

Understanding the Lived Experiences of Pakistani Migrant Workers in Saudi Arabia: A Study in District Malakand, Pakistan

Khalil ur Rahman* & Noor Sanauddin†

Abstract

Due to its accommodative labor market and scores of employment opportunities, Saudi Arabia is one of the prime destinations for international migrant workers from Asia and Africa. However, its migration policies have been reported as inhospitable and discriminatory for variety of reasons. This paper aims to document the lived experiences of Pakistani migrant workers in Saudi Arabia. A total of 15 returnee migrant workers in selected villages of District Malakand were identified through snow ball sampling method. A qualitative method of study was adopted to conduct in-depth interviews with migrant workers while adopting data saturation principles. Based on the first hand information collected from the study participants, their personal migration stories were documented and a thematic discussion was performed. It is concluded from this study that migrant workers in Saudi Arabia have been socially marginalized and economically subjugated in many aspects which includes confiscation of travel documents, Aqama (work permit) renewal process, absence of favorable and secured working environment, job substitution, and withheld wages. Reforms in the existing immigration policies are recommended to protect the basic rights of migrant workers in the Kingdom of Saudi Arabia.

Keywords: Labor, Migration, Saudi Arabia, Policy, Rights, *Kafala* System

Background of the Study

Migration is a fundamental human character which is considerably influenced by revolution in the means of transportation and communication. Besides, the advent of new industrial technologies, new means of production, consumption and the consolidation of the industrial activities have largely contributed to better employment and other economic opportunities which have increased transnational mobility across the globe (Almannae, 2014). A significant trend in migration has been observed in the Middle East regions particularly among the oil rich countries in the Arabian Peninsula. The oil boom in the 1950s and 60s has sparked rapid development which resulted in more demand for labor force in the region. Due to the smaller size of indigenous population in the Gulf, the Gulf Cooperation Council (GCC) states such as Oman, Qatar, Kuwait, Bahrain, Saudi Arabia and United Arab Emirate (UAE) have profoundly relied on imported labor force for fulfilling their labor demand which is mostly supplied from Asia and Africa (Froilan & Al-Youha, 2013).

* Department of Sociology, Hazara University, Mansehra

† Department of Sociology, University of Peshawar

Among the GCC states, Saudi Arabia is one of the most desirable destinations especially for Pakistani migrant work force. In 2013, 32% of the Kingdom's population was non-national (Human Rights Watch, 2014). Pakistan is one of the top five countries of the world which has pooled 900,000 migrant workers to the labor market of Saudi Arabia. According to a survey, 90% of the workforce in the kingdom has traveled from Pakistan (Ali & Darak, 2014). Causative factors behind such large number of Pakistani migrant workers in Saudi Arabia includes high poverty ratio, low levels of education, and unemployment in Pakistan (Ahmad *et al.*, 2008; Haider *et al.*, 2016). Despite such a high ratio of the Pakistani migrant workers and their socio economic worth, migrant workers have to endure several exploitative conditions and social injustices in Saudi Arabia. Many researchers have pointed out the unfeasible working environment and lack of regularized and standardized migration policies of Saudi Arabia and UAE (Modarres, 2010; Murray, 2013; Sonmez *et al.*, 2011; Mahdavi, 2013). The most frequently reported hardships of the migrant workers in Saudi Arabia are lower-than-promised remuneration, confiscation of the travelling documents, unsuitable living condition, no statutory protection and a constant risk of deportation (Sloan, 2014). Due to the irregular immigration policies, the existing system has a lot of detrimental effects in terms of exploitation of the migrant workers specifically in the construction industry. These workers are subjected to 12 hour work shift irrespective of the season. Consequently, they suffer from heat related illnesses, severe exhaustion and inadequate safety requirements. In addition to the harsh working conditions, migrant workers are housed in state sanctioned labor camps having no proper sanitation facilities (Loney, *et al.*, 2013; Sonmez *et al.*, 2011).

