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Migrant Protection by Education in the Gulf Cooperation Council (GCC): Lessons and Recommendations on the Philippine Post-Arrival Orientation Service (PAOS) in Qatar

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Introduction

The Gulf Cooperation Council (GCC) countries of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates (UAE) have increasingly accounted for at least 25 million foreign migrant workers (49% of the total GCC populations), with expectations to cross the 60-million mark by 2030 (IMF, 2015; GLMM, 2016). The large presence of foreign migrant workers places the GCC region as the third largest migrant destination globally, trailing only North America and Europe. Yet, even with the large migration population, the GCC countries have not collectively developed a centralized information dissemination system for migrant populations in the host country.¹ The underdeveloped centralized information system between Asian and GCC countries generates serious asymmetric information flows between migration stakeholders (i.e. migrants, employers, etc.), which has direct and complex implications on foreign migrant workers' rights and welfare (Desiderio and Hooper, 2015; Malit, Jr. and Naufal, 2016). The International Labor Organization (ILO)'s Multilateral Framework on Labor Migration (2006:2) acknowledges that "providing information to migrant workers on their rights and assisting them with defending their rights" as well as "providing information to employers' and workers' organizations concerning the rights of migrants" are vital to the development of effective labor migration management system. In December 2018, the United Nations Global Compact on Migration (2018:23) further highlights the need to establish "... post-arrival programs that may include rights and obligations, basic language training, as well as orientation about social norms and customs in the country of destination." This critical migration governance gap has thus led to complex and intersecting policy challenges for origin and destination governments, international organizations, and civil society groups in curbing asymmetric information and labor market violations.

In the GCC region², the post-arrival orientation service (PAOS) model has already been introduced and is currently being piloted at the Abu Dhabi Dialogue (ADD), an inter-regional consultative meeting for governments from Asia and GCC countries. The PAOS is a Philippine government's global initiative to disseminate information to overseas Filipino workers (OFWs) and has the capacity to mitigate asymmetric information faced by foreign workers.³ The ADD is looking to review and implement initiatives to help migrant workers understand their labor rights and responsibilities (de Leon, 2016).⁴ However, only the Gulf-based Philippine government missions—through their embassies and the Philippine overseas labor offices (POLOs)—have made the PAOS program available to OFWs in the Gulf. More specifically, in Qatar, the Philippine government, through its embassy and labor

¹ The UAE Ministry of Human Resources has recently introduced the "Know Your Rights Campaign," helping migrant construction workers better understand their legal rights and responsibilities in the host country.

² Malaysia, Singapore, Hong Kong, and Korea have developed a comprehensive PAOS program to educate foreign workers about their labor laws, culture, and employment relations.

³ In the GCC region, the POLO offices in Dubai and Abu Dhabi, UAE are also currently implementing PAOS programs, specifically for skilled and semi-skilled OFWs.

⁴ During the ADD meeting in Dubai, the Philippine government proposed the PAOS program for all migrant workers.

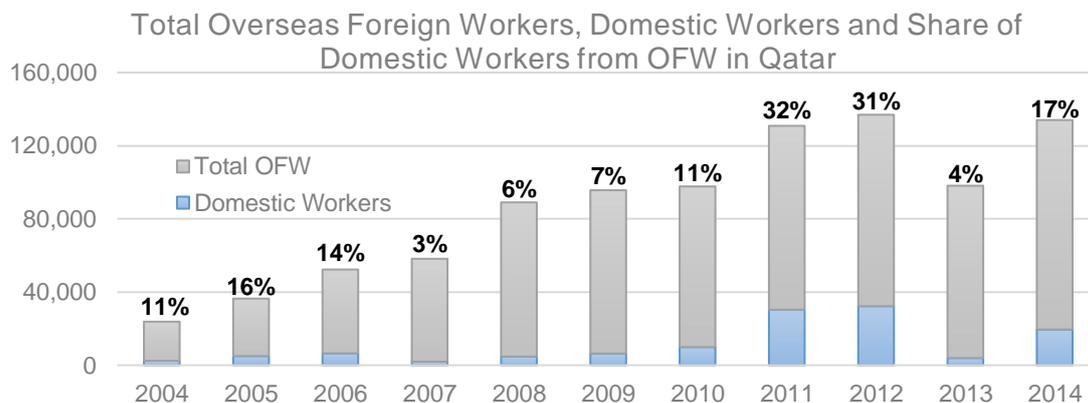
office, fully implemented the PAOS program in 2010, educating migrant workers about labor rights and obligations in the host country. This program has become an important resource to reduce asymmetric information, labor violations and distortions distributed by different and complex layers of intermediary brokers within the migration industry.

