 million men, women, and children were living in modern slavery in the Arab States region on any given day in 2021. Despite having the lowest number of people living in modern slavery across all regions, once population was considered, the Arab States had the highest prevalence of modern slavery. An estimated 10.1 people per thousand people were living in modern slavery in the region, which breaks down to 5.3 in forced labour and 4.8 in forced marriage. Forced labour

was the most common form of exploitation, accounting for just over half of people living in modern slavery (52 per cent). As in all other regions, the prevalence of forced marriage was higher among females (5.5 per thousand) compared to males (4.3 per thousand).

Within the region, Saudi Arabia, the United Arab Emirates, and Kuwait were the countries with the highest prevalence of modern slavery. Saudi Arabia also had the highest estimated number of people in modern slavery, followed by Iraq, and together they accounted for half of all people in modern slavery in the region. Migrant workers face particular risk of labour exploitation in the region as a result of the *kafala* (sponsorship) system that operates in Bahrain, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, and the UAE.<sup>7</sup> While not a form of modern slavery itself, the system embeds a steep power imbalance between workers and employers, with the result that employers control whether a migrant worker can enter, reside, work, change jobs, and, in some cases, exit the country.<sup>8</sup> Female domestic workers residing the GCC and Jordan and Lebanon are particularly at risk of forced labour in private households<sup>9</sup> and males vulnerable to debt bondage in construction.<sup>10</sup>

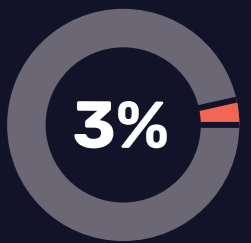
Conflict continues to shape experiences of modern slavery in the Arab States.<sup>11</sup> Families displaced by conflict in Syria, Iraq, and Yemen rely on negative coping mechanisms such as forced and child marriage to relieve economic stress and protect daughters from the threat of sexual violence.<sup>12</sup> Syrian and Iraqi refugees have been trafficked from host communities in Jordan and Lebanon for forced marriage, forced commercial sexual exploitation, and forced labour, including forced begging.<sup>13</sup> Almost 3,000 Yazidi men and women remain missing after being abducted by the Islamic State in Iraq and Syria (ISIS) in 2014.<sup>14</sup> Anecdotal reports note that some missing Yazidi women and children are still enslaved in Iraq, Syria, and Türkiye,<sup>15</sup> while others are reportedly held captive inside ISIS widow camps, such as the al-Hawl detention camp in north-eastern Syria.<sup>16</sup>

Although these figures are the most reliable to date, they are conservative estimates given the gaps and limitations of data collection in the Arab States. It is not possible to conduct nationally representative surveys in countries experiencing profound and current conflict which leads to an underestimate of some forms of modern slavery. Moreover, the estimates do not capture all forms of modern slavery, such as the recruitment of child soldiers, trafficking for the purposes of organ removal, and all child marriages. Despite gaps in data, sources indicate that children have been recruited into armed forces in Lebanon,<sup>17</sup> Iraq,<sup>18</sup> Syria,<sup>19</sup> and Yemen,<sup>20</sup> while trafficking for organ removal has been reported in Jordan<sup>21</sup> and Lebanon.<sup>22</sup>

Estimated number living in modern slavery:

**1.7 MILLION**  
(10.1 per thousand)

Regional proportion of global estimate:



Forced labour

**52%**

Forced marriage

**48%**

Average vulnerability score:

**56%**

Average government response rating:

**43%**

Top 3 countries:

Bahrain	55%
UAE	50%
Qatar	49%

Bottom 3 countries:

Lebanon	33%
Iraq	33%
Kuwait	37%

**Table 11**  
Estimated prevalence and number of people in modern slavery, by country

Rank	Country	Estimated prevalence of modern slavery (per 1,000 of population)	Estimated number of people in modern slavery	Population
1	Saudi Arabia	21.3	740,000	34,814,000
2	United Arab Emirates	13.4	132,000	9,890,000
3	Kuwait	13.0	55,000	4,271,000
4	Jordan	10.0	102,000	10,203,000
5	Syria	8.7	153,000	17,501,000
6	Lebanon	7.6	52,000	6,825,000
7	Qatar	6.8	20,000	2,881,000
8	Bahrain	6.7	11,000	1,702,000
9	Oman	6.5	33,000	5,107,000
10	Yemen	6.0	180,000	29,826,000
11	Iraq	5.5	221,000	40,223,000

### What drives vulnerability to modern slavery in the region?

The Arab States is the second most vulnerable region in the world to modern slavery. Conflict as a driver of vulnerability is more significant in the Arab States than any other region. Other drivers of vulnerability were discrimination towards minority groups, political instability, and lack of political rights. At the country level, Yemen, Syria, and Iraq were the most vulnerable countries; these countries also fall within the top 10 most vulnerable countries globally. Qatar, Kuwait, and the UAE had the lowest levels of vulnerability within the region; yet compared with the least vulnerable countries around the world, vulnerability is still relatively high in these countries.

Discrimination on the basis of race, ethnicity, or sexual orientation is the greatest driver of vulnerability in the region. In Yemen minority groups such as the Al-Muhamasheen have long experienced marginalisation,<sup>23</sup> while in Jordan, Lebanon, and GCC countries, migrant workers are highly vulnerable to exploitation under the *kafala* system, which grants employers substantial control over their lives.<sup>24</sup> Risks have compounded in the wake of COVID-19,<sup>25</sup> with reports of increased wage theft,<sup>26</sup> detention,<sup>27</sup> confinement to the workplace,<sup>28</sup> and unemployment.<sup>29</sup> In GCC countries where migrants comprise 82 per cent of the workforce on average,<sup>30</sup> the pandemic has led to an escalation of workforce nationalisation policies; that is, efforts to increase the proportion of nationals employed.<sup>31</sup> Such policies have spurred increased xenophobia and stereotyping of migrants as responsible

for the spread of coronavirus.<sup>32</sup> Individuals belonging to the LGBTQI+ community also face widespread discrimination throughout the region, as homosexuality and gender non-conformity are criminalised in several countries in the region.<sup>33</sup>

