

## **Invisibility of deceased International Labour Migrants: Politics of recognition**

**SUMMARY:** Death of international labour migrants in Dirty, Dangerous and Difficult (3D) work is accounted only for counting. The untold death stories of these wealth creators at three levels household, country of origin and destination are neither taken into account nor studied in-depth. The politics of recognition and subsequent invisibility is evident in case of emigrant worker's death. Loss of life and associated socio-economic impact on the families is scrutinized through this study. Challenges remain with regard to the impact of death on the family and their ordeal, compensation package the family received, the response of the State and corporate accountability especially the labour contracts (Kafala system). The present study restricts to Indian emigrants death in Gulf region (Persian gulf) cause of death and compensation too. Existing volunteers network who facilitated the mortal remains of the emigrants is contacted to trace the families of the emigrants in India. The study also refers to the official account of Government of India with regard to number of workers deaths in Gulf region (West Asia). It analyses the process of repatriating the mortal remains of Indian workers in Gulf countries as well as the factors that hinder them. Through field study this paper will capture the situation of the deceased migrant families. Case method was adopted to interview 20 families in Tamil Nadu apart from friends, diaspora organization/ interest groups and volunteers at destination country.

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Human rights and labour rights exist, but they are exercised very little or having its presence in a minimal way for migrant workers. If they happen to be international migrants working in dangerous, demeaning and difficult (3D) work environment the forum to represent any violations and to set aside their grievances are virtually nil. They become stateless community both in the source and in the destination countries even though significant contribution is made to the countries economy from the remittance. Reserve Bank of India (RBI) reported that inward remittance helped India to finance trade deficit (43 percent in 2017-18).<sup>1</sup> Yet, the cost of remittance is still high and G20 prioritized the high cost of remittance from the point of revenue loss in formal channel. But for the migrant the cost of remittance was the key element to choose different informal channels of remittance in spite of the risk involved (Kosse and Vermeulen, 2014). RBI has reported that more than 50 per cent of total remittances received in

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<sup>1</sup>[https://www.rbi.org.in/scripts/BS\\_ViewBulletin.aspx?Id=17882#F2](https://www.rbi.org.in/scripts/BS_ViewBulletin.aspx?Id=17882#F2) accessed on 10<sup>th</sup> June 2020.

2016-17 came from GCC countries. It means mostly semiskilled and skilled contributed from GCC countries (ILO, 2018). The money that they deposit is visible and key instrument for the development in India (refer in attachment 1 the chart reproduced from RBI on the remittance received). But the very person who is instrument in the process of development becomes invisible both in the destination countries and in the country of origin (source country). They are invisible since they are numerically small in size, scatter across India and very negligible in number compared to mobility of labour migrants within India. Becoming a critical mass is non achievable except in one or two states in India as the number of (e) migrants are distributed across the Indian States as shown in Table 1. Provinces like Kerala have long history of establishing a separate organisation to look after the emigrants, have established a government department and have political representation among emigrants. Yet, they are key to the country's economy in the destination country. Table 2 shows the number Indians living in GCC countries and in Table 3 the emigrants in GCC, a critical mass for their economy. UNDESA (2017) estimated that between 2015-2017, the Indian population in Qatar more than tripled, rising by 250 per cent. In Saudi Arabia and Kuwait between 2010-2017 it rose to 110 per cent and 78 per cent respectively.

**Table 1.**

**Emigrants going to ECR countries through RA and Direct Recruitment by FE for the years 2007-2018 (Top provinces in India)**