This paper examines the Philippine PAOS program in Qatar (2010-2015) and explores its challenges and practices in delivering services to OFWs, particularly to domestic workers.⁵ Using existing government data and secondary policy materials, we argue that the PAOS program is not only a vital migrant protection mechanism in upholding migrant workers' rights and welfare but also the least implemented program across the Gulf countries, which, to an extent, may contribute to the growing vulnerability of some low-skilled migrant workers. The paper is composed of three sections. First, we examine the Philippine migration to Qatar and more specifically, the domestic work migration to Qatar and of the Gulf countries. Second, we provide a background on the PAOS program in Qatar and identify broader challenges and practices in program implementation. Third and lastly, we highlight the implications of the Qatar PAOS program and offer recommendations to protect migrant workers and mitigate asymmetric information through the PAOS program.

Philippine Migration to Qatar and the Gulf Countries

Qatar is a top destination for OFWs in the Gulf and of the Middle East region. According to the Philippine's Department of Labor and Employment (DOLE), between 2004 and 2016, almost one million OFWs were deployed to Qatar, while nearly seven million OFWs (new hires) were deployed for employment purposes to the Gulf countries (DOLE, 2016). In 2015, of Qatar's 2.4 million inhabitants, OFWs represented 10% of the total population (excluding undocumented OFWs). OFWs hold positions in semi-skilled and low-skilled sectors, including domestic, construction, retail, administrative, medical and engineering fields.

Figure 1 Total OFW Deployment Data to Qatar (New Hires)



Source: POEA (2016); Unpublished POLO Report (2011-2015): total number of contacts verified by the POLO office for domestic work applications submitted by employers in Qatar

OFWs, specifically domestic workers, flock to Qatar due to a growing preference among local and foreign employers. Filipino domestic workers are perceived to have high

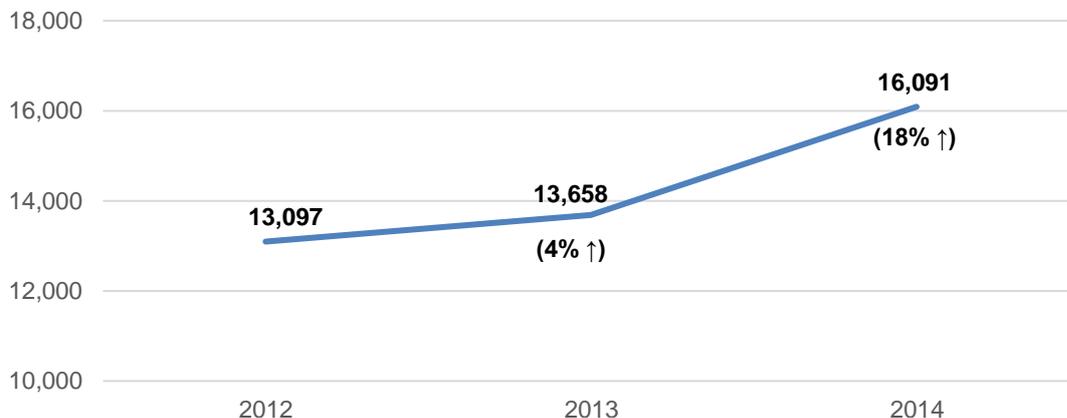
⁵ This policy brief is mainly derived from the authors' own direct participation and lectures delivered at the PAOS program in Qatar between 2010-2015. It is intended to shed policy insights and recommendations for the future government officials in the Philippines and beyond who aim to fully understand and implement the PAOS program in Qatar or in other labor-receiving countries in the long run.

productivity levels, educational background and cleanliness standards (Sayres, 2007). The demand for these workers is expected to increase because of the “relatively high fertility of 3 children per woman in 2016 compared to the global average of 2.5 children per woman” (Qatar Ministry of Development Planning and Statistics, 2017:12). In 2014, there were almost 20,000 newly hired Filipino domestic workers, accounting for 17% of the total OFW new hires in Qatar (Figure 1). The Philippine DOLE acknowledges that Qatar will attract more OFWs—including domestic workers—particularly because of the policy ban removal on Filipino domestic workers and the hosting of FIFA World Cup 2022 (Malit and Naufal, 2018). Thus, the increasing OFW labor demand in Qatar and other Gulf countries would, therefore, pose further legal, institutional, and administrative constraints on the program implementation of the PAOS program.