Governance issues linked to political instability, restricted political rights, and government inaction to combat modern slavery drive vulnerability across the Arab States. In Iraq and Yemen, corruption and conflict contribute to severe political instability and disrupt government functions, exacerbating vulnerability.<sup>34</sup> Throughout the region, gender inequality both drives, and is reinforced by, governance issues compounding vulnerability for women and girls. Despite some progress, all Arab States countries except the UAE were ranked in the bottom fifth of more than 150 countries assessed in the World Economic Forum's 2021 Global Gender Gap Index, reflecting poorer gender equality in the region across economic, education, health, and political dimensions.<sup>35</sup> No countries in the region afford women equal rights in matters of divorce, inheritance, citizenship, and employment, while in most countries women lack equal access to justice and freedom of movement.<sup>36</sup> These domains are typically governed by personal status laws and male guardianship systems,<sup>37</sup> which severely restrict women's agency and increase their risk of exploitation.<sup>38</sup> Further, during the pandemic, women and girls across the region experienced a heavier domestic work burden<sup>39</sup> and heightened risk of gender-based violence.<sup>40</sup>

**“My mother was sick and wanted someone to help her with the housework.”**

*Qatari male on his forced marriage at age 24*

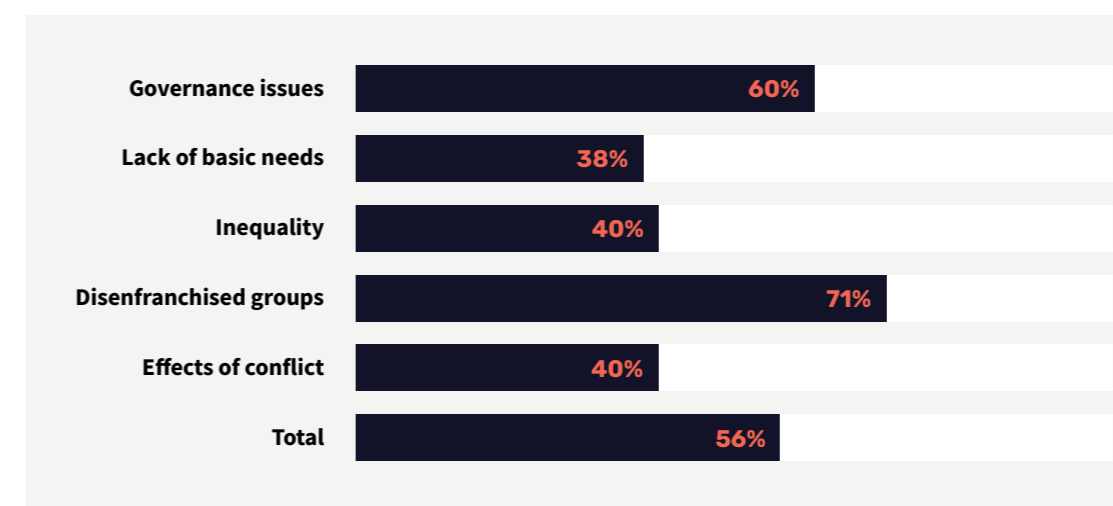
Conflict drives vulnerability in the Arab States, yet the effects are not uniform throughout the region. While Oman and the UAE experience comparatively low levels of conflict, heightened risk of modern slavery in Iraq, Syria, and Yemen is spurred by conflict. The erosion of state protection has led to increased risk of conflict-related sexual violence and slavery in these countries.<sup>41</sup> Meanwhile, conflict-related displacement has entrenched risks region-wide. At least 12.3 million people were internally displaced in Iraq, Syria, and Yemen in 2021,<sup>42</sup> and a further 2.1 million refugees, asylum seekers, stateless persons, and others of concern were recorded throughout the Arab States.<sup>43</sup> With resources in host countries increasingly strained,<sup>44</sup> most of these people face insecure conditions and complex humanitarian needs,<sup>45</sup> fuelling their vulnerability to modern slavery. For example, Syrian refugee girls in Jordan<sup>46</sup> and Lebanon<sup>47</sup> may be forced to marry as a means to access supplies and private shelters, and to protect against sexual violence and community perceptions of impurity. At the same time, research indicates that the influence of the host community may see families resist traditional expectations and delay child marriage.<sup>48</sup> Underreporting of sexual violence due to patriarchal norms, particularly when victims are men and boys,<sup>49</sup> as well as a lack of services for males, limits our understanding of their experiences of child and forced marriage in displacement settings.<sup>50</sup>

The effects of climate change are felt across the region, from severe drought in Syria<sup>51</sup> to desertification in Jordan,<sup>52</sup> with extreme water stress affecting most Arab States countries.<sup>53</sup> In Yemen, natural disasters displaced more than

Country	Total (%)
Yemen	89
Syria	83
Iraq	82
Lebanon	60
Saudi Arabia	53
Jordan	49
Bahrain	40
Oman	40
United Arab Emirates	40
Kuwait	39
Qatar	38

**Table 12**  
Level of vulnerability to modern slavery, by country

220,000 people in 2020 alone,<sup>54</sup> while the war in Ukraine has caused disruptions to critical food imports in the Arab States region,<sup>55</sup> worsening the humanitarian crisis there. The impacts of climate change exacerbate the push factors that make people vulnerable to modern slavery, including poverty, loss of livelihoods, displacement, and distress migration,<sup>56</sup> with women and girls disproportionately impacted.<sup>57</sup> Where livelihoods are threatened, families may turn to negative coping mechanisms such as forced and child marriage,<sup>58</sup> or resort to irregular migration in search of alternative income, where risks of trafficking are heightened.<sup>59</sup> Climate-related resource scarcity can also trigger conflict, or spur recruitment into armed groups due to loss of livelihoods,<sup>60</sup> further compounding vulnerability to modern slavery.



