



# Investigate The GCC Human Rights Policy In Light of Allegations of Forced Labour Trafficking Among Unskilled Migrant Workers.

Student Name: Hajer Almanea  
Universities of Leeds

## Introduction

The trend toward regional, economic, political and military blocs or systems is one of the most important aspects of the contemporary international community. The regional block has formed as an interface between the international and national levels to make it easier for states to communicate and to reach a consensus with regard to international issues. One such block considered in this study is the Gulf Cooperation Council (the GCC) which consists of six member states, founded on being "fully aware of the ties of special relations, common characteristics and similar system". This organization block aimed "to effect coordination, cooperation, and integration between them in all fields," in order to "pursue the goal of strengthening cooperation and reinforcement of links between them". On 21<sup>st</sup> December 2011, the GCC Summit discussed the Riyadh Declaration. The proposal was made to transfer the GCC organization's core activity from "a phase of cooperation to a phase of union within a single entity". It was from this Declaration that the attention paid by the GCC to human rights matters emerged. In a press release the Ministerial Council of this summit declared the establishment of a policy supporting human rights as a regional mechanism consistent with Islamic law and the international approach to human rights.

The human rights policy in the Gulf states was activated through the GCC organization as a response to the events of the Arab Spring. The arrival of the Arab Spring in 2011 led to a mass change in parts of the region. The domestic uprisings, which ranged from seeking complete regime change in some states and demands for social, economic and political reform in others, resulted in the removal of a few autocratic leaders in some states, and also fundamental social, economic and legal reform by remaining autocratic leaders (including monarchies), most of whom survived. All GCC states were - to various degrees - affected by the Arab Spring and experienced mass demonstrations. Following the 118th Session of the Ministerial Council, in which the mechanism of the Human Rights Office of the General Secretariat of the GCC in 2011 had been approved, the major issue considered in this thesis will concern the intended purpose of the GCC human rights policy.

This research argues that the human rights policy of the GCC has had limited impact since it aims to defend member states against criticism from, or confrontation with, the international audience (especially with regard to in allegations of the occurrence of the forced labour trafficking of unskilled migrant workers), rather than working to raising human rights standards more broadly and for the benefit of resident populations within member states in terms of their human rights performance.

## why allegations of forced labour trafficking that occur in KSA among unskilled migrant workers?

Although the forced labour trafficking issue is not new, and many international and regional attempts have been introduced to protect migrant workers from exploitation, it is still a huge human rights problem that is prevalent in the Gulf states. Research demonstrates that the number of migrant workers increase annually with potential to become victims of forced labour in GCC states. Forced labour is a result of these migrants working in low-paid jobs and undesirable living conditions that have been adapted as forced labour. The definition of 'forced labour' here may be described as all work or service that a person is made to do under threat or subject to force.

It also involves the workers' vulnerability to sexual, physical and psychological exploitation, uncompensated or non-payment of wages to workers, and confiscation of legal identification documentation. Thus, the study will explore the GCC's human rights policy in the light of allegations of forced labour trafficking of unskilled migrant workers that occurs in the member states.

The main steps taken by the GCC to support this right against forced labour are as follows. In 2011, the GCC adapted the Abu Dhabi document on the Uniform Code of Anti-Trafficking for the GCC States with regards to migrant domestic workers. This document is not legally binding, but reflects the wish of member states to protect this right. In addition, the GCC indicates in its official documents and declarations that it has made many efforts to protect this right. Also, the GCC has participated in many regional and international forums with regard to combating human trafficking and ensuring unskilled workers' rights. Consequently, there is a need for more research about these efforts (especially as there being no information published on its official website) and their relationship with the progress that has been made within the member states. The GCC involvement in this human rights issue thus offers an opportunity not only to assess the efficacy of the organisation, but also to assess the space that is accessible in terms of human rights protection by the organisation, as permitted by member states, in the region.