The Post-Arrival Orientation Service in Qatar

Globally, attendance at the PAOS has surged since 2012, increasing by 18% between 2013 and 2014. Of the more than 16,000 global PAOS beneficiaries in 2014, 20% came from Qatar, which places the PAOS program in that country as a pioneering initiative.⁶ The Philippine’s PAOS program therefore has emerged as an important protection tool for migrant workers globally, particularly in Qatar. The PAOS program is offered to migrant workers who have arrived in the destination country of employment. As an extension of the pre-departure orientation service (PDOS) program, the PAOS is “conducted overseas either by the employers (for group deployments), the host country authorities, or the POLO in cooperation with the OFW community or church-based groups” (DOLE, 2014). The PAOS program in Qatar is a one-day information orientation service which educates migrants about their labor rights and obligations, the host country’s laws and culture, as well as other services and programs available within the Philippine embassy and in the host country.

Figure 2 Attendance at PAOS Worldwide



Source: Unpublished POLO Report (2011-2015)

The Qatar-based Philippine PAOS’s ultimate objective is to protect migrant workers from all forms of labor exploitations by minimizing information asymmetry about the legal and cultural norms in the host country. The PAOS program equips OFWs with both information and training and prepares them to respond to potential workplace labor abuse and criminal

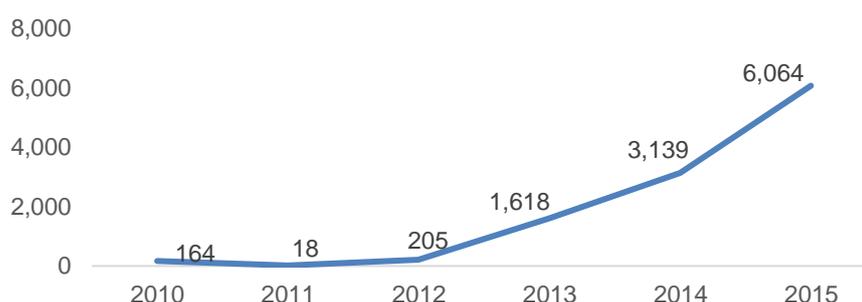
⁶ Given the data limitations presented above, both authors suggest that future government policy and academic researchers should continue to expand this policy brief and provide more recent or comparative data to better understand the determinants of PAOS programs’ effectiveness in the host country.

cases among employers or recruitment agents/brokers. Since 2010, the POLO in Qatar has actively implemented the PAOS program to empower OFWs, specifically domestic workers, given their accessibility through the POLO office. Between 2010 and 2015, more than 11,000 OFWs—mostly domestic workers—had already attended PAOS orientations in Qatar. The PAOS program in Qatar is delivered either on the POLO premises or at company headquarters (organized by human resources departments). In 2014, for instance, the FFL Migrant Workers, a Qatar-based Filipino civil society, partnered with POLO staff to provide PAOS to 60 construction workers in the QIT Camp in Al Khor, Qatar (Philippine DFA, 2014). The Philippine government educated OFWs about the embassy assistance-to-nationals and consular services, and other government welfare services and programs. It also held a PAOS program in November 2015, which benefited 200 OFWs, in partnership with the Philippine Embassy and POLO; BMKQ, a Philippine construction migrant-led group; and Building Wood Workers International. These events reflect the growing cooperation between the Philippine government under the POLO unit and the Philippine community living in the host country.

Policy Incentives

The PAOS program has become compulsory for all agencies with reported recruitment and contract violations on domestic workers. The PAOS program, however, became non-compulsory for skilled and semi-skilled workers, yet has also increased popularity among OFWs in Qatar. While the PAOS's implementation is less standardized, the POLO's Labor Attaché has consistently developed policy incentives and mechanisms to enhance the PAOS implementation in Qatar (Asis and Agunias 2012). First, the POLO office, led by the Labor Attaché, created a mandatory policy, which requires all recruitment agencies (which mainly employ domestic workers) with runaway domestic worker records in POLO Qatar seeking contract verification, to register their workers in the PAOS program. As an incentive to those recruitment agencies that are compliant with government rules and regulations and have no record of runaway labor cases in POLO Qatar, recruitment agencies obtain more lenient and faster processing services for registering OFWs in the PAOS program in Qatar (Figure 3 shows a sharp increase in Qatar-PAOS attendance).