**Figure 15**  
Level of vulnerability to modern slavery, by dimension

## What are governments in the region doing to address modern slavery?

Walk Free assessed government responses to modern slavery in nine countries in the region.<sup>61</sup> Due to ongoing disruptions to government and limited data, Palestine, Syria and Yemen were excluded. The Arab States region scored an average government response rating of 43 per cent, the third highest score of the five regions. Government responses featured efforts to improve survivor support and better coordinate the response to modern slavery at the national and regional level. Despite some efforts to strengthen criminal justice mechanisms, the criminal justice response remained the weakest of any region. As in the 2018 GSI, no countries in the Arab States region have taken action to combat modern slavery in supply chains.

GDP per capita PPP (current international \$) varied greatly at the country level,<sup>62</sup> with wealthier GCC countries typically taking relatively stronger action to respond to modern slavery. For example, Saudi Arabia, Bahrain, the UAE, and Qatar are among the region's wealthiest nations and demonstrated the strongest responses to modern slavery in the region. However, when compared to countries of similar wealth in other regions, GCC countries — particularly Kuwait — displayed a weak response relative to wealth,<sup>63</sup> with significant gaps in protections for migrant workers persisting across the subregion. Migrant workers are highly vulnerable to exploitation under the *kafala* system, Jordan, Lebanon, and the GCC countries.<sup>64</sup> During the reporting period, these countries continued to implement laws or policies that made it difficult for migrant workers to freely leave abusive employers. Across the region, only Kuwait and Iraq

covered all categories of workers under national labour laws.<sup>65</sup> In a positive step, Oman,<sup>66</sup> Qatar,<sup>67</sup> and Saudi Arabia<sup>68</sup> adopted reforms to the *kafala* system, yet these were insufficient to dismantle the system entirely.

GCC countries have significantly higher GDP per capita than Lebanon and Iraq, the two countries taking the least action to address modern slavery. Government response efforts in Jordan, Lebanon, and Iraq were constrained by limited resources as these countries continued to grapple with the flow-on effects of conflict in Syria and Yemen.<sup>69</sup> However, despite this, Jordan took some positive action to respond to modern slavery in 2021, amending its 2009 anti-trafficking law to enhance witness and victim protection and access to compensation.<sup>70</sup>

Since 2018, most countries have taken further action to improve their response to modern slavery. For example, the government of Qatar established its first dedicated shelter for survivors of trafficking<sup>71</sup> and Kuwait commenced meetings of its national anti-trafficking committee.<sup>72</sup> Saudi Arabia launched an awareness campaign on how to identify and report modern slavery<sup>73</sup> and established a National Referral Mechanism,<sup>74</sup> with the ILO Protocol of 2014 to the Forced Labour Convention, 1930 also entering into force there in 2021.<sup>75</sup> No other countries made efforts to ratify international conventions since 2018 and, concerning, the ILO Domestic Workers Convention, 2011 (No. 189)<sup>76</sup> has to date not been ratified by any country in the region. Further, no country has fully criminalised all forms of modern slavery, hampering access to justice for survivors. Oman,<sup>77</sup> the UAE,<sup>78</sup> and Qatar are the only countries to criminalise forced labour, while forced marriage is criminalised only in Iraq.<sup>79</sup> No countries have established a minimum marriage age of 18 without exception.

**Table 13**  
Government response score, by country and milestone

Country*	Survivors identified and supported (%)	Criminal justice mechanisms (%)	National and regional level coordination (%)	Risk factors are addressed (%)	Government and business supply chains (%)	Total (%)
Bahrain	77	50	63	57	0	55
United Arab Emirates	59	42	75	64	0	50
Qatar	59	42	63	64	0	49
Saudi Arabia	59	54	63	43	0	49
Jordan	50	54	50	50	0	46
Oman	41	38	50	50	0	38
Kuwait	36	42	50	43	0	37
Iraq	41	38	38	29	0	33
Lebanon	32	42	50	29	0	33

\* Palestine, Yemen and Syria excluded from analysis due to limited data



**Chtoura, Lebanon, May 2021.**

A young female Syrian refugee, who is just 19 years old, visits the office of a local NGO which provides assistance to young female survivors of child marriage. She was 17 years old when she married, and divorced a year later. Yet, young female divorcees living in Syrian refugee camps face significant stigma and hardship, and are particularly vulnerable to abuse including forced marriage and forced sexual exploitation. Photo credit: Marwan Naamani/picture alliance via Getty Images.

Gaps in support services appeared across the region, with four countries neglecting to make services available for all survivors. Lebanon took the least action to identify and support survivors, while Saudi Arabia joined Bahrain as the only other country in the region to distribute national victim identification guidelines to all first responders.<sup>80</sup> Three countries provided training for police recruits and only Saudi Arabia and the UAE provided regular training for frontline responders. There is evidence that survivors were detained or deported for immigration violations in all countries except the UAE,<sup>81</sup> where information suggests that inconsistent application of screening procedures may have meant survivors were wrongly criminalised.<sup>82</sup>

Notably, all countries in the region have established a national body to coordinate the government's response to modern slavery. All countries except Bahrain and Lebanon had a National Action Plan

(NAP) to combat slavery in place, yet there is no evidence the NAPs were fully funded or independently monitored. No governments in the region addressed modern slavery in government and business supply chains.

**“I needed support from the police but the police didn’t help. I wanted them to contact my consulate but they only called the agent.”**

*24-year-old Sierra Leonean female survivor of domestic servitude in Lebanon*

## Understanding modern slavery in Palestine

Palestine has not been included in our assessments due to the complex and intertwining system of governance and occupation in the West Bank and Gaza Strip, which hampers reliable data collection. Administrative control over the West Bank was unevenly split between Israeli and Palestinian authorities under the Oslo Accords, signed in 1993 and 1995, which resulted in the Israeli authorities having greater control over the area than Palestinian authorities.<sup>83</sup> A *de facto* Hamas government controls the Gaza Strip, however an Israeli land, air, and sea blockade has been in place since 2007 following their election.<sup>84</sup> Data on modern slavery in the Gaza Strip is severely limited; international and human rights organisations have been routinely denied entry by Israeli forces enforcing the blockade.<sup>85</sup> Several international organisations, including the United Nations Special Rapporteur on the situation of human rights in the Occupied Palestinian Territories, have recently acknowledged that the Israeli government is perpetrating apartheid in Palestine.<sup>86</sup>