Indian Provinces	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
ANDHRA PRADESH	9,654	43,613	42,023	44,193	43,612	50,359	61,213	53,103	45,301	27,005	17,725	15,528
BIHAR	16,884	59,689	50,162	60,414	72,277	83,972	96,868	98,748	107,586	76,385	69,426	59,181
KERALA	19,881	163,737	119,188	103,889	88,040	98,132	86,134	66,055	43,157	25,166	16,643	14,496
MAHARASHTRA	24,616	19,116	18,065	16,960	19,236	19,582	19,111	15,296	-	-	-	-
ORISSA	-	-	-	-	-	-	-	-	-	12,314	11,200	9,832
PUNJAB	28,195	54,254	26,969	30,858	33,010	37,539	48,697	48,450	46,574	31,860	27,607	19,777
RAJASTHAN	27,030	63,898	44,670	47,636	43,193	50,233	51,176	48,133	46,108	35,167	32,184	30,272
TAMIL NADU	9,113	93,646	77,665	84,415	69,473	78,160	83,385	83,205	73,065	42,542	38,341	31,588
TELANGANA	11,435	48,416	27,161	27,842	29,272	42,252	44,949	38,521	36,402	25,081	17,609	13,085
UTTAR PRADESH	37,126	137,298	125,548	140,501	158,315	191,143	217,849	229,496	237,254	143,741	88,450	86,273
WEST BENGAL	8,229	25,661	21,177	28,877	30,195	36,948	41,898	51,581	64,609	53,346	36,599	28,648

Source: Table prepared from the data retrieved from eMigrate, Overseas Employment Division of MEA, Government of India.  
<https://emigrate.gov.in/ext/preViewPdfGenRptAction.action> accessed on 01st June 2019.

**Table 2.**  
**GCC population VsIndians in GCC**

Country	Population (2012)#	Number of Indians (2012)*	Indians in percentage
<b>Bahrain</b>	1,208,964	350,000	29.0
<b>Kuwait</b>	3,268,431	579,390	17.7
<b>Oman</b>	36,23,001	718,642	19.8
<b>Qatar</b>	1,832,903	500,000	27.2
<b>Saudi Arabia</b>	28,894,675	1,789,000	6.1
<b>UAE</b>	8,264,070	1,750,000	21.1
<b>GCC Total</b>	<b>47,092,044</b>	<b>5,687,032</b>	<b>12.0</b>

Source: # GCC estimated population data obtained from Gulf Cooperation Council Statistical Center <http://dp.gccstat.org/en/DataAnalysis?BLusCmXUaW2gz3lqQNA> accessed on 30<sup>th</sup> May 2019.

\*Indian population presented to the Lok Sabha, 12<sup>th</sup> August 2012 by MoIA in response to Question No. 1351 regarding estimated country-wise total number of Indians residing/working in various countries. Cited by **Dahiya, R (ed.) (2014)** page no 117.

**Table 3.**  
**Indian emigrants in Gulf Cooperation Council (GCC) countries 2014-2018.**

Country	2018	2017	2014	% change 2018/2017	% change 2018/2014
<b>UAE</b>	103,720	149,780	224,037	-30.75	-53.7
<b>Saudi Arabia</b>	65,542	78,557	329,882	-16.56	-80.13
<b>Kuwait</b>	52,245	56,380	80,419	-7.33	-35.03
<b>Qatar</b>	32,492	24,759	75,983	-31.23	-57.24
<b>Oman</b>	32,316	53,332	51,317	-39.4	-37.03
<b>Bahrain</b>	8,522	11,516	14,207	-26	-40
<b>Total</b>	<b>294,837</b>	<b>374,324</b>	<b>775,845</b>	<b>-21.23</b>	<b>-62</b>

Source: Reply by Ministry of External Affairs in Parliament. Numbers counted up to 30<sup>th</sup> Nov 2018

Politically speaking their vote is either insignificant or not a deciding factor. The Govt. policy towards international labour migrants accordingly either brushed aside, getting shelved or never resulted into a concrete reality except for some working group reports and for a fire fighting at times of crisis. For example, the Working Group on Migration (WGoM), under Ministry of Housing and Urban Poverty Alleviation. Govt. of India in the year 2017 mentioned the lack of data on international migration and necessitated the need for a comprehensive data. Except for the regulation under Indian Emigrant's Act, 1983 that regulates the International migration, their experiences, personal loss including death, situation in the destination and country of origin thus becomes insignificant.

This insignificant position can be understood from theory of recognition. The **Idea of recognition** is defined and shaped based on how others treat and making ourselves worth. It means for whom and for what. It is negotiated based on the identity, social role, practices, beliefs that one have. Self-worth and demanding for recognition according to **Charles Taylor (1994) and Axel Honneth (1995)** is shaped by others. Hence, it is imperative that recognition as part of Social Justice need to be contextualized for labour migrants. In fact, Axel Honneth argues that recognition is central to social justice. Recognition helps us to form, to determine, to shape and to think who we are and how we have to understand and exercise freedom and **justice (Stone, C. (Ed.), Leeson, L. (Ed.), Williams, J. 2018: 1)**. Recognition negotiates power and regulation of identity to establish the condition of a particular community and the situation they are living. Such a struggle for recognition brings uncertain outcomes and limitations. The instabilities are inherent within the identities as much as we gain positives depending on the social context **(McQueen P. 2015. page 4)**.