Figure 3 Attendances at PAOS Qatar



Source: Unpublished POLO Report (2011-2015) indicates the total number of contacts verified by the POLO office for domestic work applications submitted by Qatar-based employers. Since POEA does not provide data on the total number of deployed domestic workers to Qatar, the number of contracts verified is used instead as a substitute to illustrate the deployment figures for domestic workers.

Concurrently, the POLO-Qatar, in its 2015 Work and Financial Plan, included an activity for issuing awards/incentives to compliant agents annually. The POLO Labor Attaché often provides awards to agencies with high regulatory and policy compliance performance.

While the DOLE/POLO Office has no written rules and procedures on blacklisting employers and recruitment agencies, the Labor Attaché ensures that non-compliant manpower agencies would often face penalties, including blacklisting from the POLO. Therefore, the knowledge of and commitment by recruitment agencies to the roles of the Labor Attaché are vital to the sustainability, expansion, and success of the PAOS program.

Implementing the PAOS Program in Qatar: Challenges and Opportunities

The Qatar-based PAOS has faced multiple institutional, administrative, and related challenges that undermine its effectiveness. Despite the Labor Attaché's incentives policy, recruitment agencies' non-cooperation continues due to their fear of being policed by the Philippine state for failing to pay the mandatory \$400 minimum wage and to allow domestic workers to hold their passports and cellphones to communicate with their families. This non-cooperation also stems from the employers' assumption that the PAOS program would overly empower newly arrived domestic workers to abscond from their employers in case of contractual or personal disputes.

Qatar's strict policy on organized public events—often due to security-related concerns—also limits the POLO staff's ability to implement a larger information/orientation campaign for OFWs. This restriction makes it difficult for the POLO to access other larger OFW populations and, thus, limits its ability to function within small-scale workshop events for migrants, especially on the POLO premises or in some labor camps in Qatar. In addition, the lack of constant training and comprehensive manuals, combined with the absence of budget for PAOS program, put critical pressure on the POLO staff's ability to extend orientation services to the OFW populations.

Institutional Challenges

Institutional constraints often impact the effective implementation of the Philippine PAOS program in Qatar. The non-institutional cooperation of recruitment agencies and employers weakens the potential contribution of PAOS to empower migrant domestic workers about their contractual rights and responsibilities in the host country. More specifically, the limited public venue in POLO Qatar office makes it challenging to conduct information dissemination campaigns for migrant domestic workers, which, to a large extent, adds institutional limitations to the Philippine state's ability to effectively reach larger migrant domestic workers' audience. The restrictive policy for Qatar's organization of public events, which also mandates government and non-governmental institutions to obtain government permits prior to publicly conducting PAOS events for large audience, is another institutional impediment for the Philippine state. These institutional constraints therefore pose complex and intersecting challenges in limiting the Philippine state's capacity to effectively deliver the PAOS program to all concerned migrant domestic workers, recruitment/placement agencies, and employers in the host country.

Administrative Challenges

Administrative constraints also pose critical issues for the Philippine state to deliver the PAOS program for migrant domestic workers in Qatar. The lack of context-specific module for PAOS is an essential problem, which limits the capacity of POLO officers to educate migrant domestic workers about the complexity of the Qatari legal system, particularly its dispute resolution system. The lack of adequately trained PAOS officers and speakers also puts critical administrative problem, as the number and types of speakers vary, depending on their availabilities. In fact, some of the current PAOS officers and speakers mostly did not have prior institutional training on the subject matter. In most cases, they only acquired such valuable legal, administrative, cultural, and social insights during

their employment duration in Qatar. This particularly administrative issue is rooted in the limited budget for hiring knowledgeable speakers and data encoders for policy analysis purposes.

Due to budget constraints and availability, the limited use of technology and data between POLO/embassy officers to help identify existing labor violators or abusers, which are crucial participants for the PAOS program, is an essential limitation of the effectiveness of the PAOS program. The complex administrative constraints within the POLO office have directly challenged the Philippine state’s capability of effectively using PAOS as a protection mechanism for all OFWs, specifically domestic workers, in the host country.

Other Related Challenges

The PAOS program has limited capacity to assist more OFWs in Qatar partly because the most vulnerable groups, including domestic and construction workers, either live in remote industrial or rural areas or within the employers’ households. These geographic constraints significantly undermine the accessibility and viability of the PAOS program for unskilled OFWs in Qatar and make it difficult to close the information gap in the labor market.

Table 1 summarizes reported challenges due to institutional, administrative and other factors.

Table 1: Reported Governance Challenges in Implementing PAOS in Qatar

Factors	Reported Challenges
Institutional	<ul style="list-style-type: none"> • Non-institutional cooperation and compliance of recruitment agents, brokers, and employers in the POLO’s PAOS program • Restrictive policy for Qatar’s organization of public events, given the permit required to conduct PAOS events in Qatar • Insufficient information campaign on PAOS and limited public place/venue in POLO Qatar to conduct PAOS to accommodate more than 100 workers contribute to the ongoing challenge of POLO authorities.
Administrative Capacity	<ul style="list-style-type: none"> • Lack of a comprehensive, context-specific module for PAOS, particularly in regard to Qatar dispute resolution and labor laws • The absence of PAOS training capacity and development for POLO officers within the diplomatic post • Limited budget for implementing a PAOS program, particularly for data encoding and hiring qualified and knowledgeable speakers • Weak POLO implementation of blacklisting rules and procedures • Limited use of technology and data between POLO/embassy offices to help identify existing labor violators or abusers
Other related challenges	<ul style="list-style-type: none"> • Limited accessibility of PAOS programs to other low-income, private sector OFWs, particularly those in labor camps or remote regions in Qatar

Recommendations and Conclusion

This paper has examined the Philippine PAOS initiative in Qatar (2010-2015), as well as its best practices and challenges in program implementation. The PAOS program, however, will only achieve further success in educating migrants and closing asymmetric information if a government-government corridor of cooperation were to be developed to implement, manage and sustain the PAOS program in the host country. While Philippine PAOS programs in other GCC have increased, the inconsistent implementation process, along with the limited service terms of Labor Attachés, places direct challenges on the effective application of the PAOS program. Using the case of the Philippine PAOS program, we therefore propose some recommendations:

- **Review and link the origin country-based PDOS program with the destination-based PAOS program.** Countries of origin and destination should consider developing jointly the standard curricula that are country and workplace context-specific to coherently implement information dissemination to migrants.
- **Assess the critical value and impact of jointly administering the PAOS program after the worker has arrived in the destination country.** The sending countries' embassies may reinforce the mandatory PAOS through seminars or workshops. Conversely, destination countries may enforce PAOS as a compulsory requirement for all foreign workers to educate them about their culture, customs, laws, etc.
- **Adopt innovative technology to identify labor violators and continue to reward compliant employers or agents to increase their PAOS participation.** Origin countries need to continually enforce a blacklisting model for non-compliant companies to improve workers' protection and welfare. A website with an updated list of violators and compliers can direct migrant workers to compliant recruiting agencies.
- **Assist labor or welfare attachés of origin countries in facilitating knowledge-sharing.** This can be done through regional seminars/workshops and know-how in all Gulf countries to effectively implement PAOS programs in the host country.
- **Incentivize the labor offices of the origin countries.** This can be done by annually recognizing the highest and most creative PAOS performing programs.
- **Conduct a pilot study.** This will enable the origin countries to examine and evaluate the impacts of PAOS programs on workers' welfare and labor conditions.

Given the abovementioned recommendations, combined with the limited available data, further academic and policy research are critical to better understand the complex challenges and opportunities in establishing a strong PAOS program for the protection of migrant workers in the GCC region.

About the Authors

Froilan Malit Jr is a Gulf migration policy consultant, who works as an associate at Gulf Labour Markets and Migration (GLMM) Programme in Italy. He is also a visiting scholar at Zayed University and a research fellow at CIFAL Philippines/United Nations Institute for Research and Training. Over the past seven years, he has extensively worked as a technical consultant on labor migration policy issues for the International Labor Organization (ILO), United Nation-International Organization for Migration (IOM), UAE Ministry of Human Resources and Emiratization | Abu Dhabi Dialogue Permanent Office, the Philippine government, and various think-tank organizations globally. He also previously held academic research positions at Mohammed Bin Rashid School of Government (formerly known as Dubai School of Government), American University of Sharjah, and Institute for Social and Economic Research (ISER) at Zayed University.

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