Despite limited data, anecdotal evidence indicates that Palestinians experience various forms of modern slavery, including forced labour, worst forms of child labour, forced begging, and forced and child marriage.<sup>87</sup> Palestinian men and boys employed in the Israeli construction sector are vulnerable to debt bondage, as discriminatory employers charge them high fees and commissions and sub-contract them to other employers illegally.<sup>88</sup> Illegal workers without permits face greater risks of abuse and exploitation.<sup>89</sup> Gender biases further embed women and girls' risk of modern slavery, particularly forced commercial sexual exploitation and forced and child marriage,<sup>90</sup> with risk heightened for Palestinian women and girls living in refugee camps.<sup>91</sup> Palestinian government data estimates that more than 17,600 girls age 15 to 19 were married in the West Bank in 2018.<sup>92</sup> In Gaza, an estimated 11 per cent of women were married before the age of 18.<sup>93</sup> There are also reports of women and girls being trafficked from the West Bank to the Al Naqab desert<sup>94</sup> where they are forced to marry older men.<sup>95</sup>

Vulnerability to, and experiences of, modern slavery are also shaped by the systemic discrimination, dispossession, and displacement of Palestinians living under apartheid. In the

West Bank and Gaza, Palestinians are denied citizenship rights, and require Israeli-issued identity documents to live and work in the territories.<sup>96</sup> The work permit system creates greater risks of exploitation as it ties Palestinian workers to their employer. In addition, overnight workers have their identity documents withheld as a requirement of their permit.<sup>97</sup> Reforms to the permit system were introduced in 2020 to ease worker mobility in the construction sector, yet these have not been enforced.<sup>98</sup> Like the conditions created under the *kafala* system, the permit system entrenches power imbalances and restricts workers' movements, increasing their vulnerability to labour exploitation in Israel.<sup>99</sup> The ongoing occupation also prevents some people from seeking help, for example, women and girls who have been trafficked within the 1948 borders for the purposes of forced marriage report not seeking assistance due to fears of being intercepted by Israeli authorities.<sup>100</sup>

It is difficult to comprehensively assess Palestine's efforts to combat modern slavery as a result of the complex and continuing history of occupation, which has resulted in several different legislative regimes having the force of law. However, some actions, albeit limited and often with exceptions, have been undertaken. A broad summary of the criminal justice framework is listed in Table 14. There are several gaps in removing risks in legislation, including gaps in labour laws that leave domestic workers without protection, prohibitions on sex work, and laws that entrench gender biases in areas such as guardianship, inheritance, and divorce.<sup>101</sup> Field sources confirm that there are significant gaps in the government's response, ranging from a lack of support for NGOs that provide direct services to survivors to a lack of awareness among government officials and frontline responders on how to identify victims and apply the relevant anti-trafficking laws.<sup>102</sup> Within the West Bank, there is significant room for the government authorities to strengthen the legislative framework criminalising all forms of modern slavery, support survivors, and reduce risk of exploitation.



**West Bank, Palestine, October 2020.**

A Palestinian man harvests olives on his land that was split by Israel's controversial separation wall. To be able to harvest his crops on the other side of the wall, a special Israeli army permit is required. The United Nations has noted that the separation wall violates international laws and severely limits Palestinian movement and access to livelihoods. Photo credit: Emmanuel Dunand/AFP via Getty Images.

Form of modern slavery	Level of protection	Source of law
Slavery	It is not clear that Jordanian prohibitions against slavery apply extraterritorially to Palestine.	Jordanian Abolition of Slavery Act of 1929. <sup>103</sup>
Forced labour	Forced labour is not separately criminalised in Palestine. Previously, Jordanian labour law had criminalised causing, procuring, or encouraging children under the age of 16 into forced begging.	Palestinian Labour Law No. 7 of 2000, which replaced the Jordanian Labour Law of 1960 in the West Bank. <sup>104</sup>
Forced marriage	Forced marriages are not criminalised within Palestine, however both brides and grooms must provide their full and free consent to the marriage. In practice, the importance of the bride's consent may be limited, as women and girls of any age require the consent of a male guardian to enter into a marriage.	Jordanian Personal Status Law of 1976. <sup>105</sup>
Human trafficking	Trafficking for the purposes of sexual exploitation is criminalised. However, no other offences exist for other forms of human trafficking.	Jordanian Penal Code of 1960. <sup>106</sup>
Child marriage	Child marriage is not criminalised. However, a minimum age of marriage is set at 18 for both boys and girls, although exceptions exist if judges of religious and family courts consider it is in the interests of both parties to allow the marriage.	Decision by the Palestinian Authority passed in November 2019. <sup>107</sup>

**Table 14**  
**Legal protections against modern slavery in the West Bank**



## Promising Practices in the Arab States

Only 6 per cent of program evaluations in the Promising Practices Database were delivered in the Arab States region. Several evaluated programs targeted specific forms of modern slavery such as human trafficking, while others targeted related areas such as migration, refugees, and internal displacement. Evaluations of programs targeting forced marriage remain a significant gap: despite the highest regional prevalence of forced marriage being found in the Arab States, only three evaluated programs from the region targeted forced marriage. Overall, there is limited information on what works to reduce risk in specific sectors, with only two evaluations explicitly targeting high-risk sectors. One evaluated program targeted camel racing in the UAE and four countries outside the region, while another targeted the domestic work sector in nine Arab States countries. While most evaluated programs were found to have met some objectives, potential lessons learned are significantly limited as no evaluation methodology included a control or comparison group to reliably test these findings. Program designers, funders, and evaluators must systematically capture data and publicly share future evaluations to help fill the significant evidence gap on what works to address modern slavery in the Arab States.


### **Badra, Iraq, July 2022.**

*A man climbs a palm tree to harvest dates in a country once known as the home of “30 million palm trees.” Iraq’s date production has been blighted by decades of conflict and environmental challenges, including drought, desertification, and salinisation. This has resulted in greater rates of poverty, food insecurity, and vulnerability to modern slavery. Photo credit: Asaad Niazi/ AFP via Getty Images.*

## Recommendations for governments

- 1** Dismantle kafala by expanding coverage of national labour laws to include all workers, including migrant, domestic, seasonal workers. Ensure that migrant workers can freely enter, reside and exit the country and leave or transfer jobs without employer consent.
- 2** Abolish provisions in the law that criminalise absconding and enforce measures to discourage employers from filing false allegations against workers. Enforce laws that criminalise charging of recruitment fees and withholding of passports and identity documents.
- 3** Equip humanitarian practitioners to respond to modern slavery risks in crisis settings by rolling out the Global Protection Cluster’s Introductory Guide to Anti-Trafficking Action in Internal Displacement Contexts.<sup>108</sup>
- 4** Introduce a suite of legal protections to tackle forced marriage, including by criminalising all forms of modern slavery in line with international law and raising the minimum age of marriage to 18 with no exceptions.
- 5** Tackle underlying gender inequality by affording women equal rights in matters of divorce, inheritance, citizenship, and employment, and strengthen access to access to justice and freedom of movement for women and girls.

# Disempowered, dehumanised, deported: Life under the *kafala* system

A woman with dark curly hair, wearing a black and white striped dress, is looking down at her mobile phone. She is standing in a crowded, dimly lit space, possibly a shelter or a waiting area. The background shows other people and some hanging items, suggesting a makeshift living environment. The lighting is low, with some blue and green tones, creating a somber atmosphere.

Beirut, Lebanon,  
September 2020.  
A former domestic worker  
from Sierra Leone uses her  
mobile phone while waiting  
to be repatriated later that  
evening. Lebanon's economic  
collapse, as well as COVID-19  
and the August 4 blast at the  
Port of Beirut, have left a  
significant number of migrant  
workers in a humanitarian  
crisis. Many domestic workers,  
forced to live on the streets,  
are desperate to leave but  
cannot afford to buy a plane  
ticket home, and have received  
limited assistance from  
diplomatic representatives.  
Photo credit: Aline Deschamps  
via Getty Images.

**The promise of decent wages and steady employment attracts many migrants from countries throughout Africa and Asia to the Arab States. However, the reality often differs substantially once in country and under the *kafala* (sponsorship) system, a restrictive work permit system that ties migrant workers to their employer.<sup>1</sup>**

By placing control over entry, exit, work, and residence in the hands of employers, the system leaves migrant workers vulnerable to exploitation and modern slavery,<sup>2</sup> particularly in domestic work,<sup>3</sup> construction,<sup>4</sup> hospitality,<sup>5</sup> and sectors where seasonal work is common.<sup>6</sup> Variations of the *kafala* system exist in Jordan, Lebanon, and the GCC countries — Bahrain, Kuwait, Oman, Qatar,<sup>7</sup> Saudi Arabia, and the UAE. Collectively, the Arab States region is home to more than 24 million migrant workers,<sup>8</sup> comprising over 40 per cent of the labour force — the highest share of any region.<sup>9</sup>

## What is the *kafala* system?

The *kafala* system is a set of laws and policies that delegate responsibility for migrant workers to employers, including control over their ability to enter, reside, work, and, in some cases, exit the host country.<sup>10</sup> Workers typically cannot leave or change jobs prior to completion of their contract, before a certain time period, or without permission from their employer. Those who do leave may run the risk of arrest and deportation for the crime of absconding.<sup>11</sup> The system also limits the ability of exploited workers to access justice. In practice, a worker who leaves their job not only risks losing their means of earning an income, but also risks becoming an illegal migrant. This threatens their ability to pursue legal action against their employer and recover any income they are owed. If deported, workers may also face bans on returning to the country to work.<sup>12</sup> Legal redress is made even more difficult by prolonged, expensive court processes, limited legal assistance, and the absence of interpreters.<sup>13</sup> Some employers reportedly create additional barriers to justice; for example, by levelling false allegations of theft against migrant workers in retaliation for leaving<sup>14</sup> or filing false absconding reports with law enforcement to avoid paying wages owed.<sup>15</sup> Migrant workers can be deported even where no evidence exists to support the accusations, while employers enjoy impunity.<sup>16</sup>

## What are the origins of the *kafala* system?

The differences between past and present understandings of the *kafala* system are vast. In classical Arabic, the term *kafala* referred to relationships between an authority figure or person with power (the *kafeel*) and a vulnerable or relatively weaker person (the *makfūl*), whereby the *kafeel* would take legal responsibility for the *makfūl* without benefitting from the relationship. Specifically, *kafala* meant “to guarantee” (as one would a business loan) and “to take care of” (for example, become the legal guardian of orphaned children).<sup>17</sup> The traditional interpretation of *kafala* as a form of alternative care is recognised in international law,<sup>18</sup> and may still be practiced in modern settings; for example, in the care of orphaned children and unaccompanied refugee minors.<sup>19</sup> However, the understanding of the system as a means of protection, trust, and social solidarity has largely been eclipsed by the widespread oppression of migrant workers under its present-day application as a sponsorship process.<sup>20</sup> This divergence between past and present applications highlights the lingering impact of colonialism.

The first example of present *kafala* was reportedly in the pearl diving industry in the British Colonial Protectorate of Bahrain in the 1920s, and subsequently spread throughout other colonies in the Gulf states.<sup>21</sup> In Bahrain, colonial administrators used the *kafala* system to facilitate the entry of migrant workers to fill perceived labour shortages on British-owned pearl diving ships while exerting their control over a foreign labour force by ensuring an acceptable *kafeel* took legal responsibility for the workers.<sup>22</sup> Most pearl divers were bound to their ship by debt and subject to abusive labour practices while onboard.<sup>23</sup> The repression of migrant workers is now entrenched in law and social norms. While present *kafala* is upheld by sponsorship requirements rather than debt,<sup>24</sup> both national and foreign employers today benefit from the disproportionate control the *kafala* system provides over workers.<sup>25</sup> Infantilising attitudes that position migrant workers as in need of protection justify restrictions on their mobility and other freedoms under the *kafala* system.<sup>26</sup>

## Modern slavery experiences in Lebanon and Kuwait

Female migrant domestic workers face specific challenges under the *kafala* system. Globally, patriarchal norms that devalue domestic labour as “women’s work” confine women within the household and make them less visible to authorities.<sup>27</sup> In high-income countries, domestic work is typically performed by low-paid female migrants who fill gaps in care driven by the curtailing of social welfare. These workers are subject to constant surveillance and face higher risks of gender-based violence, discrimination, and exploitation within their employer’s households. With their movements heavily restricted, it is even more difficult for victims to leave situations of abuse.

