Abstract

Massive recruitment of foreign labour occurred in all Gulf States since the beginning of oil exploitation in 1973. In the United Arab Emirates (UAE) the foreign population accounted for up to 75 per cent of the total population and up to 90 per cent of the labour force in 2000. Even though the migration system is of temporary character, many foreign workers spend dozens of years in the country.

This study aims to reveal two fundamental issues. On one hand, it will be shown why a sample of migrant workers came to the United Arab Emirates. Contemporary theories on international migration will be presented to analyze the results of the field study undertaken during four weeks in the emirate of Dubai. On the other hand, living and working conditions for those migrant workers in the UAE are presented. Formal regulations and international conventions are compared to the actual practices in the UAE. Special focus will be given to formal regulations and widespread informal practices that easily generate irregularity.
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1. Introduction

One of the highest concentrations of foreign labour in the world can be found in the six Gulf States Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates (UAE). With only 0.4 per cent of the world population they host 13 per cent of the world wide labour migrant population. In 1990, the number of the migrant workers in the six countries accounts for about 7.8 million people out of a total population of 19 million\(^1\).

Even though labour recruitment was common after World War II, the oil crisis in 1973 was the actual beginning of large-scale recruitment of foreign workers to the Gulf countries. The Gulf States are characterized by great wealth, small populations and labour shortages, and, therefore, a permanent migration policy would have seemed to be fitting. However, to the small monarchies giving permanent residence and citizenship to migrants seems too risky\(^2\). The contract workers, therefore, are seen as solely economic migrants on a strictly temporary basis, with neither social nor political rights.

The first migrants to come were from other Arab or Muslim countries. In the 1980s, however, more and more migrants from South Asia and later from Southeast Asia and East Asia flowed into the region, and by the outbreak of the Gulf War in 1990, Kuwait counted contractors from at least eighty-five different nationalities.

In the UAE, it is commonly said that the first contract workers came to build up the country, while the migrants of today maintain it. In fact, with massive help of the foreign workers the Gulf States developed in record time from poor, underdeveloped into highly modernized countries. At the same time, the country is perceived in some labour source countries as a land of opportunities. In South-Indian villages the country is seen as “the golden pot at the end of the rainbow” (Raymer).

However, growing sentiments against foreigners can be sensed. This is mainly caused by the fact that the foreign population constitutes such a large majority in numbers. At the end of 2000, the UAE nationals were around 701,000, while the foreign population with an estimated 2.48 million exceeded the nationals more than three times. Numbers from 1990 reveal that the foreign population was growing by 1 million between 1990 and 2000, while the UAE nationals were growing by merely 100,000\(^3\). In 1990, the total number of non-national workers in the workforce of the Gulf countries accounted for a bit more than five million,

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\(^1\) Birks and Sinclair, in: Evans and Papps, 1999:207
\(^2\) Weiner, 1982:2
\(^3\) Scalabrini Migration Center, 2002
compared to 2 million national workers. In the same year in the UAE, only one in eight on the labour market was a national. Comparable to other developed countries, the number of irregular workers accounts for about 10 per cent of the total population or 15 per cent of the work force.

The labour migration system to the UAE is highly regulated. The policies are designed for temporary migration, and this has crucial impacts on the living and working conditions of foreign workers in the UAE. Formal regulations coupled with widespread informal practices shape the daily lives of foreign workers.

I am going to present in this paper, firstly, why those foreign migrants have moved to the UAE. Secondly, the living and working conditions of foreign workers in the UAE will be investigated upon and presented.

1.1 Aim of Research, Research Questions

The aim of this thesis is two-folded. In the first part, I am trying to reveal reasons as to why foreign workers came to the UAE. Here, the fieldwork is meant to show which international labour migration theories correspond with their situation.

Of interest are the following questions:

- Why did the foreign workers migrate?
- Who took the migration decision?
- Why did they choose the UAE?
- Who was involved in the move (family, state, agency)?
- What role do networks (migrant, family, extended kinship) play?

In the second part, I will focus on the daily life of the foreign workers in the UAE. First, the legal protection for migrant workers will be shortly analyzed, by drawing from ILO conventions that are ratified and in force, by discussing the UAE labour and immigration law and by taking a look at the UN convention on the Protection of Migrant Workers and their Family. The legal framework will then be compared with the actual practices that shape the

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4 Birks and Sinclair, in: Evans and Papps, 1999:207
5 Kapiszewski, 2001: 87, 97
6 This convention has not yet been ratified by the UAE.
expatriate life in the UAE. Second, I am curious in what impact the temporary character of their migration has on the notion of leisure time. And finally, I will put focus on the immigration system that puts migrant workers constantly on the verge of illegality.

Interesting questions are therefore:

- What informal practices are institutionalized or common on the UAE labour market?
- How do those practices affect the foreign workers?
- How does the temporary character of their migration affect the migrant workers’ notion of leisure time?
- How does the immigration system “create” irregular migrants?

1.2 Theoretical Framework

There is no single theory that accounts for the emergence and perpetuation of international migration. Social anthropologists, sociologists, economists, demographers, geographers and other social scientists have developed tools and levels of analysis to try to explain the initiation and perpetuation of international migration. However, the current patterns suggest that the full understanding of the subject cannot be reached by relying on a single discipline’s tools and levels of analysis. Instead one has to take into account the complexity of the subject by opening up for a multi-disciplinary approach in order to explain the phenomenon.

It has to be noted that these theories developed to explain international migration are meant to give account of international migration in terms of labour migration. These models do not cover the refugee situation. Nevertheless, some theories may sometimes partly account for the refugee situation as well. I will, however, not pay attention to that since it is not in the scope of my thesis. The theories are designed to address the reason why people break up and leave their country of origin – either temporary or permanently – to improve their economic – sometimes social – situation at home. It can be noted here that in the recent years, scholars of migration have started to put focus on the ‘immobility paradox’. Their interest shifted and started to include people who stayed at home even though they had, out of a scholarly

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7 Massey et al. 1998:17
8 Malmberg, 1997:21-48
perspective, the perfect pre-conditions to move. As one of the main actors in my analysis are the migrants that actually did the move, I chose not to go into the immobility paradox any further.

In this chapter I will first present the theories on the emergence of migration. This is to find an answer to why people migrate. Some of the theories only focus on this first question (neo-classical theory), while others even try to capture more of the complexity of the issue at stake. Further-reaching questions are addressed, such as: who takes the decision to migrate (the individual him/herself, the family, household, head of the household etc.), who migrates (father, son, daughter, mother, single young male/female, poor/middleclass/upperclass, rural/urban, high-skilled/low-skilled etc.), and why is that (cultural feature in country of origin/destination, demand-led migration, supply-led migration etc.).

Second, I will present the contemporary models of the perpetuation of migration. These models try to explain why migration continues even when labour in the country of destination is not desired anymore, or when the country of origin undergoes development. These theories reveal the importance of the social networks among migrants. The following theoretical overview on these models is predominantly based on the massive and detailed research of Massey et al.9

Third, I will present a theory about irregular migration that tries to identify two kinds of irregular migration, namely survival-driven and opportunity-seeking irregular migration.

Fourth, the theory of human agency in international migration is presented. This theory takes the experiential factors of migrant decisions into account, and can be seen as a complementary model to fill the gaps that are left out by the above mentioned dominant theories.

1.2.1 The Initiation of International Migration

Neoclassical Economics

According to the theory of neoclassical economics, international migration is caused on the macro-level by geographic differences in the supply and demand of labour.10 A country with a large labour endowment relative to capital will have low wages and labour surplus while a country with a large capital endowment relative to labour will have high wages and

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9 Massey et al., 1998
labour scarcity. The resulting differential in wages is seen to be the driving force for workers from low-wage or labour-surplus countries to move to high-wage or labour-scarce countries. These movements eventually result in a labour decrease and wage rise in the capital-poor country, while it leads to a labour increase and wage decline in the capital-rich country. At the point of equilibrium wages will eventually be the same all over the world.

This functional explanation of international migration has laid a basis for many immigration policies. International migration of workers is, therefore, caused by wage differentials between countries. Once the wage differentials will be eliminated the movement of migration will end. The theory suggests that the labour market mechanisms are directly and solely influencing the individuals decision to migrate; accordingly, other kind of markets do not have any effects on international migration.

On the micro-level, the individual choice corresponds with the macroeconomic model of wage differentials. Individual rational actors decide to migrate because of a cost-benefit calculation that leads them to expect positive monetary net return. Sjaastad\textsuperscript{11} sees international migration as conceptualized by investment in human capital, which means in other words that people move to places that are supportive for their later career. However, migration comes at a cost. Some investments have to be done before higher wages can be earned. Such costs include the fee of travelling, the costs of living while looking for work, the effort involved in learning a new language and adapting to a new culture, and the psychological costs of leaving behind friends and family and meeting new people.

The theory assumes therefore that international differences in wages and employment rates are the main incentive to migrate. Once those differentials are equalized, migration will stop. The decision to migrate is made by a rational individual, and the destination of migration is chosen according to the expected cost-benefit calculation. Critics\textsuperscript{12} claim that this approach simply reduces the migrants to labour power, and neglects the categorization according to gender, ethnicity and social class. Furthermore, obstacles to mobility, such as political or structural barriers, are not taken into account\textsuperscript{13}.

\textsuperscript{11} Sjaastad, 1962 in: Massey et al. 1998:19
\textsuperscript{12} Cadwaller, 1992:10, in: Goss and Lindquist, 1995:320
\textsuperscript{13} Goss and Lindquist, 1995:320
The New Economics of Migration

The approach of New Economics of Migration came up in the 1980s and has brought some new insights in the process of migration. This integrative approach has been developed to link different levels of social organization and to consider both historical and contemporary processes. The rational individual and macroeconomic conditions are no longer seen as the only actors in the decision-making process. Instead, the new economics of migration model emphasizes the role of larger unites of related people, such as families or households or even communities, as the connection between the macro-level and the micro-level of analysis. The model assumes that people collectively aim not only to maximize the expected income but also to minimize risks that are associated with all kinds of markets failures, apart from those in the labour market. Other markets can for example be: Crop insurance market, unemployment insurance, capital markets, and credit markets.

The appropriate unit of analysis is not the isolated rational individual anymore but the larger collective; families, households, or other culturally defined units of production and consumption. Households may have strong incentives to diversify risks or accumulate capital trough migration even when no wage differentials occur.

Economic development within sending countries may not mean the end of migration, rather it can intensify the pressure for migration. An increase in the return of local productivity may increase the attractiveness of migration in order to overcoming capital and risk constraints. The model suggests that migration will continue if other, above mentioned markets within the sending countries are imperfect, absent or in disequilibrium, no matter whether wage differentials exist or not. Furthermore, the same expected gain might have different incentives on households in communities with different income distribution. Opponents of this model critics above all the assumption of a unified strategic actor. Especially from the feminist side it has been pointed out that household members not necessarily share the same goals and priorities. Fieldwork by Goss and Lindquist shows that household members often pursue individual interests that in some cases undermine collective decisions, while Riggs shows that both male and female potential migrants are attracted by the adventure factor of migration, especially the younger ones. Furthermore, the notion of ‘household’ has been perceived as a euro-centric conception of the stem family, and

15 Goss and Lindquist, 1995:327
16 Goss and Lindquist, 1995:328
studies have suggested including non-kin or distant kin who share the daily budget in the concept of ‘household’\textsuperscript{18}.

The neo-classical theory and the model of the new economics of migration are both micro-level decision based and assume rational choice. Differences lay in the units that are assumed to make the decision and the entity being maximized or minimized (income, capital, or risk).

**Segmented Labour Market Theory**

The key concept of this economic theory is that international migration stems from the underlying labour demands of modern industrial societies. According to Piore\textsuperscript{19}, who is one of the pioneers in this structural theory, migration is not caused by push factors in the country of origin but by pull factors in the country of migration. He argues that the permanent demand for foreign workers has its roots in the economic structures of developed nations.

According to this theory the main actor in initiating international migration is the labour market in the receiving country and all the employers and governments working on its behalf. These findings do differ radically from the neo-classical model where the main actor is the rational cost/benefit calculating individual who initiates migration. International migration, according to Piore, is demand-led, wage differentials and imperfect insurances do not have necessarily such a great impact on migration.

Bifurcated labour markets in advanced economies are characterized with the duality of capital and labour. This dualism leads to different kind of jobs; the capital-intensive stable and skilled jobs of the primary labour market and the productivity-intensive unstable, low-skilled jobs of the secondary labour market. A raise in wages in low-paid jobs to attract nationals is economically impossible as the result would be structural inflation. As people not only work to earn money but also to accumulate or maintain a social status, low-wage jobs are often refused by natives. Employers are therefore looking for people who are willing to take low-paid, unstable jobs with few possibilities for upward mobility; in other words, people who are solely doing the job as a means to earning money. For different reasons, immigrants satisfy these demands in developed economies – at least in their early stage of migration. As immigrants often do not perceive themselves as a part of the receiving society, the low status that is connected to their kind of job is not a constraining factor. By sending home

\textsuperscript{18} Goss and Lindquist, 1995:328

\textsuperscript{19} Piore, 1979 in: Massey et al. 1998:28
remittances, the immigrant receives social status within his/her own societal network. This structural character of developed capitalist countries’ economy demands foreign workers for low-paid jobs of the productivity-intensive segment of the labour market.

However, while low wages in labour-receiving countries do not rise in response to a decrease in the supply of foreign workers as a result of social and institutional mechanisms, they may fall as a result of the increase of immigrant labour supply. The social and institutional checks that prevent the wages from rising do not prevent them from falling. According to this model, international wage differentials are therefore neither necessary nor a sufficient condition for labour migration to occur.

**Historical-Structural Theory and World Systems Theory**

The model of Historical-Structural and World Systems Theory is a response to the functionalists in social science who argue that countries develop economically by progressing through a systematic series of evolutionary stages culminating in modernization and industrialization. Historical-structuralists counter-argue that the expansion of global capitalism acts to perpetuate inequalities and reinforces a stratified economic order because political power is unequally distributed across nations.

The theory’s point of departure therefore is that international migration is a natural consequence of capitalist market formation in the developing world and sees the penetration of the global economy into peripheral regions as the catalyst for international movement.