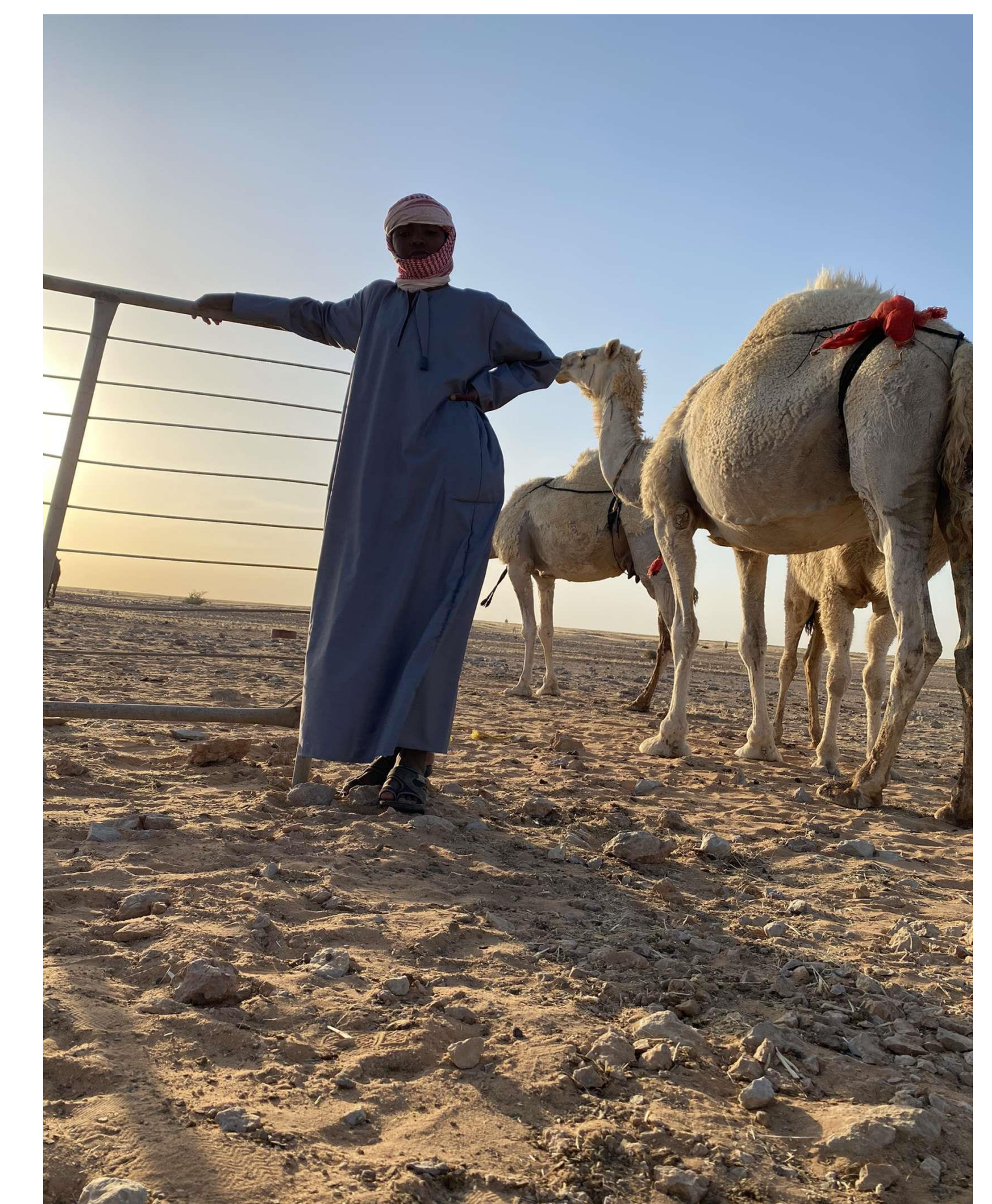
## Why Saudi Arabia?

Saudi Arabia has over many years annually increased the hiring of immigrants as low paid workers, especially for domestic work, to such an extent that it employs the largest number in the region, amounting to almost four million in 2019. Also, its Islamic status open the chance of emigrate to in find the employment opportunities. Each year, a number of people who come to Saudi Arabia for the purpose of Hajj (pilgrims) do not return to their states, but they seek employment in Saudi Arabia with legal residency under sponsorship system or illegal/without residency visa, which makes them vulnerable to forced labour trafficking.

However, there is insufficient legal protection for these workers, and the challenges associated with accessing such a labour force lead to the possibility of human trafficking and labour exploitation.

## Methods

The GCC human rights policy will be examined internally and externally. This research will analyse the primary and secondary sources relating to the GCC human rights policy, to understand the purpose and impact of this policy with regard to whether it is oriented to listen externally or internally. In order to achieve this goal, this paper will conduct a law in context approach in order to obtain a wider explanation and understanding of the aim of this study in terms of social, political, economic, moral and philosophical assumptions, bearing in the international human rights law view. The research methodology will be undertaken by law in context (socio-legal) research which involves doctrinal analysis and qualitative research interviews. The study depends mainly on a mix of primary and secondary sources. The written sources will be accompanied by semi-structured interviews so that these can be analysed within the context of this study. The researcher believes that this methodology is most suitable for conducting this research in terms of the highest levels of objectivity, accuracy and ethical correctness.



Migrant Unskilled Worker In Saudi Arabia  
The Photo Was Taken By Student.

## Bibliography

- Alvarez JE, *International Organizations as Law-Makers* (Oxford University Press Oxford 2005)  
GCC official website  
Gulf News  
International Labour Organization  
Ksnawi M, 'Processing of Iqama and Labour Systems for Illegal Migrants' [2014] *Umm Al Qura University*  
Matthiesen T, *Sectarian Gulf: Bahrain, Saudi Arabia, and the Arab Spring That Wasn't* (Stanford University Press 2013)  
Obokata T, *Trafficking of Human Beings from a Human Rights Perspective: Towards a More Holistic Approach*, vol 89 (Martinus Nijhoff Publishers 2006)  
Rijken C, 'Trafficking in Human Beings for Labour Exploitation: Cooperation in an Integrated Approach' (2013) 21 *European Journal of Crime, Criminal Law and Criminal Justice* 9  
Rosiny S, 'The Arab Spring: Triggers, Dynamics and Prospects' [2012] *GIGA Focus International Edition English*  
UNCHR documents.