At the core of these problems is the *Kafala* (sponsorship) system which provides the Gulf countries with means to control and regulate the labor stream in the region. *Kafala* is an intensely coercive binding system which causes, authorizes and also encourages exploitation of the migrant workers (Baldwin-Edwards, 2011). Traditionally, *Kafala* system was a scheme of hospitality for foreigners in the Arab countries and the *Kafeel* (sponsor) used to accept the responsibility of treating foreigners as their guests. This *Kafala* system has now become a major source of income for the *Kafeel* in the host countries. Under the *Kafala* system, migrant workers are required to be financially sponsored and legally protected by the *Kafeel* in the destination country. This mechanism makes the migrant workers depended on their *Kafeel* which makes them vulnerable to exploitation and mistreatment (Murray, 2013). The *Kafeel* takes away the travel documents of the migrants, therefore ban is put on their mobility and their payment for labor is excessively delayed (Matthews, Robertson & Griffin, 2013).

Justification and Objective of the Study

Migration policies of Saudi Arabia have been reported as inhospitable and discouraging for variety of reasons. Many reports have been written on the exploitative working conditions in Saudi Arabia; however the issue has not been explored from the perspective of the Pakistani migrant workers. Major objective of this paper is to get an insightful view of the lived experiences by documenting the personal migration stories of the migrant workers in the selected locale.

Methodology

Owing to the nature of this study, ethnographic method of research was adopted to document the lived experiences of Pakistani migrant workers in Saudi Arabia. Based on the higher migrant workers ratio, two villages, Petaw and Wartair from Tehsil Dargai of district Malakand of Pakistan were selected as our study locale. Those who were legal, returnee migrant workers and have stayed in Saudi Arabia for a period of two years were targeted as our study participant. Based on our sample criteria, 15 migrant workers in these two villages were identified through snow ball sampling techniques. Data saturation principle was adopted to collect the needed information from the study participant. Data saturation principles means that if a researcher has reached to the point where he gets no more new information and ideas, he has attained the level data saturation (Fusch & Ness, 2015). In qualitative research, the number of interviews needed to reach data saturation is not important to consider but that the researcher *takes what he can get* (Bernard, 2012). After conducting interviews with 15 migrant workers, the researchers realized that they have reached the data saturation point. Participant's narratives were properly written in the shape of field notes for further description and analysis. For ethical consideration, names and other such identities of the study participants have not been mentioned in the interviews. The field notes were subsequently analyzed and were clubbed into the following themes.

Results and Discussions

Recruitment Process of the Migrant Workforce is Imprecise

According to the Saudi immigration policy, migrant workers in Saudi Arabia have to be sponsored by a Saudi guarantor who may be an authorized person, a registered agency, or a private organization (Kamrava & Babar 2012). These sponsoring bodies are allied with the registered agencies in the country of the prospective migrants. Majority of the Pakistani migrant workers secure their visa through private recruiting agencies which is also known as Overseas Employment Promoters (OEPs), while some are assisted by their friends and relatives. In the case of Saudi Arabia, these recruitment agencies are called 'Wakala holders' and they are registered with the consulate of Saudi Arabia in Pakistan. These *Wakala* holders take exorbitant charges to facilitate migrant workers in visa processing, job contract, fixation of wages and provision of other necessary employment related information (Gardner, 2010). The *Wakala* holders contact the Saudi *Kafeel* to pay off the initial cost of visa and registration documents for their client. The *Wakala* holders have few more obligations towards their recruited clients; however the case of the migrant workers travelling to Saudi Arabia is different where the agents fulfill no obligations to ensure the due rights of the migrant workers (Fernandez, 2011). Although various regulatory protections are in placed but migrant workers are still exploited as fees charging are well in excesses of the due rates, re-signing of contracts on different terms and payment of lower wages than were promised. The recruiting agencies in the cities are often supported by the non-registered sub-agents especially in the recruitment of semi- and unskilled workers in the rural areas (Arif, 2009). One of the study participants shared his experience as:

I signed two year contract with a manpower agency in Peshawar to work as a plumber in Saudi Arabia. The contract stipulated my salary as 1500 Riyals (Saudi Currency). When I arrived there, I was told to work on a farm and look after a herd including camels, sheep and goats. There were three other workers as well who were promised jobs as electricians but were later on compelled to work on the farm. 1500 Riyals was offered in our contract but we were paid only 900 riyals per month. We had to wait for months to get our salaries from the Kafeel. We raised some complaints but our employer told us to accept this or leave our homeland.

As a matter of fact, migrant workers are not properly informed about the type of work, working hours and wage payment. Moreover, they often sign contracts which are not understandable to them or sometimes they are forced to sign multiple contracts or re-sign the previous contracts. In many cases, the salary promised in the initial contract signed in the country of origin is much less than what they actually receive once they reach the country of destination. However, the migrant workers succumb to work in this condition because of the fear of losing the job and deportation (Shipra, 2012). These conditions clearly depict the failures of the concerned governments to international commitments regarding the protection of migrant workers. The weak domestic laws and government oversight in both countries has caused the exploitation of large number of migrant workers specifically the unskilled or semi- skilled workers (Fernandez, 2011). There is no proper and uniform mechanism in vogue to regulate the recruitment of the migrant work force. The rapid growth of private recruiting channels has also increased the irregularities in the recruitment process of the migrant work force in Pakistan.

Passport Confiscation is Widespread

As soon migrant workers arrive in Saudi Arabia, they come under the direct subservience of the *Kafala* system. Under the system, migrant workers are bound to and dependent entirely on the *Kafeel* for their employment and other legal matters (Murray, 2013). As narrated by our research participants, it is a common practice that the *Kafeel* takes all their travel documents to check their mobility, preventing them from breaching their unsatisfactory job contract and running away. The root cause of the miseries of the migrant workers in the destination country is the unquestionable power of the *Kafeel* (ITUC, 2012). Under the *Kafala* system, the employers hold all the authority which creates a power structure between the *Kafeel* and workers which eventually leads to exploitation in many aspects (Fernandez, 2011). Regarding this situation, one of the participants narrated that:

Upon my arrival to Saudi Arabia, I visited my Kafeel who took all my documents and assured me about the provision of Aqama (work permit). The Aqama was provided after two months but my passport was taken away by him. Once I received a call from my brother about the death of my father. I wanted to leave for home but I could not book my flight because my Kafeel was on a visit to Lebanon. I had to wait till he returned to Saudi Arabia. Therefore, I could not attend my father's funeral and this was a very disturbing situation for me.

Confiscation of passports by the *Kafeel* is a customary practice in Saudi Arabia. Passport is a valuable asset which entitles the migrants to move in and out when they require, however this liberty is not being granted to the migrant workers in Saudi Arabia. All of the 15 migrant workers interviewed had their passports confiscated by their employers. Movement and travelling of the migrant workers is firmly checked through *Kafala* system and migrant workers cannot travel to their home country without the permission of their *Kafeel*. This practice undermines a series of other basic rights of the migrant workers as well. The confiscation of passport does not only restrict the mobility and travelling of the migrant workers but also trigger a domino effect as their jobs are arbitrarily substituted and salaries are withheld for months (Kamrava & Babar, 2012). As per law in the Gulf region, once entered into contracts, migrants are not allowed to change the job and they are expected to work in that country till the completion of their contract with that company (Froilan & Al-Youha, 2013). Under the *Kafala* system, a migrant worker must also obtain *Kharooj* (exit permit) from his *Kafeel* prior to his return to his home country. In this case, migrants are asked to pay for *Kharooj* which is normally 500-1000 Riyals (UNDP, 2013). One of our study participants stated:

Every migrant is bound to pay large sums of money to secure Kharooj from their Kafeel. I know some cases in which workers have paid amounts as high as 10,000 riyal – roughly equivalent to about four to five months of wages.

Due to economic exploitation and overcharging, many of the migrant workers suffer from excessive financial burden to sustain their left-behind families and to pay back the debt incurred during the time of their recruitment and travel to Saudi Arabia. Observers of migrant labor in the Middle East have consistently criticized the economic exploitation and other social injustices faced by migrant workers. Therefore, the government of Saudi Arabia has periodically declared various proposals to reform the system; however, the current exploitative system has continued because it is highly profitable for its citizens. It also helps Saudi Arabia in the surveillance of the vast population of migrant workers (Hertog, 2010).

Job Substitution is Rampant

Job substitution is another feature of a migrant worker's life in the Gulf which gravely devalues the romanticized views fashioned by the migrant workers in the home country. In most cases, employers substitute the previously promised job of the migrant workers and they are compelled to do jobs which often do not match their aptitude, skills and experience (Human Rights Watch, 2006). In addition to passport confiscation and inadequate wages, job substitution was noted as the most common complaint raised by research participants. Due to passport confiscation, migrant workers with their substituted jobs have no or very few options to change *Kafeel* until they complete the contractual period. If a migrant worker wants to change his employer, he has to obtain an official release from the previous employer and this process is called *Tanazol* (change of the *Kafeel*). For *Tanazol*, a huge amount of payment is demanded from the workers and the process is so much complicated that the migrants can hardly afford. In some

cases, *Kafeel* allows the workers to do independent labor with the condition that they have to pay 300 or 400 Riyals per month to their *Kafeel* which is known as *Nisba* (a portion of salary). This is another common practice of economic exploitation of the migrant workers (Human Rights Watch, 2013). A migrant worker with a substituted job narrated that:

When I reached my destination, my agent told me about my job description but I was shocked to know that the jobs offered and promised to me did not exist, and I was forced to accept alternative work that did not match my expectations. Above this, the agent warned me by saying “If you do not want to work, I will send me back to Pakistan.”

Job substitution is rampant as a result of which many skilled workers are compelled to do physical and manual work either on the farm or in the factory. Although the obligations regarding the standard employment contract of immigrant workers in the Gulf has been safeguarded under the law in 2007, still the government has shown nothing so far in the implementation (Fernandez, 2011). Haider *et al.*, (2016) has analyzed this problem at structural and cultural level. At structural level, lack of government interest in monitoring the immigration process has helped the *Kafeel* to deal with migrant workers according to their personal standards. At cultural level, mistreatment and exploitation of the migrants are the result of cultural differences and lack of sufficient knowledge on the part of migrants regarding the immigration policies (Haider *et al.*, 2016).

Withheld Wages are Annoying

In addition to the job substitution, wages of the migrant workers are delayed by their *Kafeel* for months. The monetary return for the backbreaking labor is already insufficient; but employers also consistently delay the wages of the migrant workers. According to labor laws in the Gulf regions, withholding of salary is unlawful but this regulation is also commonly ignored throughout the Gulf regions. Problem of withheld wages is serious enough to drive workers to unionize despite the fact that unionizing and striking is illegal and punishable by deportation in countries like Saudi Arabia. One of the major causes of strikes and other forms of protests across the Gulf is withheld wages (Human Rights Watch, 2006). In case of withheld wages, migrant workers are compelled to borrow some money from their relatives and friends to survive. A participant narrated his story about his withheld wages:

I worked for six months with my company, but they did not pay me a single penny. I was unable to pay my accommodation and food charges. I was debited heavily. Once I tried to flee and runaway but I could not do so because they had taken away my passport and Aqama was allotted to me only for work in that company.

Like passport confiscation, withheld wages is a mechanism adopted by employers to stop workers from premature termination of their contract. If a worker decides to quit

his/her job and return home, he will have to sacrifice few months of salary (Gardner, 2010; Arif, 2009).

Aqama and its Renewal Process is Exploitative

Migrant workers can enter to the labor market of Saudi Arabia with so-called *Azad visa* (Independent visa) and a work visa which is also called company visa. Migrant workers having *Azad visa* are allowed to work for a company or employer of their choice while migrants having the company visa are bound to work for that specific company only (Arif, 2009). Migrant workers particularly those having *Azad visa* are bound to pay Rs. 80000 or 90000 to get *Aqama* (work and residency license). In few cases, the *Aqama* is allotted free of cost to migrant workers but in many cases they have to pay a huge amount to their *Kafeel* to get *Aqama*. It is mandatory for the migrants having *Azad visa* to renew their *Aqama* on annual basis by paying a substantial amount to the concerned *Kafeel*. During the renewal process, migrant labors come across many difficulties and complications. One participant narrated his story:

Azad visa was issued to me with a promise that I will have the choice either to work with my Kafeel or somewhere else but still the Kafeel will be my employer and I have to see him on regular basis. Upon my arrival, I applied for Aqama and submitted my documents to my Kafeel. He kept my documents and passport for three months and left for Palestine. I was cautioned by my friends to stay indoor, otherwise I will be arrested because my passport was taken away by my Kafeel. During that time I lived such a miserable time which I cannot describe. I had to hide the whole story from my family with the fear that they will become worried about me.

Additionally, obtaining and renewal of *Aqama* is also a big issue for migrant workers because some time it takes longer than normal. Delaying in getting and renewal of the *Aqama* restricts the mobility of the workers because *Shurta* (police) comes very harsh on the migrant workers having no *Aqama* which sometime results in arrest and deportation. It is a difficult task for migrant workers to get their *Aqama* renewed in time because they have to pay huge amount for its renewal. Besides, migrant workers having *Azad visa* are free to work anywhere with the condition that they have to pay a fixed amount in addition to the renewal fee of the *Aqama*. Some migrants had returned home because they could not pay these unaffordable charges to their *Kafeel*. A similar narration was reported by a worker regarding renewal of *Aqama*:

I used to start visiting my Kafeel three months prior to the expiry of my Aqama because he was very harsh with me and did not listen to my problem. Once he told me to pay Rs.80000 in advance for renewal, I had no other choice and paid the amount. I revisited him a month later and asked about the status of my Aqama. He replied that I have spent the money and asked me to pay this amount again so that he could renew my Aqama. That time I was doubly charged for the renewal.

Payment of huge amount for *Aqama* further deteriorate the poor financial conditions of the migrant workers as they pay more amount to their *Kafeel* than they sent to their home. Employers use *Kharooj* as a tool to prevent the mentally tortured and physically exhausted migrant labor from running away. Sometimes the residence and *Aqama* are arbitrarily retained, and the migrant workers are asked that it will be returned for a price (Human Right Watch, 2014). Without *Aqama*, one cannot work legally, move freely, and cannot be admitted to the hospitals for medical treatment. They can even be deported in this situation.

Language Barriers and Social Isolation Alienate the Migrants

The illiterate and unskilled migrant workers face the issue of language and communication. During the recruitment process, the documents processed by the private recruiting agencies are in English or Arabic language but not in the local language. This issue often results in the wage discrepancies between the migrant workers and *Kafeel* (Shipra, 2012). In pursuit of cheap labor, companies hire people from diverse areas and cultural background in Asia and Africa who have less in common both culturally and linguistically. Migrant workers face language and other cultural barriers to access information regarding the legal system and socio-cultural norms of the country of destination. They are deliberately isolated from their family and friends network specifically when the *Kafeel* take their passport and *Aqama*. Due to linguistic barriers, they also face many difficulties in finding work and fixing wages. A participant stated that:

Most of us are illiterate and do not know the Arabic language. For an illiterate migrant in any of the Gulf countries, it takes very long time to learn an unfamiliar language. In some cases we come across situations that demands speaking Arabic to express our problems and issues.

Gardner (2010) has reported that due to lack of sufficient knowledge of the native language, migrant workers are exploited by their *Kafeel* in the host country. Due to communication and linguistic barriers, migrant workers are unable to organize or bargain collectively and participate in strikes. Haider *et al.*, 2016) has also concluded that the foremost problem of the unskilled workers in UAE is the confiscation of passport by the *Kafeel* as a result of which migrant workers cannot form association or union to negotiate for their basic rights.

Conclusion

This study concludes that despite their demand for large numbers of foreign labor, government of Saudi Arabia is yet to start enforcing migration laws to protect the basic rights of the migrant workers. Almost all the interviewed migrant workers have consistently reported their horrific experiences while confronted with many social, psychological and economic issues in Saudi Arabia. Mostly, migrant workers are supervised and monitored through the disreputable *Kafala* system that causes, permits, and in some cases encourages violence towards migrant workers. For the most part of their stay, migrant workers are kept bound to work, move and travel with the consent of

their *Kafeel* which leads to their social dependencies and economic exploitation. Passports and other travel documents are often held as collateral to prevent workers from running away and making any claims against their *Kafeel*. The frequently reported issues were passport confiscation, low and withheld wages, poor living conditions, and long working hours of migrant workers. The policy makers in Pakistan and Saudi Arabia should realize the social and economic significance of the migrant workers. They should completely abolish the inappropriate laws of immigration and to enact uniform legal mechanisms and adopt standard employment contract to minimize the arbitrary powers of the *Kafeel*. Both governments should carefully monitor the migration process and migrant workers should be regulated through the direct and formal procedures.

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