The international flow of labour follows international flows of goods and capital, but in the opposite direction. Capitalist investments result in changes that create an uprooted, mobile population in peripheral countries while simultaneously forging strong material and cultural links with core countries, leading to transnational movement.

According to historical-structuralism and the world system theory international migration ultimately has little to do with wage or employment differentials between countries; rather it originates from the dynamics of market creation and the political structure of the global economy.
1.2.2 The Perpetuation of International Migration

Social Capital Theory

This theory suggests that migrant networks play a crucial role in the perpetuation of international migration, and constitute a form of social capital that makes it easier for every following individual to migrate. Massey et al.\textsuperscript{20} define those networks as “interpersonal ties that connect migrants, former migrants, and non-migrants in origin and destination areas through ties of family, kinship, friendship, and shared community of origin”.

Social capital is said to be created when “relations among persons change in ways that facilitate action”\textsuperscript{21}. Accordingly, everyday ties to family and community provides few advantages to migrate. This, however, changes when one individual in a personal network has migrated. Those ties are then transformed into a resource that a potential migrant can draw upon in order to gain access to overseas employment and to reduce the cost of migration in general. Every act of migration creates social capital for all non-migrants and increases therefore the odds of their migration. In that way, social networks in the country of origin can develop into migrant networks that link the country of origin to the country of migration and is extensively responsible for the lower costs for migration of a member of that network.

Migration is costly for the first migrant that moves without any social ties to a new country. Then, once chain migration has evolved, migrant networks are reducing the costs of migration. The lowered costs of migration increase the attractiveness of migration as a means to diversify risk. Every migrant lowers the monetary costs of migration for a range of persons he/she shares social ties with. Furthermore, the migrant can provide others with trustworthy contacts, information about the recruitment procedure and the new country. By providing a temporary shelter for the first days in the country and by facilitating access to employment through the right channels upon arrival further costs and risks are reduced for other family members or members from the same community who would like to migrate as well. People gain access to social capital through membership in networks and social institutions. Convertibility is seen as the key characteristic of social capital – it may easily mobilize other forms of capital, most often financial capital, such as foreign wages and remittances, or human, cultural and political capital\textsuperscript{22}.

\textsuperscript{20} Masset et al. 1998: 42
\textsuperscript{22} Faist, 1997:199
This model suggests that international migration tends to expand over time until network connections have diffused so widely in a sending region that all people that wish to migrate can do so without difficulty; then migration begins to slow down.

Furthermore, the theory suggests that the size of the migratory flow between two countries is not directly correlated to wage differentials or employment rates. These variables are seen to be surpassed by the falling costs and risks of movement stemming from the growth of migrant networks over time. Moreover, as international migration becomes institutionalized through the formation and elaboration of networks, it becomes increasingly independent of the factors that originally caused it. However, as Goss and Lindquist point out, as networks expand over time, they may become more selective and competitive, which means access to a migrant network does not necessarily increase the opportunities to migrate.

**Cumulative Causation**

This model argues that over time international migration tends to sustain itself in ways that increases the likelihood of additional movement progressively.

“Causation is cumulative in the sense that each act of migration alters the social context within which subsequent migration decisions are made, typically in ways that make additional movement more likely.” Social, economic and cultural changes that occur with migration brought about in sending and receiving countries by international migration give the movement of the people a powerful impetus resistant to easy control or regulation, since the feedback mechanisms of cumulative causation largely lies outside the reach of government. The point of departure of this approach is that the cumulative effect of individual decisions may over time change the context in which a decision to migrate is made.

### 1.2.3 Theories on Irregular Migration

In the discussion on irregular migrants it is important to note that a person not simply is irregular by the very act of being. Rather a person is made illegal by altering laws and regulations of the country of origin and destination. In regions where there is no legal restriction on the movement of people, the issue of irregular migration barely comes up. As

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23 Goss and Lindquist, 1995:330
24 Massey et al. 1998:45
25 Gosh, 1998:2
Gosh\textsuperscript{26} states, irregular migration principally results from a mismatch between the numbers of persons wishing to leave the country and the opportunities for legal migration.

Irregular migrants can be distinguished along two categories. First, poverty, unemployment and economic hardship serve as the principal push factors for survival migration. Second, lack of opportunities to enhance economic welfare is a pull factor for opportunity-seeking migration. The distinction of irregular migrants into two categories is an important analytical tool to directly focus on the different circumstances and motivations that cause the two types of movements.

According to Gosh\textsuperscript{27}, opportunity-seeking migrants are more cautious about potential risks and rewards of irregular migration, and are more willing to stay in the country of origin if the risk and punishment of migrating is too high. Survival migrants, however, are more driven by economic despair and risks of punishment and discomfort are less likely to keep them from moving. Furthermore, they are more likely to accept almost any job in the destination country. It is therefore not surprising that most of the irregular survival migrants can be found in low-skilled, low-wage jobs.

Irregular migration can be said to be generated by push factors in the country of origin and pull factors in the destination country. While this sounds like a basic neo-classical migration model, it is not. Push factors are poverty, relative deprivation, skewed income distribution, environmental degradation, and ethnic and political oppression and internal violence. These factors go far beyond the simple assumption of the rational individual as a profit maximizer.

As Gosh\textsuperscript{28} states, high economic growth rates can help to eradicate poverty in low-income countries. Nevertheless, this is only going to reduce the migratory push if the growth is more or less equally distributed. Skewed income distribution makes poverty reduction more difficult. In most developing countries low growth and unequal income distribution correlate with high levels of poverty. A more equitable distribution system may not alone reduce the migratory push, but it will over several years be able to generate a new optimism and feeling of economic security, which can lead to a decline in out-migration.

Directly intertwined with unequal income distribution is the relative deprivation. People tend to compare their well-being with their neighbours and an unprivileged position in the social and economic system compared to their neighbours can enhance the wish to migrate. Relative deprivation relates mostly to opportunity-seeking migrants.

\textsuperscript{26} Gosh, 1998:34  
\textsuperscript{27} Gosh, 1998:35  
\textsuperscript{28} Gosh, 1998:37
Survival-driven migrants are in the most vulnerable position. They may belong to the poorest segment of the population, and they often take almost any risk to enable at least one member of the household to go abroad. Even if the finances are not enough to pay for the trip, often a deal can be made with the traffickers that leaves both the migrant and the family in an ever more vulnerable position\(^29\).

Poverty and unemployment are generally more important causes to irregular migration than the search for better opportunities. There may also be a mismatch between the level of labour demand and the opportunities offered by the receiving country for legal entry. According to Gosh\(^30\), it is almost impossible to restrain migrants to come if there is a significant demand for labour; unless the punishment for illegal entry and the employer sanction are exceptionally high. This mismatch can be called the demand-pull in destination countries.

Despite a shortage of labour a destination country may impose rigid limitations on labour migration due to political reasons. Concern about cultural values and national well-being have shown to be reasons to limit the entry of labour migrants.

1.2.4 The Human Agency Approach in International Labour Migration

The scholarly literature of Labour Migration to the Gulf Countries tends to look at the phenomena of labour migration in a solely structural way, in which human beings only appear as “stock” or “labour force” etc. The central actors in these analyses are the push and pull factors of economy or demography. Other central actor on the micro- and macro-level can be detected, such as politics, ideologies of governments\(^31\) and different kinds of markets. For that reason, the social anthropologist Longva\(^32\) presents the approach of human agency in international labour migration which emphasizes on the individual itself. The experiential basis as to why people decide to move, stay, remain abroad or return home, deserves its own investigation and understanding. To Longva, not only structural incentives and impediments account for these events: Instead, she urges to consider that “the definition of the limit beyond which “deprivation” becomes intolerable and thus necessitates drastic measures such as migration, as well as the definition of what is “good”, or “worse”, “necessary”, or “impossible” to put up with in the host country, are decided by the human beings who

\(^{29}\) Gosh, 1998:39

\(^{30}\) Gosh, 1998

\(^{31}\) Russel, 1989
appraise their own circumstances, and are not the work of abstract structural forces\textsuperscript{33}. Not every potential migrant decides to move abroad and of the ones that do some individuals migrate several times why others do not.

There is no doubt, however, about the impact of structural factors and material constraints when it comes to how they influence the decision by individual workers to migrate. However, as Longva points out, these are an external set of variables, which are independent from the individual.

Longva calls on the investigation of the experiential basis of the decision to migrate, to remain abroad, or to return home as an own factor/entity in the study of international migration together with the structural factors that contribute to shaping the decisions themselves.

These are the contemporary theories on international migration that I believe help to identify the patterns of labour migration to the UAE. However, I am aware that for this study not all of these theories necessarily prove to be important for labour migration to the UAE.

1.3 Data, Methods and Limitations

In order to answer the research questions, I have made use of a qualitative method. The empirical material was gathered during a field trip to the UAE where I made personal face-to-face interviews with a number of regular and irregular migrants. Furthermore, the phenomenon of massive labour migration to the UAE has been studied through literature, observation and interviews with a number of persons concerned with the matter.

1.3.1 Selection of Area of Study

The United Arab Emirates is one country in the Persian Gulf that attracts and recruits a massive number of foreign workers. The country is a federation consisting of seven emirates, namely Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Kwain, Ras al Kaimah and Fujeirah. Dubai, the second-largest emirate, has a relatively liberal understanding of the Shari’a law and this is commonly seen as one factor why people choose this place before another Gulf

\textsuperscript{32} Longva, 1997:153-156
\textsuperscript{33} Longva, 1997:154
country. In fact, Dubai is a very multi-cultural place, in the sense that nearly every nationality can be met here, and religions other than Islam are allowed to be practiced.

My focus in this fieldwork was on Dubai, as these characteristics made Dubai an ideal place to conduct research on labour migration. However, some interviews have been conducted with persons living and working in Sharjah, and material is also provided on Abu Dhabi.

I am aware that in a federation the legislations can vary considerably between the emirates. For this thesis, however, I consider the differences between the emirates as neglectable. The migrants usually cannot choose the emirate in which they wish live and work. In this thesis therefore, I will only mention differences between the emirates if it is crucial to the result of the study.

The UAE is a very interesting place to study, especially since research on labour migration in this country is limited. Most of the research on labour migration in the Gulf countries is based on Kuwait. Nevertheless, Weiner (1982), Zachariah et al (2003) and Nambiar (1995) provide very insightful case studies of Indian contract workers in the United Arab Emirates. The last one is based on interviews with Indian contract workers after their return from the Gulf. What contributes to the attractiveness of the UAE as an area to study are the facts that labour migration is highly regulated, informal practices are widespread, and the reality that the foreign population outnumber the nationals by the factor three.

### 1.3.2 Data Collection

The fieldwork was conducted during four weeks in March 2005. Due to the contacts that I had prior to my arrival, I got the possibility to stay with a befriended family during this time. The family consisted of Mohammed, a Palestinian, his Filipino wife Jocelyn, and her half sister Joy. All three of them have extensive knowledge about Dubai and its immigration and labour law (see 1.3.4). Moreover, it can be mentioned here too, that I was familiar with Joy’s background from the Philippines, as I visited her and her family many years ago and was since then considered a friend of the family.

Although the majority of my interviewees are from the Philippines, I did not simply focus on this nationality. In fact, I wanted to get a broad picture of the situation in Dubai and

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34 Among others: Massey et al., 1998:145
therefore interviewed twenty-three persons that I met during my stay and had a chance to talk longer to.

I had the chance to make interviews with fourteen women and nine men from eight different countries. Those countries include Palestine, India, Pakistan, Indonesia, the Philippines, Ethiopia, Lebanon and Great Britain. Most of the informants stated to have jobs according to their level of education. The two Indonesians and one Indian with only six years of schooling had irregular jobs as office cleaner and office boy/girl; the rest of the informants had at least twelve years of schooling. Thirteen interviewees had a bachelor degree and three a master degree, while four could not obtain a degree due to lacking financial means. The age of the informants ranged between 20 and 45 years, with the majority of the interviewees being in their late twenties.

An important fact to mention is also that all but one interviewee worked in Dubai or Sharjah. One Filipina, however, worked in the Jebel Ali Freezone. There are 25 economic freezones in the UAE, 19 of them in Dubai\(^35\). Those freezones are situated, among others, in the middle of Dubai or in outskirts. Not only are those freezones characterized by different regulations concerning trade and business taxes etc, also the conditions of work, salary, benefit and worker’s rights differ from the conditions in Dubai or Sharjah. Therefore, it should be noted, the information given in this thesis on legislations, working conditions etc. is based solely on the laws and practices in the regular trade and business zones of the UAE.

### 1.3.3 Terminology

**Labour Migrant, Contract Worker, Expatriate, Migrant Worker**

I will use the definition by the Department of Economic and Social Affairs of the United Nations\(^36\), which states that a labour migrant has to be defined by the states as that kind of person that is admitted expressly for employment activity. Labour migration is, at the core, the explicit notion for a foreign work force that is hired to fill the gaps between the national workforce and the labour demand. Another feature of labour migration is that it is most often temporary, in other words: on contract. In my thesis, ‘labour migrant’ is equal to ‘contract worker’ and I will use those terms interchangeably.

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\(^{35}\) Gulf News, 30th April: "Everybody wants to be free", Mahmood Saberi

\(^{36}\) United Nations, 1998
Furthermore, the term ‘expatriate’ will appear in this thesis. This expression is the official local term for foreign workers in the UAE, against ‘locals’ for the national population. Other than that, migrant worker is another term with the same meaning as all the terms stated above.

In the Convention on the Protection of the Rights of Migrant Workers and their Families, the definition of a migrant worker is a person “who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.”

1.3.4 Main Informants

My main informants were three people that possess a lot of knowledge in fields that are relevant for this thesis.

Mohammed
Mohammed is a Palestinian with Jordan passport in his forties that came to the UAE as a child. His father was engaged in business and when Mohammed reached a certain age he assisted his father. Mohammed has great knowledge about the UAE labour law, business regulations, visa regulation etc. He is currently working in the field of business set-up and is taking advantage of the vast informal contact net he has built up in the country. In that way, he keeps himself up-to-date and is informed about changes in laws and regulations. In that matter, he was a competent and irreplaceable informant.

Jocelyn
Jocelyn is of Filipino origin and came to the UAE fifteen years ago. In this time she has had several employments, and is well informed about the employment situation in the country. In more than one job it was her task to recruit new staff, so she is perfectly familiar with the procedures of hiring people. Besides that she is a valuable witness of changes that occurred in the field of immigration and employment.

Joy
Joy came to the UAE five years ago from the Philippines. In this time she has had three different employments. She has experiences of an irregular status from personal experience, and had to rely twice on personal networks to solve problems related to her migrant and work status. In her current position, she is the one responsible for hiring the new staff and dealing with the visa and employment procedures. She was a great informant in the field of visas,

37 United Nations High Commissioner for Human Rights, 1990
irregular employment, irregular position in the UAE and the informal practices of the labour regulations in Dubai.

1.3.5 Interviews

Selection of Informants

As mentioned above, the family that hosted me during my stay served as my point of departure to get an insight into the socio-economical characteristics of Dubai and the UAE. With none of them I actually made a proper interview, but some of their migration story I was told in personal discussions and are used in this study as supplementary commentaries. As all three of them are working in offices during the day, I had the chance to go with them and interview the staff there. Other interviewees were neighbours, sales ladies in hotel shops, or, as mentioned before, family to my Filipino acquaintances and their neighbours and work mates.

Besides all the official interviews I had a lot of chats and discussions with foreigners of all nationalities living in Dubai, which helped me to gain insight and deeper understanding of the processes and practices that characterize this country.

With my original aim being to focus solely on irregular migrants, I soon came across the fact that many of the irregular migrants that had actually entered the country illegally or that had simply overstayed their visit visa, did not have enough knowledge of English that allowed an interview. Thus, I decided to focus on regular contract workers instead; their reasons to migrate and their conditions of life and work in Dubai. However, I managed to talk to four expatriates who were there on irregular terms and a fifth, who came to the country irregularly but managed to get legal documents after a while. I will cover this issue in separate chapters (see chapters 4.2 and 5.4).

Methods and Performance of the Interview

The interviews were conducted in a semi-structured manner. I usually would let the interviewee talk about what he/she considered important. This was to guarantee that the interviewees could conceptualize the question and their migration experience in their own way38. This method gives the interviewees the possibility to give their own accountancy of their situation and the interviewer the possibility to catch the “whole story”. This is of large

38 Jordan & Düvell, 2002:95
importance since the purpose of the interviews is to produce an account of immigration experiences that also takes notice of the significance of irregular activities\textsuperscript{39}. In all those accounts made by the interviewee of his or her situation, an interpreative repertoire\textsuperscript{40} is used that seeks to explain and justify the events in question to the interviewer. This is an aspect of the fact that we all as human beings try to “make the world intelligible and meaningful to ourselves and others”\textsuperscript{41}.

The semi-structured interview not only gives more space for the interviewee’s account, but also enables the interviewer to get into a dialogue with the informant and probe beyond the answers\textsuperscript{42}. Furthermore, due to the semi-structured character of the interview, comparability between the different accounts is still possible to some extent. It is, however, very important for this kind of method that the interviewer understands the broader context and content of the interview. Besides that, I had standard questions that I would ask the interviewees in case they were not mentioning those issues themselves.

In order to give an account on why the interviewees came to the UAE in the first place, questions in line with contemporary international labour migration were posed. Questions about the economic gain, situation of different markets at home, household composition, but also questions concerning family members already resided in the UAE, etc.

Furthermore, I not only asked questions about their life in the UAE, about their working conditions and their work possibilities etc. but also about their leisure time activities. I inquired about their immigration status, how the entered the country, found their job and so on. And finally, I asked about plans for the future. The interesting thing with this last question was that it revealed much of their sentiments about their current situation.

Some interviewees were very open and free-spoken about their experiences, while others were just simply answering my questions. The interviews were conducted in English. Even though all my interviewees, except for three, had a good or excellent knowledge of English and used it in their daily working routines, I am conscious about the fact that the answers might have been different if the interviews had been conducted with an interpreter in the mother tongue. However, in this case I do not regard mother tongue translators as necessary.

\textsuperscript{39} Jordan & Düvell, 2002:95, 96
\textsuperscript{40} Wetherell & Potter, 1988, in: Jordan & Düvell, 2002:96
\textsuperscript{41} Jordan & Düvell, 2002:96
\textsuperscript{42} May, 1997:111
In the case of the Indian office cleaner who could not speak English, I found another Indian person in the office who was helpful enough to act as a translator. In case of the Indonesian office cleaner and the Indonesian office girl, I was only able to catch the broader frame of their stories, as their English skills were not sufficient enough to have a proper interview. Those two girls had some knowledge in Arabic, however, and with the help of Jocelyn as a translator I found the English version of their stories confirmed.

Some of the interviewees I met several times, and even though the stories that they told me proofed to be consistent and full of details, deeper understanding of their account was gained every time I met them. In this way, my relatively short time in the country was nevertheless sufficient enough to produce some relevant material.

The location of the interviews was varying. Some interviews took place in a coffee place in a relaxed atmosphere, some were conducted in the half hour office break and others simply in a living room at someone’s home. Depending therefore on the location and on the willingness to talk about their migration stories, some interviews took fifteen minutes, while other took about two hours.

During the interviews I took notes, no audiotape was used.

1.2.6 Other Sources

Besides interviews, observations, literature and information my main informants, newspaper articles were another source of the living and working conditions of foreign workers and the immigration procedures in Dubai. Furthermore, I studied the actual legislations concerning labour and immigration in order to have an appropriate background when interviewing people.

Besides I was talking to nearly every person that I met during that time about this topic. The issue of immigration and labour regulations is ever present in discussions and touched upon very often, as it is such a vital part of life in Dubai. The information in this section comes from people who have lived and worked in Dubai for a while but I simply did not have the time or the chance to have a proper interview with: from Swiss businessmen, Ethiopian accountants to Indian tourist guides, Romanian real estate agents, Russian sales staff, South African singers and Lebanese waiters etc.

Another source is an Associate Professor of Journalism at Indiana University in the United States that I had email contact with. He did an extensive work on the Indian Diaspora and provided me with some valuable information about the Indian community in Dubai.
Furthermore, I was able to interview the labour attaché of the Philippine Consulate in Dubai. As a lawyer in the service of the Philippine government, his main task is to legally assist and support distressed workers who came into conflict with their employer. He has given me some valuable insight into the kinds of work disputes that occur in Dubai and into practices that the Philippine Consulate uses to deal with workers’ disputes.

Moreover, an extensive and extremely valuable work is the research about the “Kuwaiti experience” by Anh Nga Longva. She not only provides extensive insight into the life of Arab and Asian male and female contract workers, she also gives account of the Kuwaiti national sentiment towards the development of their country and towards the means that this development demands. Andrzej Kapiszewski gives another extended account of the relation between labour migrants and the Gulf nationals in “Nationals and Expatriates”. However, he does not collect his findings from direct interviews with labour migrants. Interestingly, a whole chapter in his book deals with irregular migrants in the GCC countries and gives valuable information on the subject.

1.3.7 Fieldwork and Problems encountered

During my stay in Dubai I tried to gain as much academic knowledge as possible. I found the city to be a modern place that lives a fast pace. Immigration-related topics as well as issues concerning business, money and work seemed to be constantly and relentlessly discussed. At the same time as the UAE has a highly regulated immigration system, I found extremely widespread and seemingly institutionalized informal practices concerning immigration, work and business. Those informal practices were often comparable in unrelated cases, yet, no clear analysis can be drawn as every case is different. A lot would depend on who the involved persons are, which nationality, gender and religion they have, and how their financial situation looks like.

Furthermore, some interviewees were in an irregular position by the time the interview took place, while others had experienced irregularity before. As the topic is sensitive due to their vulnerable situation, some informants were reluctant to give details about their situation and their reasoning. If irregular migrants were to be detected they would face one month in prison and deportation. Once deported, there is no legal way back to the UAE. In earlier years, people simply came back with a different passport on a new visa; nowadays the eye-scanning method prevents them from doing so. I have tried therefore to keep a balance
between a respect for their fear of being detected and my curiosity as a researcher. In that way, the outcome research is limited somewhat due to the factors mentioned above.

Furthermore, during my preparations for the field study I was made aware of by other authors that the UAE is not a liberal democracy, and research on a sensitive question like that might not be that welcomed. I was therefore reluctant to talk to public figures – also due to the fact that denunciation seems to be one of the main ways in which irregulars are detected and deported\footnote{Gulf News, 7\textsuperscript{th} January 2005}. Besides, as other researchers state, the authorities provide information only reluctantly (if at all) to foreign researchers, since this can be used by the ‘enemy of the state’\footnote{Kapiszewski, 2001:27}. During my initial stay in Dubai, I found it therefore hard to know whom I could fully reveal my aim of the stay. However, at the end of my study I came to the insight that my caution was only justified to a certain degree\footnote{As was assured to me many times, a person with a European passport can do ”almost anything” without getting into troubles.}.

However, I often got the feeling that some interviewees (mostly Arabs) chose their words carefully, probably as I assume they were unwilling to give negative accounts of the country. In this case my presumption is that they did not want me as an outsider and non-resident to spread bad publicity. On the other hand, it seemed to me that even interviewees of Asian and African nationality were sometimes reluctant to reveal negative accounts concerning their working conditions or immigration status. My explanation to this limitation is that those acts were part of the individual’s own accountancy of their situation that they used to explain and justify the events in question to me as the interviewer. I regard this, as described above in the “interview” section, as an aspect of the fact that human beings try to make sense of the world and produce a meaningful account to themselves and others.

I am aware that I clearly have been an outsider in the UAE, simply by the fact that I was a non-resident. Other researchers concentrated on the literature studies, since they did not find the non-Arab population to be open towards outsiders\footnote{Kapiszewski, 2001:29}. However, I regard my own personal ties to the people that hosted me to having reduced my outsider position at least a bit. Nonetheless, my personal ties might be seen as a hinder to objectivity. I am aware of that fact and have scrutinized my objectivity in this paper even more due to that.

Nevertheless, I realise that my understanding of the situation on labour migration to the UAE and the practices on the labour market are far from complete.
1.5 Outline

In chapter 2, I am going to present the history of the labour migration to the United Arab Emirates and the GCC countries in general. I will furthermore describe the system of ethnic stratification that characterizes the Gulf societies, and the national and international legal frame works that form the system of labour migration into the UAE. Chapter 3 presents crucial international conventions addressing the protection of human rights of all individuals in general and of migrant workers in particular. In this chapter, national legislations concerning work and immigration are explained in as much detail as it is needed to understand the context of expatriates living and working in the UAE. Additionally, information is given about the sponsorship system that forms a power fraction between nationals and foreigners. In chapter 4, I am going to present the results of my first point of investigation, namely why migrant workers move to the UAE. The findings of my second field of research, namely the living and working conditions of expatriates in the UAE, are presented in chapter 5. In this chapter, also the notion of irregular migration is named and discussed. Finally, in chapter 6, I will draw some conclusions concerning my field of study and the theories relating to them, and give some further suggestions for research.
2. GCC Countries in the Literature

Saudi Arabia, Bahrain, Kuwait, Oman, Qatar and the United Arab Emirates are six wealthy states that border the Persian Gulf and are politically connected through the Gulf Cooperation Council (GCC). These states are rich in capital and oil but poor in labour reserves. Together the six countries had a population of 24 million in 1993. The six states are connected by a formal agreement, they share similar cultures, religions, and economic structures; they have the same history of immigration and expatriates occupy the same kind of economic segment, plus they have similar kind of policies that encourages temporary labour migration while it discourages permanent settlement and citizenship. Furthermore, the countries are ruled by the same kind of political system. Before the modern development in the oil trade, the six countries were feudal tribal states. However, the fast-speeded industrialization has not brought much modernization to the political and social sphere. The government system is hereditary, and non-democratic.

In this chapter I will present a short historical feature of the labour migration into the Gulf countries. Furthermore, I will lay out some of the socio-economic characteristics that shape the life of the foreign workers in those countries. While the GCC states will be covered in general, specific information on the UAE and Dubai will be given in addition to that.

2.1 History of Labour Migration to the GCC countries

International migration to the countries of the Persian Gulf emerged under different circumstances than the migrant worker system to post-war Europe and North America. Unlike in other developed countries, the high per capita income was not achieved by economic growth and productivity but instead by the geographical incident of being located „atop immense petroleum reserves during a period of rapid price inflation“ Contrary to all other states, the Gulf countries seek industrialization through wealth, instead of the other way around.

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47 Edwards Economic Research, 1995
49 Evand and Papps, 1999:222
50 Seccombe, 1988, in: Massey et al. 1998:134
Labour migration to the Gulf started in the early 1950s and 1960s with the development of the oil resources under the domination of American and British companies. Besides a few Westerners, most of the expatriates came from India and neighbouring Arab countries. In 1970, there were about 880,000 expatriates in the region with eighty-five per cent coming from Arab countries. In the early 1970s the GCC countries were underdeveloped with low rates of education, high rates of fertility, low rates of female labour force participation, a low degree of industrial and service employment, and little infrastructure for modern transportation, communications, or production. Pearl diving accounted for their main income, and pearl trade dominated the area. Pearls from the Persian Gulf could be found in the most exclusive jeweller shops in Paris and New York.

However, fundamental changes occurred in the year 1973. The historic reconciliation between Iraq and Iran created a new solidarity among oil-producing countries of the Arab world. When Egypt successfully resisted Israel in the Yom Kippur War, Arab nations decided to ally against Israel’s Western allies. One measure was to form an oil cartel to drive up prices. The result of that were quadrupled oil prices within a year, which led to an oil crisis outside the Middle East that affected the world profoundly.

Massive accumulations of capital into the GCC countries followed and extensive growth of investment was triggered while labour was still a scarcity. The GCC countries, however, started to recruit large-scale labour immigration in order to feed the economic development. Initially the labour migrants came from other Arab states (mostly Egypt, Jordan, Yemen and Sudan) and found predominantly work on construction sites. Between 1976 and 1979 a large inflow of non-Arab workers occurred. The contractors came mainly from Indian and Pakistan and were employed in construction and services. During the next five years (1980-1984) greater concern about the massive number of foreigners grew in the Gulf States and governments started to actively regulate the inflow of labour into their countries. At the same time, the range of source countries of labour widened and started to include Southeast Asian countries like the Philippines, China, Singapore, as well as Turkey. As Russel states diversification among Asian states was facilitated by the rising oil prices that created serious problems in many Asian countries. Labour export was chosen as a means to securing the currency (through migrant remittances) needed to pay the fuel. Similarly, a diversification in

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53 Stalker, 1997: 239
employment occurred. Service and construction work still accounted for the majority of the jobs (both 30 per cent), followed by wholesale and retail trade (14 per cent)\textsuperscript{56}. Between 1985 and 1990 the inflow of expatriates continued, although at a slower pace. A reduction in oil revenues and a growing concern about the number of foreigner led to a stabilization of immigration. The construction sector slowed down somewhat, however, more labour was needed in the service field. Especially as the Golf nationals started to use hotels and restaurants in their leisure time and weigh domestic servants and chauffeurs as status symbols.

By the outbreak of the Iraq-Kuwait War in 1990 labour migrants from about eighty-five different nations in Kuwait were counted.

\subsection*{2.1.1 Dependency on Labour}

The Gulf States are extraordinarily dependent on foreign labour. In the 1980s, the number of foreign workers reached 5.2 million, and in all the countries the foreign workers constituted the majority of the work force.

The United Arab Emirates had, along with Saudi Arabia and Kuwait, about 90 per cent of foreign work force, while the tiny state of Qatar even counted 92 per cent of its working force to be foreign\textsuperscript{57}. The number of labour migrants has steadily risen in all GCC countries. Numbers from Saudi Arabia reveal that the number of foreign workers in the labour force rose from 27 per cent in 1970\textsuperscript{58}, to 32 per cent in 1975\textsuperscript{59} to 53 per cent in 1980, to 79 in 1985, to 80 per cent in 1990\textsuperscript{60}. In the early 1990s, India was the country that ranked first among the labour sending countries with 20 per cent, before Egypt with 16 per cent.

These numbers describe a trend away from Middle Eastern sources of labour migration to the Gulf. In fact, there was a clear out-migration of Iranians, Palestinians, Moroccans, Tunisians and Yemenis. Directly after the Gulf War, restrictions were place on Yemenis due to the governments support for Iraq. In 1996, only an estimated 31 per cent of the expatriate population was Arab\textsuperscript{61}. Asian countries, however, represented the majority of sending countries to the Gulf, with India sending 780,000 contract migrants, Bangladesh 297,000 and

\textsuperscript{55} Russel, 1992 in: Massey et al. 1998:137
\textsuperscript{56} Stalker, 1997: 240
\textsuperscript{57} Birks and Sinclair, 1992, in: Massey et al. 1998:138
\textsuperscript{58} Massey et al. 1998:138
\textsuperscript{59} Massey et al. 1998:138
\textsuperscript{60} Birks and Sinclair, 1992, in: Massey et al. 1998:138
\textsuperscript{61} Shah, 2004: 91
other Asian nations (Pakistan, Sri Lanka, the Philippines, South Korea, Thailand) 1.25 million\textsuperscript{62}.

Also, among the Asian countries a gradual shift eastwards can be recognized. In the 1970s, South Asian countries were the main suppliers of workers of all non-Arab countries. Since 1980, however, Southeast Asia, and also East Asia, has become more and more important. The Philippines, Indonesia, Korea, and Thailand accounted for 2 per cent of the number of Gulf migrants in 1975, while those countries represented 51 per cent in 1989\textsuperscript{63}.

Since this type of labour migration is intended to be temporary there is a constant in- and out-flow. In the early 1990s, the Philippines had come to dominate this circular migration flow. In 1992, 370,000 Filipinos departed for Saudi Arabia\textsuperscript{64}.

Diversifying the source of labour migrants is a measure by the GCC nations to reduce their dependence on political unstable labour sources from other Arab countries. Furthermore, by avoiding an over-reliance on one single country and by recruiting contract workers from a vast array of countries with culturally and religiously dissimilar migrants, the likelihood of permanent settlement is crucially minimized. In addition, Asian migrants usually do not have political ideologies threatening the monarchy in the Gulf States; they make fewer demands, do not make claims for the same benefits as the nationals and it is politically much smoother to expel them\textsuperscript{65}. Another reason for hiring Asians might be that the price for employing Asians is far below the price of hiring Arabs\textsuperscript{66}. This is due to the ethnic stratification that characterizes the UAE society (see 2.1.4 for more).

In some countries, however, established Arab workers have already become de facto permanent residents\textsuperscript{67}. Also, with fourty-nine Indian associations\textsuperscript{68} in the UAE (most of them in Dubai) the same can be concluded for Indians.

The rising demand for domestic workers has also accelerated the inflow of Asians. Women from Sri Lanka, Indonesia and the Philippines dominate this sector\textsuperscript{69}. The increase in the number of migrant women that find employment as service workers increases the odds of family formation and settlement.

\textsuperscript{63} Shah 1993, in: Massey et al. 1998:140
\textsuperscript{64} Birks and Sinclair 1992, in: Massey et al. 1998:140
\textsuperscript{65} Weiner, 1982:12
\textsuperscript{66} Stalker, 1997:242
\textsuperscript{67} Omran and Roudi 1993, in: Massey et al. 1998:140
\textsuperscript{68} Indiaday, 2004
\textsuperscript{69} Stalker, 1997:242
2.1.2 Economic Migrants

The leaders of the Gulf States sought to implement labour programmes to hire foreign contract workers “without employing them fully as humans”\(^{70}\). These states are no secular, pluralist democracies as their European and North American counterparts; instead, they are homogeneous, centralized, non-democratic states, led by hereditary monarchs. Therefore they are in a stronger position to implement contract labour programmes that solely concentrate on economic beings\(^{71}\). Migrants are integrated into the economic sphere, but they are explicitly excluded from the social and political sphere\(^{72}\).

This is expressed in different policies and laws: first, residence without a job is in general not allowed (exceptions see chapter 4), and the right to family reunification is not recognized. Second, there is no legal access to housing, social benefits or medical care. Third, there is no right to appeal in respect to the migrant status. Fourth, deportation is permitted at any time by a simple decree\(^{73}\). Fifth, migrants are in general not allowed to own property, although this has changed in the past years in at least the emirate of Dubai. In 2002, the Dubai government allowed foreigners to lease freehold property on a 99 years contract. Sixth, foreigners are not allowed to start or join trade unions, as trade unions in general do not exist in those countries, and seventh, foreigners in general have restricted access to social benefits.

Furthermore, in most GCC countries there is no right to naturalization. The UAE and Kuwait, however, state exceptions. Yet, they do not grant the same right to naturalized foreigners as to natives\(^{74}\) and even if the individual fulfils all the criteria\(^{75}\), there is no guarantee of getting citizenship.

There is a sharp contrast between the benefits that a foreigner and a national get in the UAE. The UAE, and apparently this is the case in most GCC states\(^{76}\), provide free education from primary school to university, free health care, free water and electricity, and low-cost housing facilities only to their nationals. Furthermore, since recently, the UAE government even pays for the *dori*, the bride price, when young national get married.

\(^{71}\) Massey et al. 1998:135
\(^{72}\) Weiner 1982
\(^{74}\) Dib, 1988, in: Massey et al. 1998:136
\(^{75}\) According to one informant, the criteria for naturalization in the UAE are the following: a) to be Muslim, b) to have resided in the country for at least 30 years
\(^{76}\) Weiner, 1982:9
On the other hand, it has to be stated that all the GCC countries, except for Saudi Arabia, do not force foreigners to adapt to the national conservative social habits, such as dress code, male-female relations and the prohibition to consume alcohol. Moreover, other religions than Islam are allowed to be practiced\textsuperscript{77}. Despite that, typical architecture of Christian churches and Hindu temples etc. cannot be found.

\subsection*{2.1.3 Nationals and Expatriates in the Workforce}

Expatriates constitute a majority of the workforce in all the GCC countries with an average of 69 per cent. The United Arab Emirates had 1997 the highest number of foreign workforce of the whole region with not less than 90.4 per cent\textsuperscript{78}.

\begin{table}[h]
\centering
\begin{tabular}{ccc}
\hline
\textbf{Nationals} & \textbf{Foreigners} & \textbf{Total (in Thds)} \\
\hline
1975 & 37 & 63 & 525.1 \\
1980 & 28.7 & 71.3 & 977.4 \\
1985 & 36.2 & 63.8 & 1,116.8 \\
1995 & 25.1 & 74.9 & 2,378.0 \\
2000 & 24.3 & 75.7 & 2,889.6 \\
\hline
\end{tabular}
\caption{Percentage and Total of Nationals and Foreigners of the UAE population, 1975-2000}
\end{table}

\begin{table}[h]
\centering
\begin{tabular}{ccc}
\hline
\textbf{Nationals} & \textbf{Foreigners} & \textbf{Total (in '000s)} \\
\hline
1975 & 16 & 84 & 278.8 \\
1980 & 7.6 & 92.4 & 706.3 \\
1985 & 9.4 & 90.6 & 865.3 \\
1995 & 10.2 & 89.8 & 1,088.2 \\
2000 & 10.2 & 89.8 & 1,355.7 \\
\hline
\end{tabular}
\caption{Percentage of Nationals and Expatriates in the Labour Force of the UAE 1975 - 2000}
\end{table}

Source for both Table 1 and Table 2: Shah, 2004:95, 96

As can be seen in Table 1 and 2, the share of national in both the total population and the total labour force is very small. There are several reasons as to why the share of nationals in the workforce is that low. First, the average national population is relatively young with large proportions under the age of 15. Second, the retirement age is comparatively low. In most GCC countries, government employees can retire after 20 years of service – with a pension that accounts for at least 75 per cent of their salary. Married women may retire after 15 years

\textsuperscript{77} Kapiszewski, 2001:177
\textsuperscript{78} Kapiszewski, 2001:71
of service. Third, very often, national men within the economically active age group find no persuasive financial reason to seek employment. And finally, the employment of women is still limited, even though it has been encouraged in the recent years\textsuperscript{79}.

As Stalker\textsuperscript{80} describes most of the Golf nationals had administrative jobs within the government. This is partly due to the low level of education among the Golf nationals. In 1985, for instance, the percentage of Golf nationals in jobs requiring advanced qualification was low. In engineering and architecture, for example, Golf nationals only accounted for at that time 14 per cent in Kuwait in 1985, 13 per cent in Saudi Arabia in 1980 and 1 per cent in the United Arab Emirates in 1980. No numbers are available for the recent years, however, it can be assumed that this scenario has changed, as the educational level of the Gulf nationals is constantly increasing.

The labour market in the GCC countries is relatively sharply divided into private and public sector directly representing expatriates and nationals. Foreigners are over-represented in the private sector, while the nationals hold the jobs in the much more regulated public sector. Expatriate men do nearly all material production, while almost all domestic work is done by expatriate females\textsuperscript{81}. The working conditions differ drastically between the public and the private sector. Employees of the public sector get more benefits; they have less working hours, a minimum salary, more holidays and better pension system. In the private sector, there is no regulation concerning minimum salary, there are more working hours, less holidays and less benefits\textsuperscript{82}. In 1998, only 7.8 per cent of the UAE nationals were employed in the private sector\textsuperscript{83}. Although, this number is misleading. Many nationals have a second job in the private sector and/or are involved in the private sector as joint owners or sponsors which gives them a substantial income\textsuperscript{84}. UAE nationals extensively profit from the legislation that forbids foreigners to own business in the UAE. Every business in the UAE needs a national partner, who in exchange to giving his name receives a share of the profit. This and the fact that the public sector pays better salaries contribute to the finding of the Edwards Economic Research group that suggests that UAE nationals are comparable in income terms with the high-income population of countries such as the UK; while expatriates

\textsuperscript{79}Kapiszewski, 2001:74
\textsuperscript{80}Stalker, 1997:241
\textsuperscript{81}Massey et al., 1998:144
\textsuperscript{82}Among others: Kapiszewski, 2001:240
\textsuperscript{83}Emirates News, 10 March 1998, in: Kapiszewski, 2001:76
\textsuperscript{84}Kapiszewski, 2001:85, footnote 17
in the UAE are comparable with the populations of upper middle-income countries, such as Greece or Portugal.\(^{85}\)

In the recent years, however, the public sector in the UAE has been fully staffed, and newly graduated nationals have found it difficult to get a job. For the first time in the history of the country involuntary unemployment has occurred. According to Kapiszewski\(^{86}\) the main obstacles to employ nationals in the private sector are the lack of skills and the appropriate work ethic, as well as the inadequacy of the salary. For that reason, there are some government discussions about setting up a minimum salary for nationals working in the private sector, together with more benefits, etc.\(^{87}\). In 2001, a survey was carried out to gather the working conditions of nationals in the private sector. As the author states, the majority of the respondents is satisfied with the working conditions that they encounter in the private sector. However, the issue that gives rise to concern is their promotional mobility and the salary. Furthermore, almost fifty per cent of the respondents felt that UAE nationals are disadvantaged in the workplace.\(^{88}\)

Another measure to tackle the unemployment of nationals is the programme of emiratisation, which aims at the nationalisation of the workforce. In 2004, the policy of the programme made emiratisation mandatory for companies with fifty workers or more in several sectors. The quota is 2 per cent for trading companies, 4 per cent for banks and 5 per cent for insurance companies.\(^{89}\) In case the quotas are not fulfilled, the Ministry of Labour and Social Affairs will reject the companies’ visa applications for expatriates. The result of those measures is often that the nationals employed in the private sector get much more salary and benefits than their foreign work mates, while their work performance is often (though not always) perceived by expatriates as inferior. This nationalisation of the labour market-programme started in the UAE in the year 2000. In Oman, however, it already started in 1995. In all the Gulf countries such a nationalisation programme exists. However, as experts conclude, the small size of the national population in the UAE is not enough to replace foreigners in all segments of the labour market.\(^{90}\)

Regardless of these efforts, in 1998 the speaker of the Federal National Council of the UAE, Mohammed bin Khalifa Al Habtoor, stated for the first time publicly that “the

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\(^{85}\) Edward Economic Research, 1995

\(^{86}\) Kapiszewski, 2001:241

\(^{87}\) Kapiszewski, 2001:240

\(^{88}\) Al Hashimi, 2002

\(^{89}\) Emiratisation Programm, 2004

\(^{90}\) Among others: Kapiszewski, 2001:142
imbalance in the UAE’s demographic structure poses a danger to its social and cultural stability.”

2.1.4 Hierarchy Structures

The economic sector in the Gulf is structured by a non-egalitarian social order that provides people with a certain status according to their nationality and gender. The system of ethnic stratification is strict. A migrant’s nationality and gender directly corresponds with the expected salary, benefits and respect. A small group of Westerners is to be found at the top, with high salaries and a wide display of benefits. They are followed by a small group of nationals. Other Arab migrants lay one rank below, and on the bottom of this hierarchy is the huge number of Asian workers. As Omran and Roudi report Asian workers in Saudi Arabia earn about half as much as their Arab colleagues and evidence suggests that this is true for the UAE as well.

Longva describes the social hierarchy in Kuwait as follows:

Kuwaiti over non-Kuwaiti
Arab over non-Arab
Muslim over non-Muslim

Coupled with the gender variable, the social hierarchy looks as follows:

- Kuwaiti man over Kuwaiti woman, Arab man and Arab woman, Asian man and Asian woman
- Kuwaiti woman over Arab man and Arab woman, Asian man and Asian woman
- Arab man over Arab woman, Asian man and Asian woman
- Arab woman over Asian man and Asian woman
- Asian man over Asian woman

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92 Kapiszewski, 2001:24
94 Longva, 1997:131
Observers\textsuperscript{95} and expatriates actually living in the UAE fully agree with Longva’s findings from Kuwait: this kind of social hierarchy also highly employed in the UAE society. Ethnic stratification works like a glass ceiling for expatriates. However, some individuals may succeed in upward mobility and eventually reach the same level as nationals, but they are few and exceptional\textsuperscript{96}. A common reasoning is that the social practice of group segregation creates the impression of differences and often blows them up. By doing so, negative stereotypes and prejudices are created. These prejudiced attitudes allow the nationals to justify their economic, political and social privileges – for example the discriminatory wage and job distribution system\textsuperscript{97}. Kapiszewski names Tamotsuo Sibutani and Kian M. Kwan who bring forward the concept of classifying and ranking that creates social distances and hinders assimilation, especially in its structural dimension\textsuperscript{98}. This concept can be applied to the pluralistic society of the UAE where social distance is seen to be institutionalized. In the structural dimension is can be seen in the fact that access to opportunity structures is legally constrained for foreigners while they are open to nationals\textsuperscript{99}.

2.1.5 Vulnerability of Migration System

The Gulf War in 1990 produced a major upheaval in the international migration system and demonstrated how vulnerable contract workers of the region were to shifts in immigration policies. Furthermore, it revealed how dependent sending countries were on the remittances sent home. It is estimated that over a time of 12 months about 4 to 5 million people were uprooted\textsuperscript{100}. Palestinians (even stateless) and Yemenis were deported en masse. Other contract workers were stranded in Kuwait without any money to fly home, and it is estimated that the loss in remittances reached about US $5 billion\textsuperscript{101}.

The Gulf War had major political and economic consequences. Solidarity among Arab states ceded and the oil cartel faces serious difficulties to maintain high prices\textsuperscript{102}.

The drop of the oil price in the mid-1980s led many observers to the conclusion that the migrant flow to the Gulf will decline rapidly\textsuperscript{103}. Fact is that the drop in Arab migration has

\textsuperscript{95} Among others Kapiszewski, 2001:177-188  
\textsuperscript{96} Kapiszewski, 2001:24  
\textsuperscript{97} Kapiszewski, 2001:25  
\textsuperscript{98} Kapiszewski, 2001:24  
\textsuperscript{99} Kapiszewski, 2001:24  
\textsuperscript{100} Russel, 1992, in: Massey et al. 1998:141  
\textsuperscript{101} Russel, 1992, in: Massey et al. 1998:141  
\textsuperscript{102} Massey et al. 1998:142
been counterbalanced by the rise in Asian migration. At the same time the demand in workers shifted from construction worker to service employment, which accelerated the migration of Asian Females. Females dominate the outflow in some Asian countries, such as Indonesia and Sri Lanka.

Some scholars of migration predict that the continuation of migration to the Gulf depends largely on the oil revenues. Since oil is non-renewable and will slack inevitably, labour migration to the GCC countries will come on a halt sooner or later\textsuperscript{104}. Some of my informants with long-term experience of the UAE, on the other hand, claim that, foreign labour is always needed, especially in Dubai. All the buildings, hotels, offices, shopping malls etc. that have been built and that are being built at the moment need service and maintenance staff – even by the time the oil reserves have slacked. According to these persons, the labour market in the UAE will eventually change its division between local and foreign labour from public/private as it is nowadays to good jobs/bad jobs as it can be seen in other places. Even now, it is reported that the nationals of the Gulf states refuse to do certain kind of jobs\textsuperscript{105}.

\textsuperscript{103} Stalker, 1997
\textsuperscript{104} Massey et al. 1998:142
\textsuperscript{105} Kapiszewski, 2001:79
3. International and National Legislations

In this chapter I will present important international conventions concerned with the protection of human rights for all individuals in general and migrant workers in particular. The international organizations I focus on that develop international conventions, and monitor their implementation are the United Nations and the International Labour Organisation. Furthermore, I will present the national legislations dealing with labour migration, such as the immigration law and the labour law.

3.1 International Conventions

In a country with no trade unions and no human rights organization, international conventions weigh even heavier than in democratic countries. Through the system of monitoring the implementation of the conventions, bodies of international organizations, such as the International Labour Organization (ILO) and the United Nations (UN), are the only external power to influence the national legislation. I am going to look at international conventions by the ILO and the UN that are the most important out of a human rights and migrant worker rights perspective.

3.1.1 International Labour Organization


Crucial regulations spelled out in those conventions that are of interest for this study, are, for instance, article 2 of the Forced Labour Convention of 1930 which states the definition of forced labour. The term forced or compulsory labour in this convention means “all work or services which is extracted from any person under the menace of any penalty and for which
the said person has not offered himself voluntarily”\textsuperscript{106}. The Abolition of Forced Labour Convention of 1957 then elucidates that forced or compulsory labour is not allowed as a means of economic development, of labour discipline, or as a means of racial, social, national or religious discrimination (article 1). The Convention on Discrimination in Occupation and Employment states that discrimination on grounds such as sex, nationality, religion etc. is not allowed in the field of access to employment and particular occupations, as well as when it comes to terms and conditions of employment (article 1).

However, as has to be pointed out in this section, the revised Migration for Employment Convention of 1949 has neither been signed nor ratified. This is particularly unfortunate as the convention spells out duties of the member states not to discriminate migrant workers against nationals in respect to, among others, remuneration, social security, accommodation and legal proceedings (article 6)\textsuperscript{107}. Furthermore, the Migrant Workers (Supplementary Provisions) Convention of 1975 states in article 8 another important regulation, namely the fact that the loss of employment shall not automatically signify the withdrawal of the work and residence permits. In addition, the migrant workers shall enjoy the same kind of employment security.

\subsection*{3.1.2 United Nations}

As mentioned above, the United Arab Emirates has solely ratified three international United Nations conventions. These are the Convention on the Elimination of Racial Discrimination (CERD) in 1974, the Convention on the Rights of a Child (CRC) and only recently the Convention on the Elimination on Discrimination against Women (CEDAW). To give full account of the content of those conventions would go far beyond the scope of this paper; nonetheless, some details may be given here. For instance, article 5 of the CERD states that state parties undertake steps to guarantee the following rights to everyone without distinction. Among the rights named are: the right to equal treatment before the tribunals and all other organs administering justice, public service, the rights to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to equal pay for equal work, to just and favourable remuneration, the right to public health, medical care, social security and social services.

\textsuperscript{106} ILO, 2005
\textsuperscript{107} ILO, 2005
A very comprehensive international labour standard is the International Convention on Protection of all Migrant Workers and their Families that was adopted by the UN General Assembly in 1990 and entered into force July 1st 2003. As stated in the preamble, the convention takes into account the principles and standards set out by all the major international UN conventions as well as ILO conventions and recommendations. The conventions states, among others, that no arbitrary interference in a migrant’s privacy is allowed (article 14), migrant worker have a right to a fair trial (article 16) and shall be equal with nationals before the law (article 18). Furthermore, no employer is allowed to confiscate or destroy a migrant worker’s passport, and foreign workers shall enjoy the same conditions as nationals with respect to remuneration, overtime pay, weekly rest, termination of employment relationship and other working conditions (article 25). The scope of the protection of the convention not only covers documented migrants but also foreign workers with irregular status. However, this convention has not yet been signed or ratified by the UAE despite pressures from international human rights organizations.

3.2 UAE Immigration Law

As the UAE is a federation, there are often differences in the procedures of the immigration law. The following procedures are specifically taken from the emirate of Dubai and are not necessarily the same in the other emirates. It is worth noting that the immigration requirements change frequently in Dubai.

There are a lot of different possibilities to enter the UAE. Citizens from other GCC countries, as well as citizens from Western Europe, North America, Australia, New Zealand, Singapore, Hong Kong, Japan, Brunei, and Malaysia can enter the country without obtaining a visa and the latter category is allowed to stay for 90 days in total. Furthermore, there are different kinds of transit visa as well as tourist visas, which I will not elaborate upon, as during my research I never came across these types of visa. What I came across, however, were visit visa, employment visa and resident visa. I will elaborate on these types of visa below. Nevertheless, only procedures or information that are important to my research will be elaborated upon.

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108 UNHCHR, 1990
109 Human Rights Watch, 2003
110 All information in chapter 3.2 is taken from Al Tamimi & Company as well as the Ministry of Interior if not otherwise stated
The general conditions to enter the UAE are the following:

- The applicant holds a passport that is valid for the duration of his/her stay
- The official authorities have approved his entry for the purpose sought
- The applicant has a foreign or a local sponsor who is resident in the UAE
- The applicant is not banned from entering the UAE\textsuperscript{111}
- The applicant has not previously been deported from the UAE

### 3.2.1 Visit Visa

The procedures are more or less the same for everyone, however, it does matter who the visitor and who the visitor’s sponsor is.

The purposes to legally obtain a visit visa are the following:

- To visit a friend or relative residing in the UAE
- For tourism

The visit visa is valid for a total of 90 days. If the visitor overstays his/her visit visa, the person will be fined with AED 100 per day and an additional AED 100 as a penalty for overstaying. The requirements and conditions for obtaining visit visas vary according to the identity of both the visitor and the sponsor.

A) Relatives, Spouses and Children: If the purpose of entry is to visit a relative residing and working in the country, the said relative can act as the visitor’s sponsor and apply for the visit visa himself. However, in order to qualify as a sponsor, he must either be a spouse or a first affinity relative, and meet the minimum salary requirements. Those requirements are a monthly salary of at least AED 3,000 plus accommodation allowances or a monthly salary of AED 4,000 without any accommodation allowances.

If the sponsor is a relative of second affinity, he can apply for a visit visa by seeking the approval of the Deputy Minister for Residence and Immigration.

\textsuperscript{111} Officially, everyone with Israeli visa stamp in the passport will not be allowed to enter the UAE. However, the practice does not always seem to oblige with the law.
B) Official visit to the UAE: It is possible to obtain a visit visa if the purpose of the visit is to see a public official, for either public or private purpose. The procedure varies depending on who the sponsor is. Possible sponsors are:

- Company/business sponsors
- Individual sponsors (foreign/local)

There are some requirements to meet for a company that wishes to recruit staff from overseas. However, I will not go into detail with that, as I do not regard it to be of crucial importance to the field of research. Tour operators, hotels do often apply for visit visas for their customers. Also other companies can apply for visit visas for their guests or their potential employees.

The holder of a visit visa is not allowed to work in the UAE. In order to be properly employed, the visa has first to be changed into an employment visa before legal work can be taken up. However, it is very common for foreigners to work on visit visa. According to informants, this practice is seen by both employer and visit visa employee as a probation period in which both parties can test whether they are satisfied with the potential employee, respectively the potential work place.

During my research, several informants reported to me that there are some set up-companies that simply make their money by issuing visit visas to potential overstayers, charging them a high price for the visa. Also individuals are reported to act as a sponsor solely to charge the visitor a high price for the visa. People who come into the UAE through those kinds of channels often meet the following characteristics:

- They do not have money for the agency fee in the home country
- They do not meet the requirements of the agency in the home country, since they would not pass the medical examination, or do not have any high school degree
- They already have friends/relatives/acquaintances in the UAE
- However, their own relatives/friends in the UAE do not earn enough to be their sponsor
3.2.2 Employment Visa

An employment visa can be obtained from both the Ministry of Interior and the UAE Embassy/Consulate abroad after the approval of the Ministry of Labour and Social Affairs to allow the individual in question to be employed. The employment visa allows the holder to enter the UAE once for a total period of 30 days.

Ideally, those entering the UAE for employment should enter the country on an employment visa. However, it is possible to enter the country on a visit visa, and then convert the visa into an employment visa. When an application for an employment visa is made, the intending employer will take the role of the person’s sponsor and make the application.

Amending Visit Visas

Persons that entered the UAE on a visit visa and also have to approval from the Ministry of Labour for an employment entry permit can make a visa amendment. The condition is that the same sponsor of the visit visa must sponsor them for employment.

Nevertheless, if an employee’s sponsor is not the same as the visit visa sponsor, the employee will not be allowed to amend his/her visit visa. In this case, the person has to exit the country and return on an employment entry permit issued by his/her employer.

This latter practice led to a real mass circulation of foreign workers wishing to amend their visa. They would usually fly to the small Iranian island of Kish that is just a 30 minutes flight away. Hotels and flight companies have been set up for the sole purpose of flying out, hosting and flying back people that need to change their visa. The usual procedure is that a person that wants to amend her/his visa is flown out to Kish as soon as the visit visa expires. In Kish he/she awaits the employment visa that the employer is going to send there as soon as all the documents are arranged in the UAE. The usual stay in Kish is said to be one to two days; however, there have been cases reported of persons who had to stay there for up to two weeks. The whole trip to Kish can be bought in a package price where flight and accommodation is included.

The employer pays the trip if he was already the sponsor of the visit visa. Otherwise the trip will be paid by the future employer with the costs being immediately deducted from the next salary. However in this case, the deduction of the salary must not be more than 30 per cent of one monthly salary. Almost all of my interviewees made at least one trip to Kish, and
reported that it is a small, shabby town with nothing to do there at all; the town is just simply built up to host the visa changers for a few days at a time.

It has been reported furthermore that on some trips the plane does not even land in Kish, but rather just take off from the UAE and land again one hour later. As some of my informants stated it is possible to just pass the exit section at the airport and then enter again to get a new stamp in the passport without leaving the country. However, in this case the costs are about double as high as a package price to Kish, which comes at a price of AED 550 for the flight plus an additional AED 150 for accommodation and food.

3.2.3 Residence Permit

After entering the country on employment visa, a medical test has to be passed, where especially the blood test is of crucial importance. People with a contagious disease will not be granted further proceeding. Everybody who passes the health test will be attested with a health card, which grants some type of health insurance during the whole time of the stay. The next step is the labour card that is issued by the Ministry of Labour and Social Affairs. After that the residence permit that is valid for 3 years at the time can be obtained from the Immigration Department. All these procedures are supposed to happen within the first 30, maximum 60 days of the worker’s entry into the country, and all costs have to be born by the employer. The final costs to employ a foreigner in the regular business and trade zone of Dubai are around AED 8,300.

There are two types of residence permits; the residence permit for employment, which is usually valid for three years, and the residence permit without employment that is granted to wives and children of foreign employees. The latter is unlimited in character but linked directly to the sponsor’s (husband, father etc) period of residence.

3.3 UAE Labour Law

I am going to present shortly extracts of the UAE labour law No.8 from 1980. I will, however, only concentrate on issues that often give raise to disputes between employer and

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112 Gulf News, 11th September 2004
113 This costs are depending on where the foreigner comes from, as the employer has to pay for the air fare
114 All information in this chapter is taken from Al Tamimi & Company as well as the Ministry of Labour and Social Affairs if not other stated
employee. Such issues are working hours, overtime payment, annual leave, sick leave, termination of contract, dismissal of a worker, and repatriation costs.

Disputes

Article 6 of the UAE labour law states that both the employer and the employee can submit a complaint to the labour department. This institution shall then gather the two parties or their representatives and try to reach an amicable settlement. If this cannot be reached, the labour department will submit the dispute to the labour court, which will start to work on the claim within three days. The cases brought to the court shall be free of charge throughout the whole process. However, as spelled out in article 5, if the court does not accept the claim or dismisses the case, the claimant may have to bear all the expenses himself/herself.

Employment of Non-Nationals

In order to hire a foreigner the employer has to get the initial approval of the labour department and a work permit from the Ministry of Labour and Social Affairs. According to article 13 the following conditions have to be fulfilled:
A) The worker possesses the professional competence or educational qualification which the country is in need of
B) The worker has lawfully entered the country and satisfies the conditions prescribed in the residence regulations in force in the State

Furthermore, article 14 states that the labour department is not allowed to give its approval to the recruitment of a foreigner unless it can prove that there was no unemployed national that is capable of performing the work required. If there is no national available for the open position, preference should be given to nationals of other Arab countries, as stated in article 10. However, as Kapiszewski\textsuperscript{115} states, this article was never enforced. Rather, the government approach towards this issue was that private companies would not be obligated to employ a quota for nationals. However, the Ministry of Labour and Social Affairs planned to encourage employers to employ nationals whenever they apply for work permits.

\textsuperscript{115} Kapiszewski, 2001:241
**Working hours**

Article 65 states that the maximum working hours should not exceed eight hours a day or 48 a week. However, the hours of work may be increased to nine hours a day in commercial establishments, hotels and cafes and of guard duties and any other operations where such increase is authorized by order of the Minister of Labour and Social Affairs. On the other hand, the daily hours of work may be reduced in the case of arduous or unhealthy operations by order of the Minister of Labour and Social Affairs. During the month of Ramadan the working hours should be reduced by two hours a day.

**Overtime**

Where the circumstances of the work require a worker to work more than the normal number of hours any period worked additional shall be treated as overtimes. Article 67 states that the worker should receive his/her normal salary plus a supplement of at least 25 per cent for the overtime.

**Day of Rest**

Friday shall be the normal weekly rest day for workers except for the daily-paid workers. Where the circumstances are in of the nature that requires a worker to work that day she/he shall be granted another day or receive his basic remuneration for his normal hours of work; plus a supplement of at least 50 per cent of the remuneration (article 70). If the worker is not compensated such days by leave, his employer shall pay him a bonus equal to 150 per cent of his basic remuneration in respect of the days worked.

**Annual Leave**

Article 75 regulates that every worker shall, within each year of service, be granted a period of annual leave of not less than:

A) Two days a month, where the worker’s period of service is more than six month but less than one year;

B) 30 days a year, where the worker’s period of service is more than one year.

As article 78 states, it shall be unlawful in any circumstances to employ a worker during his annual leave more than once in two successive years.
Sick Leave

Article 83 states that the worker shall not be entitled to any paid sick leave during the probation period, which is usually for six months. First three months after the probation period the worker is entitled to an annual sick leave of maximal 90 days. Such leave shall be calculated as follows:

A) The first 15 days with full pay
B) The next 30 days, with half day pay
C) Any subsequent periods, without pay

Medical Facilities

Article 96 regulates that an employer shall provide his workers with medical care facilities corresponding to the standards laid down by the Minister of Labour and Social Affairs in cooperation with the Minister of Health.

Termination of Contract and Ban

According to article 113, a contract of employment shall terminate in any of the following cases:

A) If both parties agree to its termination, on condition that the worker’s consent is given in writing
B) On the expiry of the period prescribed in the contract

In case a foreign worker leaves his work without a valid reason before the expiry of a contract for a limited period, he/she may not, even with the employer’s consent, take up other employment for one year from the date on which he left his work. In other words: he/she shall be banned from entering and taking up another employment in the country. It shall not be lawful for any other employer who is aware of the fact to recruit such worker before the expiry of such a ban (article 128).

However, these provisions shall not apply to a non-national worker who, before taking up other employment, obtains the authorization of the Minister of Labour and Social Affairs with
the approval of the original employer (article 130). That approval is commonly referred to the Non-Objection Certificate (NOC).

**Dismiss Worker without Notice and Leave job without notice**

An employer has the right to dismiss an employee without notice on ten grounds (article 120). However, only the two that seem most important for this study are listed here:

A) If the worker adopts a false identity or nationality or submits forged certificate or documents
B) If the worker is engaged on probation and is dismissed during the probationary or on its expiry

On the other hand, a worker may leave his work without notice in either of the following cases (article 121):

A) If the employer fails to comply with his obligations towards the worker, as provided for in the work contract or in this law
B) If the worker is assaulted by the employer

### 3.4 The Sponsorship System

The relationship between nationals and foreigners is shaped to a great extent by the system of sponsorship. The general rule is that every foreign person needs a sponsor to enter, work and reside in the country. The sponsor can, depending on the situation, either be an individual (national or foreign), a company (private sector), the government (public sector) or a tourist agency (only for short stays). As most of the foreigners are employed in the private sector, I will only concentrate on the rules that apply for the private sector.

Here, there are two possibilities. Either an employee is sponsored by the employer, or by a family member (mostly by the husband, if he earns AED 3,000 plus accommodation or AED 4,000 without accommodation). In the first case, which is the majority of the cases, a strong imbalance of power between the employer and the sponsored can be detected. Foreign workers depend on their employer (either UAE national or foreign) for their entry visas as well as residence visas and work permits. The employer bears commonly all costs related to
visas and permits, pays for the flight ticket to the country of origin on the yearly paid leave, and also bears the costs of repatriating the worker once the work contract expires and is not renewed. Additionally, although it is against UAE law\footnote{Gulf News, 13\textsuperscript{th} November 2004}, it is common practice that the employer confiscates the employee’s passport for the time that the employee is under his sponsorship, which means a period of three years.

If a family member, however, sponsors the employee, the said person has much more freedom and some kind of protection against the employer’s acting, as the latter is not the sponsor of the employee. The employer is in this case under no circumstances allowed to confiscate the employee’s passport and the employee can change the job to his/her likes.

### 3.4.1 Change of Sponsor

It is not a simple task to change the job in the UAE prior to the labour contract’ termination. The legal requirements for changing the sponsor within the private sector are:

- Obtaining the approval of the previous sponsor and the new sponsor
- Obtaining the approval of Ministry of Labour and Social Affairs if the sponsor is among the categories subject to the UAE Labour Law
- The kind of work with the new sponsor has to be in the same profession as with the previous sponsor
- The sponsored must hold a valid residence permit
- The sponsored must have spent at least one year working for his previous sponsor

This is the formal procedure. In practice things are a bit more complicated. To get the approval of the previous employer means to get a NOC (Non-Objection Certificate). Often an employee only gets a NOC after paying the sponsor some money (sums between AED 4,000 and AED 9,000 have been reported to me by informants). This sum is commonly stated as “to pay back the visa costs” that the employer had to bear when hiring the employee.
In case no approval can be found with the previous employer, the employee has two choices depending on different factors, such as whether he/she wants to stay in the country, whether he/she and the family can afford the loss of the salary etc.:

1) Keep on working
2) Leave the country with a ban of half-a-year or one year (if the employer hands back the passport). Either stay in the country of origin during the time of the ban and then enter the country again on a new entry visa or through agency, or arrange for a false passport and try to get employment again either through visit visa or recruitment agency
3) Abscond and look for irregular employment (if the employer refuses to hand back the passport)
4) Abscond and turn to the embassy for help. This solution mostly ends in the repatriation of the worker

This system, as regulated as it appears on paper, has obviously crucial implications for the worker. Cases have been reported to me where the employee wanted to leave the sponsor after one and a half year, borrowed money from acquaintances to “pay back the visa costs” to get a NOC – and still got half-a-year ban.

In some cases the employer can even interfere in the private life of the employees. Especially in cases where the employer provides accommodation for the working staff, private life intrusions have been reported. One informant told me the story of a work colleague of hers:

**Story of the Filipina N.**

N., a Filipina in her 30s, came to Dubai in 2003 together with her husband to work as hotel staff. The couple had one child in the Philippines. N. and her husband did not have the same job and both got provided staff accommodation by their employers. Their relationship faded, and they got divorced. After a while, N. started seeing a European man. Shortly after their relationship had begun, the other staff at N.’s accommodation told the hotel management that N. had a relationship and spent the night elsewhere. As the management does not want to get into any circumstances related to a pregnant employee, N. had to choose between two alternatives: either she could be transferred to the hotel in Abu Dhabi, or her contract would be terminated, and she would be sent back to the Philippines with a half-a-year ban.

An employee that is sponsored by a family member, on the other hand, seldom encounters those kinds of problems. As the passport is not with the employer and the sponsorship with
the husband or father (in most cases), the employee can change his/her work freely. No ban and no “visa back-payment” can be put upon them. The same goes for all employees of the freezones. As their sponsor is the government and not the company, they are free to change their job within the same freezone.

In Bahrain, where the labour system is similar, there have been government talks about bringing the sponsorship system to a halt, and in that way that allow the workers to move freely between jobs. According to some of my informants, in the UAE no such discussions have taken place so far. However, it can be assumed that if Bahrain was to implement the termination of the sponsorship system, it may have a spill over effect on other Gulf countries as well.

117 7Days, 6th March 2005
4. Labour Migration to the UAE

In this chapter I will on one hand present the material gathered in the interviews and discuss the results according to the contemporary theories on international migration. The theories of importance are the neo-classical economics approach, as well as the new economics of migration, the segmented labour market theory, the social capital theory and the cumulative accumulation. Also, it will be shown that the anthropologic theory on human agency contributes to the analyses of labour migration to the UAE.

4.1 Reasons for Labour Migration to Dubai

It can be said that the reasons for labour migration to Dubai vary greatly depending on the interviewee’s level of education, the country of origin, whether or not the interviewee was employed before departure to Dubai and whether or not the interviewee already had friends or family members in Dubai prior to arrival. Often there are multiple reasons as to why the interviewees chose to leave their country.

In this section I am going to first describe the interviewees’ reasons to migrate, the reasons why they came to the UAE and the role of networks in their migration. I will then analyse those reasons with help of the theories on contemporary international migration.

Salary

The wage differential between the home country and the UAE has for all interviewees been a crucial reason to migrate to Dubai. Except for the British operational manager, all the interviewees with working experience in the home country said their salary to be higher in Dubai than before. For some interviewees the salary was up to seven times higher than the salary they had before in the country of origin. However, there was some service staff whose salary was only a little higher than in the country of origin. They, on the other hand, stressed the international experience, and hoped for adequate tips and maybe even a promotion. By the time of the interview these persons had just arrived from the Philippines and therefore did not have the capacity to say anything about the amount of the tips or whether or not their salary will increase. Many of the interviewees stated that they would like to have several jobs to earn more money, but the labour law forbids them. Yodith from Ethiopia and Mariam from Indonesia came both on a housemaid visa but found their way out of it (see 3.2) since
they wanted to work part-time (irregular) and make more money. As almost every interviewee named money as a main reason to come to Dubai, the reasons, however, as to why they need the money varied from person to person.

Harris, 27, an accountant from the Indian state of Kerala earns more than seven times more; his salary of 2'500 AED in Dubai is equivalent to 30'000 Rupees in India. His previous salary in India was 4'000 Rupees. Of his salary, he states to send home a monthly 750 AED. The remittances are mainly used for his family to repay some debts that came from building their house in India. The rest of his salary goes to personal saving. However, he states that the living expenses are high in Dubai, which makes saving difficult.

Marivic is a 32 years-old female from the Philippines. She works as a service staff in a Sushi chain and earns AED 917 plus tips, accommodation, free food and transportation. Her husband is working in Bahrain, where she used to work before as well. She has two kids in the Philippines that grow up with her sister. The money that she sends home is used for the family house that was built with the money she earned during her first stay in Bahrain. However, the money was not enough to finish the house. Her husband sends money for the children’s education. She and her husband had a small grocery store before, which they sold since it did not make enough money expected, namely to finish their house and pay a good education for their children.

Nenette is a 37 years-old executive secretary in a multinational company that is located in the Jebel Ali Freezone. She earns a very good salary and supports her large family in the Philippines. She is the second youngest of seven children and the only one of the family to go abroad. She calls herself the “breadwinner” of the family. One way to support her family was to buy fishing boats that unemployed relatives can use. One part of the fish selling goes back to her, the rest is for them. Besides that she has built two houses in the Philippines. She plans to live in one herself once she returns home, the other one is for other family members. Furthermore, she has some saving for her pension, as she is a single lady and “has to rely on herself”. Even though the Philippines have a good working pension system, the monthly pension is not high, and additional savings are necessary.

When Lalaine finally agreed to come to Dubai, she found the salary a convincing argument to stay. Of the AED 2,500 that she makes a month including tips, she only keeps AED 500 for her living in Dubai. The rest goes to the family back home, and to her personal savings. Those are important to her as she plans to finish her studies in the future.

**Social Ties, Networks**

As scholars of migration repeatedly find, family and social ties are often a very crucial reason as to why an individual migrates. Migration to the UAE is no exception. Even though
the law grants family reunification only to persons earning a certain amount of money (see chapter 3.2.1 and 3.4), I have found it to be still one of the main reasons among my informants as to why people migrate to Dubai. By having social ties to a migrant already residing in the UAE, it makes it easier for other family members, friends or community members to follow him/her.

A large part of the interviewees said that the main reason for them to come to Dubai was because they already had family or social ties here. Even people from the same or neighbouring village were named as a reason to choose the UAE for the country of migration. While one Indian has an aunt here, another was brought to Dubai by his father on family visa when he was a child. Three Filipinas stated that they had sisters, half sisters and close cousins in Dubai.

Netsanet, an Ethiopian girl, has two older sisters in Dubai. Before she came to Dubai, she planned to become an engineer. But when her mother died, the tuition fee for the university could not be paid anymore. The only possibility “to stand on her own feet” was to go abroad as jobs are (especially for women) scarce and badly paid in Ethiopia. As her two older sisters already lived in Dubai, it was clear for her to follow them.

Mutassen, a young Lebanese, chose to leave his country after he refused to join the military service. It was clear for him that he had to leave Lebanon. With an uncle in Germany and an aunt in the UAE, he decided to come to Dubai as he perceived his options to get a better job in Dubai to be bigger than in Germany.

Also Ani, an Indonesian girl, got the help of her older sister to come here when the “problems” in Jakarta got too big.

The Indian office cleaner Shaker did not have family here but stated that it was people from the same village back home who helped him arranging for a visit visa.

Also Ashiq, a Pakistani, said that people from the village or the neighbouring villages back home did a lot for him. When he and his uncle arrived illegally on a quiet beach in Fujeirah with no money in his pockets and the only possessions being the clothes they wore, it was people from the same area in Pakistan that his uncle knew from an earlier irregular stay in Dubai, who helped them. The contacts that his uncle made earlier lent money for the taxi ride from Fujeirah to Dubai and paid for all the initial expenses before Ashiq found a job himself.

Jenny from the Philippines came to Dubai five years ago on a visit visa that her sister Eleanor arranged for her. When Jenny graduated from college in Manila she has had no intention in leaving
the Philippines – even though four of her older siblings already stayed in the UAE. She, instead, intended to find a job in Manila. However, after several months she only had project-tied employment, and was still looking for a proper job. According to her there is no kind of unemployment insurance in the Philippines, and at the end she stopped eating breakfast to save money for the bus to go to the city and look for work. That was the point where she decided to take her sister’s offer to bringing her to the UAE. Her sister arranged a visit visa for her, supported her in finding a job and let her stay at her place in the beginning, and, not to forget, she provided her with vast information even prior to the arrival.

Naveed, a British, said that he had spent vacation in Dubai before, and since his wife has lived in Dubai before, the place was not all too new for him. So even though he himself did not have any personal ties, his wife did, and those ties influenced his decision to come to Dubai and helped him to find a job.

However, it is not uncommon that migrant workers do not know anyone when arriving in the UAE. Most of them came through a recruitment agency in their home country. Either they saw the advertisement in the newspaper, or they heard people talking about it.

Eleanor, a 42 year-old woman and mother of two stated that she had had no intention of going abroad. In 1986, she was working as a sales lady in a compartment store in Manila, when job recruiters from Dubai came, made interviews on the spot and hired forty-five persons of all the sales staff for the recently opened duty free shop at Dubai International Airport. She reasoned that Dubai was “something new” that would give her a higher salary, and since a lot of her working mates took the job, she decided to take the offer as well. Her higher salary allowed her then to support her family back home by paying school fee for her seven younger siblings. In addition, she helped five of her siblings and three of her cousins to get to the UAE.

Cristina, a 27 year-old Filipina was unemployed after college for one year, when she discovered the job advertisement at the board of her college. As the wife of the employer was from the same province, Cristina figured the company to be reliable, applied for the job and came to Sharjah.

Jeric, Marivic, and Maribeth applied to recruitment agencies in Manila since they “wanted to go abroad”. Marivic had previous Gulf experience from her five years in Bahrain while Jeric has a father who still works in Saudi Arabia. Maribeth, at the other hand, simply decided to try her luck in Dubai and find new opportunities. Both Jeric and Marivic do have a spouse and children. Marivic’s husband is about to take employment in Bahrain, and the children grow up with Marivic’s sister. For Jeric, however, the prospect of his child growing up with neither him nor his wife, is impossible.
The common way for individuals who do not have prior contacts in the UAE to enter the country is either through recruitment agency in the country of origin or through direct employment. The agency costs continue to rise, however, so that individuals with no social ties in the UAE likely get discouraged from seeking employment in the UAE. Therefore, it can be assumed that the share of migrants with social ties prior to the arrival is likely to increase compared to the entries through an agency.

Persuasion seems to have been a reason for migration as well. As three Filipino interviewees say they did not have any plans to go abroad at all. Rather, they state, they got convinced by different persons.

Eleanor says the future employer himself convinced her when he came to the Philippines for direct recruitment. She states that even though she knew about employment possibilities in the Golf states, she did not have any intention to go abroad and says she was happy with her job and life in Manila. However, the higher salary, and the feeling of adventure together with the persuasive nature of the job interview made her take the offer at the end.

Lalaine, who works in a hotel pub, says that she was happy in Manila and had a good job in a five star hotel. A friend of hers who stayed by that time in Dubai and worked at the hotel pub Lalaine is working now, arranged three visit visas for her that she ignored. Then finally she took the fourth visit visa and came to Dubai as her friend kept on persuading her. Upon arrival, it was clear for her that she did not want to stay there. However, her Lebanese boss convinced her to stay, and with regard to the higher salary she decided to stay for the length of one three-year contract.

Faye says she got persuaded as well by her parents and cousins. She even states that she did not have to fix anything to come here, but it was her cousins and the parents who arranged all the documents for her, and found her a job. All the costs were at that time borne by her cousins who were already in Dubai.

However, an interesting finding is that not only family ties, kinship ties, friendship ties and shared community ties were crucial for the migrant workers to come to Dubai. As it is shown in Charlie’s story, social ties that lead to migration can also exist in universities, between professors and students.

In Charlie’s case it was his college professor that had friendship ties to one person in the UAE. When the said person was looking for a web designer for his newly established travel agency in Sharjah, he turned to Charlie’s professor in Manila. The professor then recommended Charlie, who
by then still was in college. He took the offer, as it was always clear for him that he would go abroad and as soon as he finished his courses, he and was off to the UAE.

Interestingly, in Charlie’s case, once he was in the UAE and started working on his job, he himself recommended seven other schoolmates from high school for a job in Sharjah. His migration led to a small migrant network between Sharjah and his highschool in Manila.

Career

As Dubai is a location where international companies, businesses and trade draw together, it is for obvious reasons an attractive place for a person who wishes to collect international experience. Some interviewees said therefore that living and working in Dubai would be good for their career back home. They all were high-educated with at least a bachelor degree and four of them said they got jobs according to their level of education. Only Maribeth, 27, a service staff from the Philippines, said that she is working below her education, but said also that she wanted to proof to her new employer that she can do better. Besides their career plans this category of workers had their own reasons to come to Dubai.

Naveed, a Brit, emphasized the fact that the weather is much more pleasant than back home, while Mutassen did not want to join the military service in Lebanon. Naser from Palestine-Jordan wanted to live in developed Arab country, Jeric from the Philippines stated that he wanted to meet other people, get international experience and earn more money, while Maribeth simply was drawn to Dubai by the vast opportunities that she hopes Dubai will open up for her. All of them, however, regarded Dubai equally as an experience that is useful for their later professional career.

Nationalization of Workforce

Both Cathy, an Indian, and Nenette, a Filipina, used to work in Oman before. Cathy, lived there for eighteen years and had her both children grow up there. Nenette was there for four years. They both lost their jobs due to the Omanisation programme that aims at giving more jobs to Omani citizens. So with the Omani visa stamped in their passport they were able to visit Dubai and found a job through newspaper ads.
**Remittances**

In 2002, the remittances sent home by foreign workers accounted for AED 15.2 billion (or US $ 4.14 billion). This number is the highest ever. Financial experts say that the amount of money that had been sent out of the country was escalating due to the tension that preceded the war in Iraq. As bankers say, nearly one third of this sum was transferred by the almost one million Indians and Pakistanis living in the UAE. However, the figure only reveals money that has been transmitted through official channels. The figure for 2001 was AED 14.2 billion (US $ 3.86 billion), and for the year 2000 AED 13.62 billion (US $ 3.62 billion)\(^{118}\).

Most of the interviewees state that the money they remitted was used to support the family by paying some bills and giving “a little extra”. If there are younger siblings, children of siblings, cousins or own children, the money often goes to their education by paying their tuition fee as well. As stated in the “salary” section remittances are often used to repay loans that either the interviewee him/herself or their family took. All interviewees except for the British manager and the Palestinian-Jordan engineer state to regularly send home money.

Shaker, an Indian office cleaner, who had by the time of the interview three part-time jobs and a salary of AED 1100 in total, said he sends money home so his father can repay the loans that he took when trying to set up a business. The loans usually come from other people in the village or the neighbouring villages and are connected to high interest rates.

Yodit, the Ethiopian that started as a housemaid, had to pay back the money for the agency fee first. As the family did not possess such kind of money, her mother had to take a loan from a private man in the area who demanded high interest rate on the loan. After the loan was repaid, she sent money home for her mother and her three younger siblings. The money was used for daily living expenses and partly for the tuition fee of her sisters and brothers.

Jenny from the Philippines is expected to send money home for her mother. When her father retired, he took the whole pension in one sum. By the time of his death, this sum was almost gone, which leaves Jenny’s mother at the verge of poverty and at the dependency of her eight children.

**Adventure**

The search for adventure can be a reason to go abroad as well. Charlie, a 24 years-old web designer, says that he got hired directly from high school on the recommendation of his professor. He likes it in Sharjah, and has found the adventure he was looking for. His father
used to work in Saudi Arabia for eleven years, while his mother was abroad for one year in Singapore. He says it has always been clear for him that he would go abroad as well. He got married in the UAE to a Filipina, but has no plans to return to the Philippines, build a house and start a family. Instead he wishes to work in other parts of the world as well and find new adventures. Also Eleanor states that once she was convinced to go abroad she found the UAE attractive as the country was “something new”. In both Eleanor’s and Charlie’s case, however, it is clear that adventure alone was not the driving force of migrating. Both of them send money home to their families, and save up some money for their future back home. Both of them are well-educated and not from the poorest segment of the population, and do not have the immediate pressure to send home remittances. These circumstances may lead them to also look at migration as an adventure.

Stepping Stone

One business that flourishes in the UAE is arrangement for emigration to Australia, Canada and the USA. Six of my informants said that the looked at Dubai as a stepping stone for immigration to Canada, the US, the UK, Italy or even Norway. All of those interviewees had at least one family member in the mentioned countries that tried to arrange a visa for them. The ones that will apply or that already have applied for emigration to Canada regarded their stay as an upgrade of their application points. All the six stated that they have better chances getting the visa by being in Dubai and not in the home country.

4.2 Type of Entry and Stay

Job Agency, Visas

The usual way for foreign workers to enter the UAE is either by employment visa through an agency or by family or visit visa. Out of my informants the majority came on visit visa that was either arranged by a family member, a village member or a company. A small part came through an agency. Obviously, the migrants entering on visit visa have to change their status after a while, as a visit visa is only valid for three months. The strategies are different, depending on the education of the migrant and the purpose of staying in the UAE. Most of the visit visa holder find employment within the three months of the visas validity,

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118 UAE Interact, 2003
119 The Canadian immigration system works with points that indicate the level of human capital, which directly influences the chances for reception in Canada
as labour is scarce in the UAE. Some decide to overstay the visa and earn as much money as possible in an irregular position, while others, who do not find a job, decide to go back and come again on a new visit visa.

Shaker, a 26 years-old Indian man, entered the country on a visit visa that people with shared community ties had arranged for him. As he is low educated, it was clear for him that he would only get low-wage jobs. Therefore, it was obvious for him from the very beginning that he would overstay his visit visa, and work as many jobs as possible. In that way he would make more money than if he would look for a proper employment as an office boy or on a construction site. By the time of the interview he has been in the country for nine months. He worked three jobs, namely car cleaning, house cleaning and office cleaning and made a monthly salary of AED 1100.

In some cases migrants enter the country on a certain visa, and manage after a while to change their status. Yodit from Ethiopia, and Mariam from Indonesia, entered the country on a housemaid visa. For Yodit, it was the only visa the family could afford to pay, for Mariam who only went to school for six years it was the only profession she could get a visa for. However, both Yodit and Mariam did not work for a long time as housemaids, as they both found their way out of this kind of work, that is characterized by hard work and low salary. Both of them did basically the same, but dealt with different employers that handled the situation differently. While Yodit’s sponsor demanded money, Mariam’s sponsor wanted her to leave the country but helped her then to arrange for a new visit visa in a different name.

Yodit was relatively good educated but chose the housemaid visa since it was the cheapest visa to attain (7000 Bir is around AED 3500)\(^{120}\). Since the family did not have such kind of money and the bank would not allow such a loan, Yodit’s mother had to approach a private person who would lend the money against high interests. Therefore, the first thing Yodit did with her salary was to pay back the loan and first then, she could start supporting the family.

Yodit learned quickly that she could make much more money by working part-time, which is an irregular practice in the UAE. However, against a sum of money, her sponsor would let her work part-time for the family, which enabled her to have an extra-job at a café to earn more money. After three years, she found a job at an international clothes chain and started her career there. Today, she is the manager of an outlet, and earns enough money to pay for an apartment, a car and holidays in Europe. In addition, she supports her brother, who is after the mother’s death, the only remaining relative in Ethiopia.

\(^{120}\) The 7000 Bir (around AED 3500) for the housemaid visa can be compared to about eight monthly salaries of a teacher, or six monthly salaries of an engineer, according to another Ethiopian informant.
Mariam worked for two years as a housemaid in an Arab family with a salary of AED 700 a month. Since she wanted to earn more money, she went after two years, with the consent of her employer, back to Indonesia to change her visa to a visit visa. Since she broke the labour contract that stated the limitation of her contract to be after three years, she got a 1 year-ban on her passport from entering the UAE. However, she managed to arrange for a new passport with a new name and come back on a visit visa that her former employer sponsored. Now she has overstayed her visit visa for three months and is currently illegally in the country. Nevertheless, she has managed to get four part-time jobs, mainly as a nanny, and as an office cleaner. Her salary rose up to AED 1700.

However, not only the prospect of earning more money by working several part-time jobs leads migrants to end up in irregular positions. As discussed above conflicts with employers may lead to a half-a-year to one-year ban from re-entering the country if the worker decides to terminate the contract before its expiry. There are several reasons that may lead a foreign worker to prefer an irregular status in the UAE before leaving the country. Those reasons often include unemployment in the country of origin, family members back home that are directly dependent on the UAE salary. In this case, we can speak about survival migrants who are more driven by economic despair. Since there is a constant labour shortage in the UAE and services are always needed, those migrants know that they can make a relatively good living by working part-time jobs. However, not all foreign workers who chose to abscond rather than leave the country are necessarily survival migrants. Social relations in the UAE can lead the migrant to the decision that it is worth staying irregularly in the country.

Jenny decided to leave her job, when her boss started to harass her. She paid her boss “the visa costs back” in order to get a NOC – but was left with a half-a-year ban anyway. Back in the Philippines she “went nuts” as there was no work for her. Besides that she missed her boyfriend in Dubai that she started to date about half a year before. Therefore she decided to get a new passport under a false name, and re-entered the UAE three weeks later on a false identity. She soon found new work as a secretary in a newly established company. The company, however, went bankrupt only one year later. Jenny says she was afraid to get a new ban in her passport, and chose therefore to abscond. Consequently, her employer filed a run-away case against her, and since then she lives in an irregular position. With the help of her boyfriend’s extended social network, she soon found a good paid job at an office, where she earns more than four to five times as much as she would earn for the same kind of job in the Philippines. As she states, what makes her prefer to live in an irregular position is that her relationship with her boyfriend is serious and she does not want to leave him. Besides, she says, the prospects of finding a good paid job in Manila are not very good.
Illegal entry

Illegal entry is another occurrence in the UAE. Most of the illegal entries take place in the remote mountain region of the east coast of the country where people arrive by boat from Iran, Pakistan or India and disembark at night. From there, those people find their way with help of people of their own nationality but even nationals to some remote farms or the cities on the west coast of the country where most of the work can be found. The UAE government undertook steps to curb down on these kinds of entries by issuing a decree in the mid-1990s that ordered all owners of fishing boats to be nationals. The only interviewee that entered the country illegally was Ashiq, a 45 year-old Pakistani.

In 1978, Ashiq arrived with his uncle by boat on the UAE’s east coast from the Pakistani Balochistan coast. His uncle had stayed previously illegally in Dubai, and had therefore the necessary contacts and knowledge how to get to the country. In Fujeirah they were helped by a Pakistani shop owner who gave them food and shelter until they found a taxi that brought them to Dubai where Ashiq’s uncle’s former working colleagues paid for the taxi ride. Those men came from the same region in Pakistan, and provided them with the necessities they needed and helped them find a job in the construction business. However, after three years of irregular status, Ashiq was able to get legal documents in 1981. By the time, Ashiq worked as a gardener in the house of a national family. The woman one evening asked Ashiq to work longer hours against pay. Ashiq then revealed to her that this would be a problem for him since the police often made raids in the evening, and he would feel unsafe to be outside due to his irregular status. So the national woman asked him to bring his passport, went to the Ministry and arranged legal papers for him. Since then he has been residing in Dubai. He even makes enough money now to sponsor wife and children.

Ashiq said he chose to accompany his uncle despite the fact that he was still in school. As he states, the prospects for future employment in his home village in Pakistan were not glorious. At the same time, he was tempted by the adventure. He knew that the trip by boat to the UAE was not free of danger and has cost many lives, but he also knew that once he was in the UAE work was plenty and not much could happen to him. He can therefore not be counted as a pure survival migrant, as he was more tempted by the opportunities in Dubai rather than the economic despair of his situation in Pakistan.

Family Visa

The second time, Eleanor came to the UAE was in 1998, three year after her daughter and seven years after her son were born. As her husband, a Filipino, had a good job with the
national telecommunication company, he earned enough to sponsor her under his visa. One year later the two children were brought to the UAE as well. As Eleanor says, the family visa has brought her a lot of advantages. The most important is that her boss has not the same kind of power on her anymore, as she could freely change her job if she wanted to. Furthermore, the whole family is provided health insurance by the husband’s company.

4.3 Migration Decision

Almost everybody states that it was him or her who took the final decision on migrating to the UAE. While some state that sisters, parents, friends, husbands and wives had a big influence in their decision-making, other state that the situation at home just did not allow them to stay (no jobs, too little money, military service), all of them claim that they made the final decision themselves.

Faye, a 27 years-old Filipina, is the only one that stated that her parents in the Philippines and some of her cousins that already stayed in Dubai convinced her to come to the UAE. Not only did they arrange all the documents for her, they also found a job for her in Sharjah. It was this company then who paid for the visit visa. The money that she sends home now goes into the education of younger siblings, and some part of also into her parent’s house.

4.4 Analysis

As mentioned earlier, no single migration theory can account fully for patterns of international migration to the UAE.

Interestingly enough, the answers of the interviewees stated above are often in line with the neoclassical economics. For most of the interviewees higher salary in the country of migration and unemployment in the country of origin were main reasons to migrate. International migration is sometimes conceptualized as a form of investment in human capital, and this can be found true for the interviewees that stated career reasons above others. However, this is only true above a certain level of education. Working in the UAE, but mainly in Dubai, can be seen as an investment in human capital that results in higher human capital, which in turn is favourable for the career in the country of origin or the country of future emigration. It is important to emphasize, however, that foreign workers are

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121 Kapiszewski, 2001:97, footnote 5
only able to enhance their human capital above a certain level of education. International migration as conceptualized by investment in human capital, is therefore not true in the case of low-skilled labour migrants. Furthermore, what speaks against the approach of neoclassical economics is the assumption that the rational migrant chooses the country where he/she can expect the highest return – financial wise or career wise. For many of the interviewees this assumption is not true, as they either came through an agency that could have placed them at random, or with the help of relatives already in the country. In the latter case, the location of the relative was the decisive factor.

Furthermore, as most of the interviewees stated that they came for higher salary, the reason as to why they need a higher salary differs and cannot simply be equalled with a rational cost-benefit calculating individual. Most of the interviewees come from areas where a proper credit market is lacking, and where unemployment and pension insurances are not covering the needs of the population. Often, the consequences of the imperfect unemployment and the pension insurances do not regard the migrating individual personally but other members of the family. Therefore, the theory of the new economics of migration is more adequate to explain the labour migration to the UAE. Many interviewees stated that they contribute to the education of their children or younger siblings by paying their tuition fee. As state schools in most countries are free, costly private schools do mostly offer an education that is more rewarded. Also, college and university are very costly. Many interviewees stated that older siblings and cousins helped paying for their education, and now they themselves want to do the same for younger siblings or cousins.

By choosing the household or the family as the level of analysis, it can be seen that families often do engage in both migration and local activities to minimize the risk and diversify the income. In Nenette’s case, it is even she from the UAE that provides local income possibilities in the Philippines by buying fishing vessels that unemployed relatives can use. By taking a small share of the profit, she helps to create income not only to her relatives but also to herself. However, as could be seen, not only the well-being of the family has been named as reasons for migration. Adventure has been named, as well as persuasions. In the case of individuals being persuaded by other family members, the feminist critique has been proved. This account criticizes other major theories for assuming the household to be a ‘blackbox’ in which all members share the same goals and plans.

Another theory that seems to adequately address the reasons to labour migration to the UAE is the segmented labour market theory. The characteristics of this theory is the
assumption that labour markets in the country of migration that is in constant need of foreign labour and that the labour market is characterized by a division between jobs for nationals and jobs for foreigners. The theory was originally designed to describe labour markets of developed capitalist economies that are divided into primary and secondary labour market, with good paid, stable jobs, respectively unstable and low-waged jobs. The occupation of nationals and immigrants in such countries is usually divided along this division, which does not seem to be fitting to the circumstances of the UAE at first sight. However, as described above (see chapter 2) there is a strong division of the labour market in the UAE as well, namely between public and private sector. The UAE, developing at high speed, created a chronic and unavoidable need for foreign labour mostly in the private sector. Therefore rather than a bifurcation between capital-intensive and labour-intensive sectors of an advanced labour market, in the UAE the labour market is segmented between privileged nationals in the government and the top positions in the private section, while rest of the economy is run by foreign workers. Even though, we cannot talk about a primary and secondary labour market in a strong sense, characteristics of a primary/secondary labour market can be detected. As stated above, in the public sector working conditions and salary are usually much better. Moreover there is a widespread, almost institutionalized wage discrimination against foreigners, depending on where they come from and also where they work\(^{122}\). In this way, the segmented labour markets theory has to be adjusted first to the circumstances in the UAE, but it is an indisputable fact that the constant demand for labour has accelerated labour migration to the country.

It can be said that the theory of social capital is able to explain the labour migration to the UAE rather adequate. As has become clear in the analysis, most of the interviewees had some contacts in the UAE prior to arrival. Many interviewees stated that a friend or family member was directly or indirectly responsible for the interviewee’s decision to look for a job in the UAE. Sometimes, the contact helped arranging the visit visa and employment, other times the help came in form of information, shelter or even borrowed money for the beginning in the country.

Furthermore, by analysing the material gathered in the interview it can be seen that most of the interviewees that entered the country illegally or that overstayed their visit visa and work or used to work irregularly can be counted to the category of survival migrants. Informants that work or used to work irregularly, such as the Indonesians Ani and Mariam,

\(^{122}\) Multinational companies are reported to pay more equal wages in general than small Arab owned companies.
Labour Migration in the United Arab Emirates

Brigitte Suter, 2005

and the office cleaner Shaker come from poor families and are low-educated. The Ethiopian
Yodit did have some higher education but nevertheless, the family could only afford the
cheapest visa, the housemaid visa. As all four of them state, their family is or used to be
directly dependent on their remittances. This is contrary to all other interviewees that declare
to support the family by giving them extra money, save for emergencies, pay the tuition of
family members etc. Following the results of the interviews, it can be seen that there is often a
fine line between survival and opportunity-seeking migrants in the case of the irregular
interviewees living in the United Arab Emirates. As the country offers vast opportunities to
high-skilled as well as low-skilled foreign workers, coupled with relatively low punishment
for irregular workers, the division between survival migrants and opportunity-seeking
migrants gets blurry. The level of economic despair, for example, that separates the survival
migrant from the opportunity-migrants can be lowered in an environment such as the UAE. In
other words, in a country that offers such possibilities to irregular migrants, the economic
despair at home can be lower in order for a migrant to choose to stay illegally. In countries
with harsher punishment and lesser possibilities to employment, the level of economic despair
would consequently be higher in order to bear the life in an irregular position.

The analysis of the labour migration to the UAE seems to be more complete when
considering the human agency approach. None of the above-mentioned theories is able to
explain neither why some individuals give in to persuasions by family, friends or future
employers, nor why some refuse to do military service in the home land and therefore have to
leave the country. The theories, furthermore, fail to give explanations on when harassment by
the boss is reason enough for an individual to leave the job – and choose in that way a life
with many unpleasant factors migration-wise. Similarly, the theories do not reveal why in
some families both parents migrate (to different countries) while in other families this
scenario is out of question. In that way, the human agency approach acknowledges the impact
of migrant experiences that shape the individual’s decisions within a structural framework.
5. Expatriate Life in the UAE

The working conditions in Dubai are varying a lot depending on whether the employer is a multinational company or a small Arab-run company.\textsuperscript{123} It furthermore varies according to nationality and position of the employee. As it is not in the scope of this paper to discuss the national labour law in detail, I will just pick out some situations where conflicts between employers and workers often occur. Such issues are working hours, overtime payment, annual leave, sick leave, termination of contract, ban, and dismissal of a worker. At the same time I will give accounts on actual working conditions from my empirical study and the literature if available. In the UAE, the actual practice is often rather different from the law on paper; some habits root deeply in the labour market and can be called institutionalized, as they are persistent and uniformly practiced. I will then analyse the empirical material in line with the UAE labour law No. 8 from 1980, international conventions the country signed and the International Convention on Migrant Workers’ Rights.

Business set-up of foreigners in the UAE also is another hot topic. However, rules and regulations concerning that issue would be out of the scope of this paper.

5.1 Working Conditions of Migrants in Practice

People holding a Western passport and a high position do generally experience far less problems than any other nationality when being employed in the UAE. The same goes for Arabs in higher positions, except that their salary is often lower than the one of a Westerner.

Disputes

For disputes with the employer, foreign workers usually turn to his/her embassy for legal support and assistance, as the Philippine labour attaché of the Dubai Consulate stated. In cases where the worker has left the job and has no accommodation anymore, the Consulate also provides shelter for as long as the repatriation takes. