

# Driven to despair on the Highway of Death

Lured to Kuwait with the promise of work, truck drivers from developing countries say they have been trapped by companies that seized their passports and forced them to join deadly convoys into Iraq to supply U.S. troops. They work for subcontractors hired by KBR, a U.S. corporation that earns billions stocking American bases. The drivers deliver goods on behalf of the U.S., but a hands-off setup means they're out of reach of American protection. 'Our company says to go fast,' says one driver of the convoys into the war zone. 'They say if we go slow we will die.'



Craig and Marc Kielburger are Nobel Peace Prize-nominated activists and bestselling authors. They have travelled to more than 50 countries to interview the victims of injustice and exploitation. They are the founders of a charity, Free The Children, which has built more than 500 schools in developing countries. Chris Mallinos is a Toronto-based journalist.

On a series of trips to Kuwait, they encountered a stream of South Asian men driving tractor-trailers bound for Iraq. The authors interviewed dozens of drivers, tracked official documents and found contracts and work orders that show these men were duped into becoming participants in the U.S.-led war in Iraq.

STORIES BY CRAIG KIELBURGER, MARC KIELBURGER AND CHRIS MALLINOS

The slightest distraction can be deadly for drivers on the bomb-scarred highways of Iraq. The roads teem with insurgents, waiting with sniper rifles and mortar bombs for the U.S. army convoys that snake through the country each day from neighbouring Kuwait.

But distraction comes easily to the thousands of South Asians hired to steer these convoys. Hard as they try, drivers can't help but think of family. Joel, 36, left home in the Philippines in 2004 to chase the dream job he thought would pay for his daughters' education. He was hired to drive trucks in the safety of Kuwait by a Filipino employment recruiter who promised him a decent salary and benefits.

When he arrived, Jassim Transport and Stevedoring Company confiscated his passport and nullified his contract, Joel says. The Kuwait-based company presented him with a new contract in Arabic — a language he does not understand — and an ultimatum: drive into Iraq with the U.S. army or lose your job.

It wasn't much of a choice, given he was alone in a strange country and in debt to Jassim Transport for the one-way flight to Kuwait. In any case, they had his passport.

Back home, his wife and daughters were desperate for food, clothes and schooling. "My family is expecting me to send money," Joel, who asked us not to use his last name for fear he'd be fired, explained to us during a meeting at a Kuwait City hotel. "If I don't work here, all their dreams will not come true."

On a series of trips to Kuwait to study the humanitarian situation in Iraq, we talked to dozens of drivers who said they were duped by Kuwait.

When we contacted KBR's head office with our findings, it denied the mistreatment of drivers. Heather Browne, director of corporate communications, said in a brief written statement that KBR has been a "leader" in implementing anti-trafficking procedures required

with the promise of good jobs and security.

Within weeks of their arrival, they were shipped to Iraq to join the 100,000-strong civilian workforce that accompanies U.S. soldiers in the country. Each driver we interviewed said he'd crossed the border on dozens of trips, some that lasted for months.

We asked Jassim Transport repeatedly about specific allegations. They ignored our questions except to deny that they were keeping passports.

**Drivers are afraid to speak up. Because their companies have seized their passports, the truckers have little choice but to do what they are told.**

Joel's company is one of hundreds hired by construction firm KBR to support the U.S. army in Iraq. Since 2001, the multibillion-dollar, Houston-based company has supplied U.S. troops with food, laundry and a host of items under an exclusive contract with the U.S. Defence Department called LOGCAP 3. The deal has earned KBR more than \$20 billion, according to the army.

Public money fuels the enormous contract, which relies on cheap and exploited labour. Local firms, hired and paid by KBR, openly flout U.S. human trafficking and labour laws by shipping thousands of workers to the region, withholding their passports and violating their rights. Unknowingly, it's U.S. taxpayers who are financing the operation.

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PHOTOS BY STEVE MILLER

**'My family is expecting me to send money. If I don't work here, all their dreams will not come true.'**

— JOEL, a Filipino driver whose identity is hidden at his request, on the side of the highway that leads to the Iraq border

by the Defence Department. "KBR in no way condones or tolerates unethical behaviour," the statement said. "All KBR employees are expected to adhere to the company's Code of Business Conduct guidelines. When violations occur, immediate and appropriate disciplinary action is taken."

Browne would not comment when asked if subcontractors are considered "KBR employees." Nor would she address specific allegations against the company.

Despite this, the company continues to earn public money because of its pivotal role in the Iraq war — a war

U.S. President George W. Bush offers as proof of the U.S.'s "deep concern for human rights," but one that systematically exploits South Asian workers.

The war's heavy reliance on private contractors has raised serious questions about accountability and even cronyism. Until April 2007, KBR was a subsidiary of Halliburton, the corporation run by U.S. Vice-President Dick Cheney from 1995 to 2000.

"The consequences of using these firms, and the way that they have been poorly overseen, has had a negative impact on the (Iraq) operation itself," said Peter Singer, a senior fellow at the Washington-based Brookings Institution.

"It's troubling for everything from democracy to the legal process."

With a cargo of vital troop supplies, the drivers are targets in an increasingly bloody war zone. In the Jassim Transport representative we spoke with estimated that snipers or bombers attack 70 per cent of the company's convoys. Drivers say they are in danger the minute they cross into Iraq.

"Almost every time there is a convoy, there is a bomb," said Antonio Cordan, a Filipino father of four whom we met at a rest stop a few kilometres from the Iraq border. "I always have to look for snipers."

It's difficult to know how many civilian contractors have been killed during the war because their presence in Iraq is not always recorded. The U.S. Department of Labour estimates it's more



This is Joel's old passport. His company has his current passport. The blue stamps are Kuwaiti and show his regular entries and exits.

than 1,000. In event of injury or death, none of the drivers we interviewed would receive insurance, although it was promised by recruiters. If the worst should happen, their families will be destitute.

According to department statistics, in the first four months of 2007, nine civilian contractors died every week. For each American contractor killed, four non-Americans also died.

While in Kuwait, we met Tenison Perera, a Sri Lankan driver who invited us into his truck near the Iraq border. He showed us a work order from a KBR subcontractor that indicated he was on his way to Baghdad with construction materials for the U.S. Embassy being built there.

Cruising across the vast open desert on the Highway of Death, as it was known during the first Iraq war, Perera complained about discrimination. While most Americans hired directly by KBR drive steel-reinforced trucks with bulletproof glass, Perera explained that most of his fellow subcontractors are in his run-of-the-mill 18-wheelers.

When drivers cross into Iraq, they are met by U.S. military convoys, some 40 trucks long. Then, without stopping, they're expected to drive more than 100 km/h to their destination. It's a six-hour drive to Baghdad alone.

When a U.S. convoy is not available, they are met by the Iraqi army, which usually only adds to the peril. Drivers say Iraqi soldiers often flee when insurgents attack. One trucker showed us his Bible, the only thing he feels he can rely on when in Iraq. "It keeps me safe."

Drivers told us that without proper training or protection they are in constant danger. "Many times snipers have fired at me, but thank God I've had no problems," Perera said. "Our company says to go fast. They say if we go slow we will die."

Some of KBR's American drivers have come up with a nickname for their employer: Kill 'em, Bag 'em and Replace 'em.

When a South Asian driver is killed in Iraq, grieving families receive no compensation. Co-workers often pool what little money they have to send along with condolences.

The inside of Perera's truck is scattered with his meagre possessions — toothpaste, shampoo, a portable stove with the previous night's leftovers, a small mattress tucked behind his seat. Once across the border, he is not allowed to leave his truck. Even inside the sprawling U.S. bases, most non-American drivers are expected to eat and sleep in their closet-sized truck cabs. The vehicles are lined up well away from the base, vulnerable to insurgents.

"Everything is good for American drivers," Perera said by comparison. "They give them good salaries and good accommodation."

The South Asian drivers live on the outskirts of Kuwait City in overcrowded and dilapidated concrete camps. The company-owned compounds sit behind high walls, a Kuwaiti guard

posted at the gate.

KBR's American drivers are paid upward of \$100,000 U.S. a year to risk their lives in Iraq. Foreign drivers say they are paid on a sliding scale determined by their origin. Filipino drivers earn as little as \$4,500 a year — most of which is sent home to family. Indian and Sri Lankan drivers make less, usually around \$3,000.

"If (American drivers) can drive a big truck, we can also. If they can drive 15 hours, we can also. What is the difference?" Joel asks in frustration. "The difference is that they are white and we are Asians."

The only time companies like Jassim return passports is when drivers cross into Iraq. Even then, the documents are of little use. Since 2004, the Philippines has banned its citizens from entering Iraq — their passports are stamped "Not Valid For Travel to Iraq" — after a driver from that country was held hostage by insurgents. KBR and U.S. military officials ignore the order routinely as they usher Filipinos by the thousands into the country to drive with U.S. army convoys.

Pentagon spokesman Chris Isleib told us all contractors and subcontractors working under the Defence Department are expected to comply with international laws regarding country entry and exit procedures. The department conducts "random checks," he said, but does not involve itself in how contracted employees are managed. That's left to companies such as KBR.

"The Department of Defence does not tolerate trafficking in persons by any contractor or subcontractor supporting a Department of Defence contract in Iraq," Isleib said. "It should be remembered that Iraq is a very dangerous place, a war zone. Our efforts of enforcement are not 100-per-cent perfect there — but they are good."

**'Many times snipers have fired at me, but thank God I've had no problems.'**

Despite the harsh conditions, drivers are afraid to speak up. Without passports, they have little choice but to do what they are told. Not one of the drivers with whom we spoke knew his rights as a foreign worker. Each said he fears complaining will land him in jail and jeopardize his family.

For Jassim Transport — one of about 200 subcontractors hired by KBR — violating the rights of drivers is the cost of doing business.

We met with Jassim's business development executive Syed Shaheen Naqvi to discuss the transport industry in Kuwait. We explained we were with an aid group assessing potential development projects.

In a secretly recorded interview, we asked Naqvi about companies that keep their drivers' passports. He explained that although illegal, the practice is common in Kuwait.

"If you subcontract with us, your work will be done. How we do it is our headache," he said, leaning back on his chair to haul on his cigarette. "I'll do whatever I have to do."

Jassim is one of Kuwait's largest transport companies, specializing in heavy-load haulage. Founded in 1979, its headquarters is in Kuwait City's major port, a hub of activity for KBR's LOGCAP 3 contract.

Naqvi said Jassim has had multiple contracts with KBR and has as many as 600 trucks driving through Iraq every day. Seven of every 10 convoys are attacked by insurgents, he said.

Despite the dangers, Naqvi said drivers are given "normal" trucks with no special protection. What happens if a convoy is attacked? "I don't know," he responded with a hesitant laugh. "The drivers are lucky."

When we contacted Naqvi again to explain that our interview with him would be published, we raised repeatedly the specific allegations. He had no further comment but to deny that Jassim withholds passports.

KBR orchestrates its contracts with

local firms from an office on an alley near the departure gate of Kuwait City's international airport. Two plain-clothes guards protect the unmarked office.

KBR says that 35,000 of its 48,000 workers in Iraq are non-American. Like the Pentagon, the company keeps itself at arm's length from its Middle Eastern firms, separated by an elaborate series of subcontracting agreements. It carefully avoids involving itself with subcontractors so as to avoid responsibility for wrongdoing. As a result, workers are at the whim of foreign companies and substandard labour practices.

It's a practice that's increasingly common, says Peter Singer of the Brookings Institution, who authored the book *Corporate Warriors: The Rise of the Privatized Military Industry*. "Outsourcing is about the shifting of responsibility," he explained. "It's about who does the job, but also the cost — the political cost and legal cost. It isn't a very serious threat to how we conceive of our foreign policy."

When one of us arrived at KBR's airport office, a group of employees readily acknowledged what Kuwaiti companies have been up to. "They're bad for trafficking people," explained a broad-shouldered American former truck driver identified as Jack. "With all the Kuwaitis, the end justifies the means. Once you hire a Kuwaiti company, what they do is really none of your concern."

Jack said he was well aware of companies that confiscate drivers' passports. "When I keep your passport, I pretty much own you because you can't go anywhere."

In the past, KBR and other military contractors in Iraq have found themselves in hot water over the conduct of their subcontractors. In April 2006, the top U.S. commander in the country at the time, Gen. George Casey, ordered all contractors in Iraq to stop withholding employee passports, which he acknowledged was a violation of U.S. laws. The order was to be completed by May 1, 2006. KBR employees were even instructed to undergo "Trafficking in Persons Awareness Training."

But Joel, Perera and their fellow drivers still have no control over their passports. One driver showed us an official work order proving he'd been hired by KBR, through Jassim, on Oct. 21, 2006 — six months after Gen. Casey's order. That driver was not allowed to keep his passport.

In recent years, the company has been under investigation for a long list of allegations from overcharging the U.S. military in the Balkans to bribing officials in Nigeria. In late 2006, the company agreed to pay \$8 million to settle charges it double-billed the army for work in Kosovo between 1999 and 2000. But KBR did not admit wrongdoing in the case. Similar allegations have since arisen about the company's dealings in Iraq, with the Pentagon raising questions about more than \$1 billion in "questioned" and "unsubstantiated" charges to the army under LOGCAP 3.

The company continues to be awarded contracts paid for with public money. In June 2007, the U.S. army named the recipient of its LOGCAP 4 contract, which will provide logistical support to troops in Iraq. KBR was one of three companies selected in a deal that could be worth \$150 billion over 10 years. Complaints about the evaluation of the bids prompted a review by the U.S. Government Accountability Office. In January, the army announced it would reopen LOGCAP 4 negotiations.

Whatever the outcome, U.S. taxpayers should be "extremely concerned" about the relationship between KBR and the Defence Department, says a senior researcher at Human Rights Watch. "Government funds should be vetted and only contracted to firms that uphold human rights standards," said Nisha Varia. "There is a responsibility with the U.S. government to ensure companies maintain certain standards. And if not, they should be punished."