In 2020, Walk Free interviewed 30 female survivors of domestic servitude who were exploited in Lebanon and Kuwait. Respondents came from six countries, including Cameroon, Ethiopia, Ghana, Kenya, the Philippines, and Sierra Leone, and were employed in Kuwait and Lebanon, where strict versions of the *kafala* system operate. While migrants do not require an exit permit to depart Lebanon or Kuwait, all other elements of the *kafala* system are present. In Lebanon, migrants cannot leave their job without their employer’s permission<sup>28</sup> and in Kuwait, domestic workers must receive approval from the Ministry of Interior and Labour Court to transfer jobs without consent from their employer.<sup>29</sup> Getting this

approval requires workers to leave their employer’s household, which can lead to accusations of absconding and result in deportation:<sup>30</sup> seeking help is not without significant risks for migrant domestic workers. The interviews highlighted the difficulties women faced when seeking to leave their situation. Three-quarters of respondents had limited or no access to a phone in at least one household where they worked, and more than half reported having their movements restricted, including by being locked inside places of employment or monitored on camera. Half of all respondents physically escaped their household, and five women were subsequently arrested by police despite having experienced abuse and mistreatment by their employers. At least nine respondents were deported or repatriated after leaving their workplace, however this number is likely higher given not all respondents reported how they returned home.

**“After I escaped, [my employers] told me that I had been reported to police for having stolen money from the home. Shortly afterwards, the police showed up and arrested me...When the day of my flight arrived, I wasn’t even allowed to collect my possessions. I was still owed four months’ salary and returned empty-handed.”**

*23-year-old Ghanaian female survivor of domestic servitude*

Perceived or actual lack of protection prevented victims leaving situations of exploitation. Respondents reported that a lack of assistance from embassies, consulates, employment agencies, police, and beliefs that they could not turn to authorities were barriers to seeking help. While it is unclear how some respondents returned home, several were assisted by civil society organisations or family members, while few others had the cost of their tickets home paid for by their employers and agents. In one instance, a worker in Kuwait was required to pay her employer to be allowed to leave. For some workers, returning was further complicated by unpaid wages and confiscation of passports. When specifically asked if their documents were seized, all respondents in Cameroon reported that their passports were seized in Lebanon, where the practice is not outlawed,<sup>31</sup> and in Kuwait, where passport withholding is illegal.<sup>32</sup>

**“I didn’t go to police because they always support their citizens and will always treat my escape as a breach of contract. That was what my employer told me. I got to a church owned by a Ghanaian and they also told me they can’t be of help since I’ve breached a contract...I was arrested by police on the street, the Kuwait government paid for my flight.”**

*31-year-old Cameroonian female survivor of domestic servitude*

Almost two-thirds of respondents paid fees to brokers in their country of origin or transit, including in Ethiopia and Guinea, where domestic laws prohibit workers being charged recruitment fees.<sup>33</sup> Payment of fees increases risk of debt bondage in the Gulf states, where workers are forced to work for little or no pay in order to repay recruitment and related fees.<sup>34</sup> While Kuwait<sup>35</sup> and Jordan<sup>36</sup> prohibit charging recruitment fees to migrant domestic workers, and the remaining *kafala* countries prohibit charging recruitment fees to all migrant workers,<sup>37</sup> exorbitant fees are still passed on in practice.<sup>38</sup> To cover these costs, some respondents borrowed money from family or arranged to pay the money when they began their job, which typically carried the false promise of a good salary and ultimately led to situations of debt bondage. Many respondents were also deceived about the nature and conditions of the work, with more than a third of them being promised an entirely different form of employment than domestic work. Among respondents in Cameroon, just under half did not sign a contract and some respondents signed contracts in a language they did not understand. Meanwhile, two Ethiopian migrant workers reported being encouraged to travel despite a temporary ban on labour migration to Gulf states being in effect at the time.

**“I think Lebanese law needs to change so that we may have our rights protected. I wouldn’t have had to escape.”**

*33-year-old Ethiopian female survivor of domestic servitude*

Most migrant workers reported having very little to no knowledge about the destination country prior to travelling. Respondents in Cameroon were asked further questions on what would have been helpful for them in preparing for work. The most common response was knowing the true nature and conditions of the work. When the remaining respondents (those in Ethiopia, Ghana, Kenya, the Philippines, and Sierra Leone) were asked what support they needed but did not receive, the most common responses focused on greater support from embassies, employment agencies, or police.

## Impact of COVID-19

The situation worsened for many migrants during the COVID-19 pandemic, with reports of wage theft in the construction,<sup>39</sup> hospitality, and manufacturing sectors in Gulf countries,<sup>40</sup> largely driven by order cancellations, weakened labour protections (allowing employers to reduce wages), and dismissal or repatriation of workers without pay.<sup>41</sup> Migrants from countries in Asia and Africa are often recruited to work in these sectors by a complex network of local brokers, recruitment agents, friends, and relatives.<sup>42</sup> They may receive limited or inaccurate information about the nature of the work and be required to pay substantial recruitment fees to migrate through informal and formal channels, thereby increasing their risk of debt-bondage and exploitation in the destination.<sup>43</sup> During the pandemic, some migrants reportedly defaulted on loan repayments due to wage theft and were subsequently arrested in the UAE,<sup>44</sup> while several migrant workers in Qatar were deported before receiving their wages.<sup>45</sup> Construction workers were physically abused after requesting their unpaid salaries in Saudi Arabia,<sup>46</sup> where the government also allowed a temporary 40 per cent pay reduction in the private sector.<sup>47</sup> Lockdowns intensified social isolation and vulnerability among domestic workers in private households<sup>48</sup> and compounded difficulties in sending remittances home.<sup>49</sup> Some domestic workers in Lebanon were abandoned outside their consulates by employers who said they can no longer afford to pay them.<sup>50</sup>



**Manila, Philippines, February 2023.**

*Relatives of Jullebee Ranara, a migrant domestic worker who was killed in Kuwait, call for justice at her funeral. Police later arrested the 17 year-old son of Jullebee’s employers in relation to her killing. Migrant domestic workers in Kuwait often face sexism and racism, as well as risks of exploitation by employers due to the extreme power imbalance created by the kafala system. Photo credit: Jam Sta Rosa/AFP via Getty Images.*

Forms of tied visa programs operate in several other countries globally, and these systems similarly increase migrant workers' vulnerability to exploitation.<sup>51</sup> However, the various iterations of the *kafala* system involve some of the most restrictive conditions and are present in countries which have among the highest concentrations of migrant workers in the world.<sup>52</sup> Over the past decade, countries that uphold *kafala* have faced significant criticism due to the pervasive abuse of migrant workers under the system, with major international events such as the Qatar 2022 FIFA World Cup and Dubai World Expo 2020 drawing global attention to the issue.<sup>53</sup> Several countries have instituted reforms, some in response to mounting international pressure, yet no country has abolished *kafala* entirely, with vestiges of the system undermining reform efforts.

Qatar represents one example in which preparations for the FIFA World Cup since 2010 have drawn attention to grave migrant worker abuses in the construction, hotel, and security sectors.<sup>54</sup> Amid mounting criticism in 2017,<sup>55</sup> Qatar agreed to undertake a technical cooperation program with the ILO,<sup>56</sup> seeking to align laws and practices with international labour standards.<sup>57</sup> Promisingly, in 2020 Qatar ceased requiring exit permits for workers excluded from the scope of the labour law, including migrant domestic workers, expanding upon a similar 2018 amendment.<sup>58</sup> Qatar also removed No-Objection Certificate (NOC) requirements, allowing workers to change jobs without permission from their employer under certain conditions.<sup>59</sup> However, these positive reforms have been undermined by gaps in implementation and protections. In practice, the system is not only difficult for migrant workers to navigate, but many are unaware of their right to leave,<sup>60</sup> and even if they are they still face the threat of retaliation from their employers who may file false allegations of theft or absconding.<sup>61</sup> As reports of abuse persisted in the lead-up to the World Cup, human rights organisations continued to call for the government to enforce reforms and for FIFA and the Supreme Committee for Delivery and Legacy (the body responsible for delivering the event) to strengthen due diligence and monitoring,<sup>62</sup> as well as establish a scheme to remediate harms caused.<sup>63</sup> While global attention was brought to the issue following the games, it has not been followed by any meaningful commitment or action by FIFA and the Qatari government, with impacted migrant workers still struggling to access compensation.<sup>64</sup>

Several other countries have implemented limited reforms to increase job mobility in recent years. In 2021, the government of Oman removed its NOC requirement, allowing workers to transfer jobs without their employer's permission upon

completion of their contract.<sup>65</sup> Saudi Arabia's 2021 Labour Reform Initiative similarly allows workers to change jobs or leave the country without employer consent;<sup>66</sup> however, workers must complete one year of their contract and migrant domestic workers, among others, are excluded from this protection.<sup>67</sup> Under 2016 reforms allowing workers to transfer jobs in the UAE, workers must complete their contract or provide advance notice to avoid an employment ban, and may be required to compensate their employer.<sup>68</sup> As in Qatar, absconding is punishable in each of these countries and places migrant workers at risk of arrest or deportation for leaving abusive workplaces.

Even in Bahrain, which previously had the most sweeping reforms to the *kafala* system, gaps in protections persisted.<sup>69</sup> In 2017, the government introduced the Flexi-Permit, allowing migrant workers to freely change jobs and leave the country without facing possible charges of absconding.<sup>70</sup> This granted greater freedom than had ever been seen under the *kafala* system, yet the steep price of the permit deterred those eligible from self-sponsoring<sup>71</sup> and permit-holders lacked defined labour protections under the law.<sup>72</sup> Rather than address these shortcomings in line with civil society recommendations,<sup>73</sup> Bahrain abandoned the system entirely in October 2022,<sup>74</sup> replacing it with a program that allows workers to self-sponsor within designated professions.<sup>75</sup> Under the new system,<sup>76</sup> workers must obtain a vocational work permit through a certified registration centre, effectively privatising the process.<sup>77</sup> While the reforms purport to strengthen protections for migrants, those with irregular status from October 2022 are not eligible for the permit (unlike the Flexi-Permit system).<sup>78</sup> Further, workers must still bear the cost of the permit and can no longer obtain commercial registration.<sup>79</sup> The reforms were passed amid pressure from the business community, which was driven by fears that freelance migrant workers posed a threat to local businesses, and due to a government push to nationalise their workforce in a bid to move away from reliance on migrant workers.<sup>80</sup>

## The state of reform

The five elements of the *kafala* system present across countries in the Arab States are set out in Table 15.<sup>81</sup>

**Table 15**  
**Status of key elements of the *Kafala* system, by country**

Rating scale: ● = in force   ◐ = partially in force   ○ = not in force

Country	Employer must sponsor entry into country	Employer controls residency / work permit	Employer must grant permission for workers to change / leave job	Employer can report worker for absconding	Employer must grant permission for worker to exit country
Bahrain <sup>82</sup>	● Under reforms introduced in December 2022, visit visas can no longer be converted into a work permits, meaning migrants cannot obtain a work permit without exiting Bahrain. <sup>83</sup>	◐ The vocational work permit allows workers to self-sponsor in designated professions. It is unclear if domestic workers are eligible. <sup>84</sup>	◐ Vocational work permit holders can transfer labour registration centres after a minimum of 30 days from initial registration. <sup>85</sup> Excluding domestic workers, <sup>86</sup> other migrants can transfer after one year with three months' notice. <sup>87</sup>	● Before the Flexi-Permit was cancelled in October 2022, permit holders could not have absconding cases filed against them. <sup>88</sup> It is unclear whether the new permit allows absconding charges to be filed. Other migrant workers can be punished for absconding. <sup>89</sup>	○
Oman <sup>90</sup>	◐ Visit visas may be converted into a work visa without the worker having to exit Oman, however granting of the work visa depends on the employer. <sup>91</sup>	●	◐ Migrant workers can transfer jobs without permission after completion of their contract. <sup>92</sup>	●	○
United Arab Emirates <sup>93</sup>	◐ Free zone workers are sponsored by the free zone authority rather than an employer. <sup>94</sup> Visit visas may also be converted without the worker having to exit the UAE. <sup>95</sup>	●	◐ Requirement for permission is waived in certain circumstances, such as contract expiry or non-payment of wages. <sup>96</sup> Domestic workers may end their contract without consent if their employer violates legal obligations. They can transfer employers upon expiry of the contract. <sup>97</sup>	●	○
Kuwait <sup>98</sup>	●	●	◐ Migrants can change jobs after three years and 90 days' notice without permission. <sup>99</sup> Excludes domestic workers, who require approval from the Ministry of Interior and Labour Court to transfer jobs without consent from their employer.	●	○
Lebanon <sup>100</sup>	●	●	●	●	○
Qatar <sup>101</sup>	●	●	◐ Migrant workers can transfer jobs under certain conditions and with at least one or two month's notice. <sup>102</sup>	●	◐ Almost all migrant workers can depart without permission; however, employers can apply to have up to 5 per cent of certain employees to require prior approval. <sup>103</sup> Domestic workers must give 72 hours' notice. <sup>104</sup>
Saudi Arabia <sup>105</sup>	●	●	◐ Migrants can transfer employers upon completion of their contract, or after one year under certain conditions. <sup>106</sup> Domestic workers can transfer in some cases such as abuse. <sup>107</sup>	●	◐ Migrant workers can apply to exit the country without their employer's permission. <sup>108</sup> This does not apply to domestic workers. <sup>109</sup>
Jordan <sup>110</sup>	●	●	◐ Migrants can terminate unlimited term contracts with one month's notice; however, they may be required to compensate the employer. Limited term contracts can be terminated under certain conditions without permission or upon expiry. Excludes certain categories such as agricultural workers. <sup>111</sup>	●	●





**Doha, Qatar, December 2022.**

Construction workers, mainly from India, Bangladesh and Nepal, watch the Argentina-Australia match in the 2022 FIFA World Cup. Civil society activists criticised the labour conditions faced by the thousands of migrant workers involved in preparing the global tournament, and many migrant workers lost their lives during the construction. At the time of writing, a campaign is being run by civil society activists calling for FIFA to create a fund and financially compensate families of deceased workers. Photo credit: Christian Charisius/picture alliance via Getty Images.

Several countries in the region still grapple with strong opposition to comprehensive reforms due to perceived economic benefits of the *kafala* system and entrenched discriminatory attitudes towards foreign workers.<sup>112</sup> In 2020, prior to the installation of a new government in Lebanon, a new standard unified contract was proposed to allow migrant workers to change employers after one month's notice, among other protections.<sup>113</sup> However, the contract was swiftly struck down by the Shura Council, Lebanon's highest administrative court, after the Syndicate of Owners of Recruitment Agencies in Lebanon claimed that the contract violated the labour law and would adversely affect domestic worker recruitment, a lucrative trade in Lebanon.<sup>114</sup>

The government of Jordan has taken the least action to reform the *kafala* system. Jordan currently maintains all elements of the *kafala* system, whereby migrant workers typically cannot enter or exit the country or transfer jobs without written employer consent.<sup>115</sup> While the government has made some attempts to curb illegal practices of unscrupulous recruitment agents and improve protections,<sup>116</sup> there is a lack of capacity and will to enforce the regulations.<sup>117</sup>

**“I wish I knew that going to work there, I didn’t have to pay any money to process any documents because my employer was to do everything. And if I fully knew that I was supposed to work as a housemaid, be locked up and denied free movement or be a prisoner, I shouldn’t have gone there. I knew nobody working in Lebanon. I signed a contract when I got to Lebanon but did not understand the terms of the contract. I didn’t know who the employer was.”**

*34-year-old Cameroonian female survivor of domestic servitude*

## Recommendations host governments

- 1** Dismantle *kafala* by expanding coverage of national labour laws to include all workers and ensuring migrant workers can freely enter, reside, and exit the country, and leave or transfer jobs without employer consent.
- 2** Strengthen monitoring and regulation of recruitment agencies and high-risk sectors by increasing resources and capacity of labour inspectorates and conducting unannounced labour inspections. In addition, operate reporting mechanisms with whistleblower protections to allow workers to freely report grievances.
- 3** Strengthen criminal justice responses, including the provision of free legal and interpretation services, and provide systematic, regular training on victim identification for police and first responders to ensure no victims are detained and deported. Provide training for prosecutors and the judiciary on related legislation to support access to justice, including timely compensation for survivors.
- 4** Address underlying discriminatory and xenophobic attitudes towards migrant workers that increase their vulnerability to modern slavery across all sectors.
- 5** Ratify international conventions including the ILO Domestic Workers Convention, 2011 (No. 189), and the ILO Protocol of 2014 to the Forced Labour Convention, 1930.

## Recommendations sending governments

- 1** Introduce and enforce laws to prohibit charging of recruitment fees to employees and register and monitor local recruitment agencies for deceptive practices, ensuring contracts are made available in a language migrants can understand.
- 2** Pursue and strengthen bilateral labour agreements to protect migrant workers (rather than implementing labour migration bans) and cooperate with other sending countries to advocate for common standards for the protection of workers, in consultation with migrant workers, survivors, and civil society.
- 3** Strengthen the capacity of embassies in receiving countries to support survivors, including through deployment of trained labour attachés, and make survivor funds accessible to all migrant workers, regardless of their status.
- 4** Launch targeted information campaigns and formal training to ensure prospective migrants are informed of the risks, their rights, and support services available in the destination country, and support and engage with returned migrant workers to inform policies and decision-making.