For example, during colonial regimes the imperial Governments have objectified people as 'resources' rather than subjects **(Stone, C. (Ed.), Leeson, L. (Ed.), Williams, J. 2018).page xi)** if they have come from other culture and speak minority language other than the native majority speakers. The practice of hiring labourers across countries for an exploitative labour situation is still in place.

**McQueen P. (2015)** argues that recognition brings us number of questions. Firstly, the object of recognition based on one's individual identity, cultural identity, social role, legal rights, equal status, religions and ethical belief, social practice and so on. Secondly, who is recognizing/ legitimizing the recognition? It is friends, family, community, government, social institution etc. Thirdly, what is the purpose of recognition? Is it to promote one's own interest, to establish set of legal and cultural rights **(Kymlicka, 1995; Tully, 1995)**, to foster social equality **(Fraser, 1997)**, to secure the value of cultural identities **(Taylor, 1994)**, or to promote social solidarity **(Honneth, 1995)**.

Historically, recognition is discussed by Jean-Jacques Rousseau (2002), Johann Gottlieb Fichte (2000) and Georg Wilhelm Friedrich Hegel (1977). In fact it was Hegel (1977) who coined the phrase 'struggle for recognition' (kampf um anerkennung). Rousseau's mentioned that every human being would strive to achieve recognition depending on their social life, language and communal living and with a strong sense of competition between individuals. In other words the desire to have self-esteem (*amour propre*) regulates one's behaviour determines the social recognition. On the other hand, Hegel expanded the understanding by relating it to others. He argued that social interdependent (interaction with others) and not independent social situation of a person determines recognition. Development of self-consciousness, agency and freedom is dependent upon recognition in society. Charles Taylor (1994) and Axel Honneth (1995) interpreted that the identity is shaped by our relationship with others. Construction of one's identity is based on how the individual recognise self-worth, self-dignity and self-esteem positively. This according to him is 'vital human need' otherwise this would create self-hatred within themselves. Depending heavily on the idea that inward thinking of an individual for being worth was criticised by others. Because it negates the fact on one's social relations. Yet, his ideas on the politics of equal recognition due to citizenship brings equal dignity and thereby promotes equalisation of rights and entitlements (McQueen P. 2015:25). According to him, uniqueness of groups and individual having political stand/ difference must be recognized. But his less theorized concept on misrecognition of a group/ individual or non-recognition for a particular individual/ group or if demand for recognition is made.

Axel Honneth has proposed 'spheres of interaction' such as love(physical needs & emotions), rights (belief in equal rights) and esteem (recognition of one's personal trait). These traits depend on their interaction with the social situation and political institutions they operate. He argued that sense of disrespect leads to social justice but on the other hand if there is no self-respect provided in the first place how would they know that they are ill treated and exercise their autonomy. But some individuals on virtue belonging to a particular race, culture, caste, gender are esteemed / privileged or less privileged than others. Eg. Conservatory workers in India, manual labour etc. This is reinforced through caste they belong. The co-exist power operates in unequal way. Hence, recognition can't be formulated independent of the structures. As McQueen P. (2015) argued that recognition is multifaceted, ambivalent process, which can empower and undermine subjectively.

## **Invisibility & Politics of Recognition**

McGeehan, N., & Keane, D. (2008) reported that deaths and suicides among migrant workers are manipulated both by private companies and by the Government in UAE. As per the federal law, the employers are legally required to report work-related incidents to the Ministry of Labour, meet medical cost and provide sick leave.<sup>2</sup> But hardly any report is filed and even if it is reported, such reports are not available in the public domain. Further, the employers are required under the law to meet work-related injuries treatment cost<sup>3</sup> and if work-related death is reported, the family members of the deceased are entitled for compensation.<sup>4</sup> In fact McGeehan, N., & Keane, D. (2008) discussed that the officials in the Ministry of Labour, admitted on non cooperation from the companies in reporting injury and deaths.

More specifically on the Indian workers, The Economist Intelligence Unit has reported on the link between suicides, work and accommodation in UAE. To quote, “An Indian worker killed himself after his employer refused to give him Dh50 to visit a doctor... The case highlighted the plight of many unskilled foreign labourers in Dubai and the UAE, many of whom go unpaid for months and are forced to live in cramped, poor-quality accommodation”.<sup>5</sup> McGeehan, N., & Keane, D. (2008) argued that there was also conflicting reports on number of deaths by different Government agencies in Dubai. The Dubai Police using ambulance records reported 40 deaths whereas Dubai Municipality officials claimed 31 deaths. And on the contrary Department of Health and Medical Services said they did not keep complete statistics.<sup>6</sup> Suicides among the Indian migrant workers, which are high, are being attributed to personal problems and not due to work related conditions. The Indian consulate reported 67 suicides in the year 2004<sup>7</sup> and Indian ambassador to UAE mentioned that there were 100 Indian nationals committed suicide between August 2005-August 2006.<sup>8</sup> Number of other factors such as schizophrenia, alcoholism, homosexuality and AIDS were also attributed for suicide incidence.<sup>9</sup>

The complexities associated with death are under-researched theme in international migration studies. Only on certain occasions it is seriously discussed in the corridors of power, if the number of deaths is higher or migrants inhuman treatment resulted in death. The process of repatriating the mortal remains of Indian workers in Gulf countries as well as the factors that hinder them must be studied. Also,

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<sup>2</sup> Article 142, Chapter 8, Federal Law No. 8 for 1980 on Regulation of Labour Relations and Article 144, Chapter 8, Federal Law No. 8 for 1980 on Regulation of Labour Relations, UAE

<sup>3</sup> Article 144, Chapter 8, Federal Law No. 8 for 1980 on Regulation of Labour Relations, UAE

<sup>4</sup> Article 149, Chapter 8, Federal Law No. 8 for 1980 on Regulation of Labour Relation, UAE.

<sup>5</sup> Economist Intelligence Unit, Country Report: UAE, Main Report, 1 February 2005

<sup>6</sup> Gulf News, 21 November 2009

<sup>7</sup> Gulf News, 22 October 2005

<sup>8</sup> Ambassador Nada S. Mussallam, 19 August 2006 as quoted in McGeehan, N., & Keane, D. 2008

<sup>9</sup> Gulf News, 22 November 2005

the family situation of the deceased worker must be examined together to attain effective understanding of the phenomenon. Due to invisibility on multiple counts (not being reported, researched, sparse and meagre number of workers compared to migrants workers within India). These factors contribute in non-recognition in policy matters of the Government. The term 'Invisibility' was used in a sense that the death of is not studied or researched in depth except on the demographic count (Gaikwad PB et.al: 2018). Hence, the politics of recognition becomes very pertinent for the migrant death in a foreign land, as the families have no agency to raise their voice for the existing legal remedies within and outside the country.<sup>10</sup> It is a fact that mortals are transported back to India with State supportive mechanisms through Ministry of External Affairs (MEA), GoI and the office of Non-Resident Tamils (NRTs), GoTN in case of Tamilnadu. The pain of losing a key family member or many a times the only source would devastate the families.

Amnesty report, 'The Dark side of Migration' points out, a complex contractual chains, sub-contract arrangement to major companies, inhuman working and living conditions and appalling safety standards, high number of admission to hospitals of injured falling from height and death. In fact, on a similar vein the Guardian Newspaper's reported on increase percent in number of cardiac related deaths during summer months. Opportunity for postmortem is permitted only for criminal cases; death resulted due to illness and only if family members permit and absence of no bilateral agreement between countries. Family members wanted the mortal remains to be transported immediately for last rites without any delay. Such labour standards are not only in Gulf region but also across the world. ILO terms such practices as 'Menace of penalty' in its Forced Labour convention 29 and in reiterated in ILO's 105 convention. The "menace of any penalty" according to ILO refers to a "wide range of penalties used to compel someone to perform work or service, including penal sanctions and various forms of direct or indirect coercion, such as physical violence, psychological threats or the non-payment of wages. The "penalty" may also consist of a loss of rights or privileges (such as a promotion, transfer, or access to new employment)".<sup>11</sup>

## Statistics Matter

Studies have shown multiple levels of discrimination for (e)migrant workers such as they are not paid regularly; health insurance is either inadequate or not available; exposed to occupational hazard; live in poor, unhygienic, insecure conditions without access to health care (S. Priebe, et al., 2016;

<sup>10</sup>[http://elplandehiram.org/documentos/JoustingNYC/Politics\\_of\\_Recognition.pdf](http://elplandehiram.org/documentos/JoustingNYC/Politics_of_Recognition.pdf)

<sup>11</sup>[https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_508317.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_508317.pdf)

Norredam M, Mygind A, Krasnik A. 2006; I. Keynaert, et al., 2016). Detailed studies on issues leading to death of workers and the consequences for the families are either absent or not undertaken. Similarly, the cause of death and compensation claim is close to nil. Death of a (e)migrant worker is a priceless loss for their families and loved ones. But it's just another number for the employers and Government agencies. The Ministry of External Affairs, Government of India, informed the Indian Parliament on November 2019 that 33,930 Indian migrant workers have died in the (Persian) Gulf between 2014-2019.<sup>12</sup> Among these deaths, nearly half of the deaths occurred in Saudi Arabia alone.<sup>13</sup> Between 2012 and mid-2018 nearly 24,570 workers died in six gulf countries excluding Kuwait and UAE as reported in the Indian newspaper which turns out to be 117 deaths per \$1 billion remittance.<sup>14</sup> As shown in Table 2 Tamil Nadu is one of the leading states in sending labourers abroad and the State administration has an office named as Non-Resident Tamils (NRTs) to coordinate with them. According to the data published by the NRTs, nearly 621 death cases of NRTs were reported between 2014 and 2018. In the same period, the TN government also paid death compensation for 388 cases, rescue/repatriation of NRTs (2,341) and general grievances from NRTs (926). The data also indicates that every year (2014 to 2018), nearly 155 NRTs died abroad. However, the absence of pan national- and state-level disaggregated data on deceased Indians abroad, number of workers, type of visa they possessed, nature of death and compensation claims are yet to be mapped. More importantly, the family their status is yet to be understood.

### **Role of the State**

#### **Govt. of India:**

Various departments MoEA (consular & visa section), previously MoIOA, Home (immigration), Civil Aviation...

#### **Govt. of TN:**

Non-Resident Tamils division in Public Department, Govt. of Tamil Nadu in coordination with Indian missions abroad look after Tamils living abroad. The main role so far is to bring back the Tamils in distress abroad and also to facilitate the mortal remains of the Non-resident Tamils. In each district, an officer is designated as District Welfare officer (Non-Resident Tamils) with an establishment of District Welfare Centre (Non-Resident Tamils). As per the policy note 2019-20 of Govt. of Tamil Nadu revolving

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<sup>12</sup><https://www.business-humanrights.org/en/india-34000-migrant-workers-have-died-in-the-gulf-since-2014-activists-criticise-lack-of-protections>

<sup>13</sup><https://www.humanrightsinitiative.org/blog/rti-reveal-more-than-10-indian-workers-died-every-day-in-gulf-countries-in-the-last-six-years-117-deaths-for-every-us-117-remitted->

<sup>14</sup><http://www.newindianexpress.com/world/2018/nov/05/every-day-10-indian-workers-die-in-the-gulf-1894681.html> accessed on 12th May 2019.



fund was created to support NRT and the department conducted pre-departure training for potential migrants ([https://cms.tn.gov.in/sites/default/files/documents/public\\_e\\_pn\\_2019\\_20.pdf](https://cms.tn.gov.in/sites/default/files/documents/public_e_pn_2019_20.pdf) page 23-27).

**Table 4.**

**The number of reported death of Indians in Kuwait, Saudi Arabia, Bahrain, Qatar, Oman and UAE since 2014.**

S. No	Name of the Country	2014	2015	2016	2017	2018	2019 (till Oct. 2019)	Total
1	Bahrain	175	223	186	237	234	180	<b>1235</b>
2	Kuwait	559	611	576	591	659	584	<b>3580</b>
3	Oman	519	520	547	495	526	402	<b>3009</b>
4	Qatar	279	198	281	282	285	286	<b>1611</b>
5	Saudi Arabia	2427	2694	2766	2664	2551	1920	<b>15,022</b>
6	United Arab Emirates	1429	1540	1657	1637	1759	1451	<b>9,473</b>
<b>Total</b>		<b>5388</b>	<b>5786</b>	<b>6013</b>	<b>5906</b>	<b>6014</b>	<b>4823</b>	<b>33,930</b>

Source: <https://mea.gov.in/lok-sabha.htm?dtl/32058/QUESTION+NO637+DEATH+OF+INDIAN+WORKERS+ABROAD>.  
**Indian Parliament (LOK SABHA), Unstarred Question No.637 to be answered on 20.11.2019**

**IMPACT on migrant families**

Migrant families would only be informed of the death and would receive the mortals at the airport after a prolonged period. Hence, the inherent dignity of human being or of citizen, which is premised on an egalitarian perspective, is either not recognized or set aside as it is insignificant. Hence, the death becomes yet another number which requires to be settled. Research is particularly needed in understanding how the death of a migrant worker affects left-behind family members. Indeed, the family may experience financial stress as they have already borrowed or mortgaged their moveable and non-moveable properties to work abroad as shown in Table 5. In fact, there are close to 1,600 Recruiting

Agents (RA) with Protector General of Emigrants (PGE) who offer employment opportunities abroad. These agents through a sub-contract system identify and create confidence to the potential (e) migrant. This works in ways convenient for the potential (e)migrant as they would have easy access from their residence and through a known source they get connected. It also increases the emigration cost and give room for dubious agents to operate. Ministry of External Affairs, GoI in the year 2019 had identified 513 such fraudulent agents. Such fraudulent measures would put the (e) migrant workers at great risk in the destination country. The death of (e) migrant worker would further strain the family economically and socially and roles get changed among the family members.

**Table 5.**  
**Average Cost of Emigration in Tamil Nadu, 2015**

Particulars	Tamil Nadu 2015	Kerala 2014
	Average Cost of Migration (Rs.)	
Recruiting Agent	54474	44508
Passport	8885	8641
Visa	40977	56117
Air Ticket	27818	17888
Emigration Clearance	13422	5097
Medical Test	8363	4705
Others	48179	26423
<b>Total (EMI)</b>	<b>108112</b>	<b>76243</b>

*Source:* Reproduced table 32 from CDS Working paper 472. TMS 2015. Page 41

### **Voluntary Groups/ Friends/ Volunteers involvement**

There are few of voluntary organizations in Tamil Nadu and Tamil diaspora groups or volunteers facilitate the mortals to be transported due to the cumbersome process involved with authorities. Involvement of friends and voluntary groups in not only facilitating the mortal remains but also their emotional connect with the family members has adequately documented in migration studies. For example, National Domestic Workers Movement, Chennai working with migrant labour reported 90 deaths for the last 3 years out of which only 12 have applied for compensation from the employers. There are multiple causative factors for this low claim rate, which requires detail situations study. Associates

from Reaction Team helped many families in processing the formalities and facilitated the mortal remains to be transported to India.

### **Field Study**

Considering the feasibility, the proposed research will take Tamil Nadu as a case study by only focusing on death cases reported from Gulf region for the last 3 years (2016-2019). The narratives of family members, friends and welfare associations who facilitated in transporting the mortal of the migrants are not scrutinized in detail and analyzed in depth. The researchers have so far identified 15 families from a migrant welfare association called as Reaction Team, which helped the mortal remains to their family members in Tamil Nadu. Similarly, family details from the National Domestic Workers Movement working with migrant labour in Tamil Nadu will be sought apart from NRT, GoTN. Data from all the above sources are tapped to identify families and friends. Narratives of 15-20 families will be part of the study, as many would have changed their residence and refuse to meet the researchers.

### **The study will cover the following three objectives:**

1. To analyse the reason for cause of death of an international migrant worker through the existing social network (family, relatives, friends and co-workers) and with the available data.
2. To understand the role and procedure of the State, diaspora network, family with regard to transportation of the mortal.
3. To study the present condition of the family and to suggest a policy framework (Standard operating procedure) when families of the migrants encounter such situation.

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