Joel has no idea what the future holds. He hopes to return to the Philippines when he can afford the \$350 plane ticket. He is still in debt to his company for his inbound flight to Kuwait.

Joel earns so little that, at the time we met, he'd been suffering from a broken tooth for weeks, unable to sleep because of the pain. It would cost \$18 to remove the tooth.

Joel would like to move his family to Canada eventually. "When my daughters go to college, I hope I will be with a company that provides everything for me."

Until then, Joel will continue to drive in Iraq. Not willing to risk scaring his daughters, he has yet to tell them the truth about his work.

He keeps a picture of his wife and daughters in his wallet. The dog-eared, three-by-five portrait serves to remind him why he is here. He looks at it often. "As a father, I want to give a good life to my family," he says. "Sometimes in Iraq you get lonely, miss your family and get afraid about what might happen to you."

**HUMAN TRAFFICKING**  
**Hands-off deals with foreign firms out of reach of U.S. law**

**K**BR and its foreign subcontractors within grey areas of U.S. law that make it difficult to prosecute human trafficking violations, says an expert on extraterritorial jurisdiction.

"There are pockets of accountability, but we don't have a fully functioning accountability system," explains Laura Dickinson, a law professor at the University of Connecticut and former senior policy adviser to the U.S. assistant secretary of state for democracy, human rights and labour.

All companies that commit serious crimes while employed by the U.S. army under a Defence Department contract, such as KBR's LOGCAP 3, are subject to prosecution in a U.S. court under a 2000 law called the Military Extraterritorial Jurisdiction Act (MEJA).

In the case of KBR, criminal charges are unlikely because of the hands-off way the company awards contracts. "A case could be made, but it would depend on the extent of the link between KBR and its subcontractors," Ms. Dickinson says. U.S. attorneys would have to prove individuals within KBR had direct control over hiring subcontractors.

Even if a U.S. attorney were to pursue charges, collecting evidence in a war zone would be next to impossible.

U.S. law states that it is illegal to obtain labour through deception and coercion, as well as to withhold employee passports. By subcontracting to foreign companies, KBR can claim it has done nothing wrong if subcontractors break the law. It's the same logic the CIA uses in its "rendition" policy, where terrorism suspects are sent to other countries to be tortured — an illegal practice in the U.S.

Holding KBR's foreign companies criminally responsible under MEJA would be challenging because they have not been hired directly by the army or Defence Department. Prosecutors would have to prove the law even applies to such cases.

Iraqi law is just as ineffective. In 2004, all contractors and subcontractors were given immunity by the outgoing Coalition Provisional Authority, something the Iraqi parliament is now trying to overturn.

Ms. Dickinson suggests the dramatic increase in private companies accompanying soldiers into Iraq has created new territory for U.S. law. She would like to see an office created in the Department of Justice dedicated to the accountability of military contractors and subcontractors abroad.

"We are just at the beginning of having a public debate on this enormous shift in the way we apply force overseas," she says. "I think we need to focus on making the law clearer, and making sure there are organizational structures in place to apply the law."

**SURVIVING THE WAR ZONE**



**They are truckers on the deadly highways of Iraq. On routine deliveries, their convoys are subject to bombs and snipers. Still, it's a living.**

The South Asian drivers who signed on to work in Kuwait say they were promised medical and dental coverage, plus insurance in case of the worst. But they have a nagging fear the coverage does not really exist.

For starters, they've seen injured colleagues denied insurance.

One driver, a 33-year-old Filipino father of six, was injured seriously two years ago when a mortar attack ripped through a U.S. base in Iraq where he was making a delivery.

"My hair was burning, my mouth, my ears," he told us through a translator.

He was airlifted to a Baghdad hospital, put on a respirator and given heavy doses of morphine, spending a week in a coma. When he came out of it, he was told he'd need surgery to repair charred skin on his arms. He assumed this would be covered by insurance and all would be well.

"They told me, 'No problem, you have insurance.'" He has not received insurance, nor has he had surgery. His arms are swollen, the pain is excruciating and constant. His index finger barely works.

What's more, the driver is still in debt to his company for his inbound flight to Kuwait. So he is stuck.

Despite the injuries, he continues to drive for the same Kuwaiti company. He fears he will be arrested if he refuses.

He asked to keep his name and the name of his company out of this article — to protect his safety.



Trucks line up at the border. Once inside Iraq, many of the vehicles form long convoys that speed through the country to service

the U.S.-led war effort. 'Almost every time there is a convoy, there is a bomb,' says one driver. 'I always have to look for

snipers.'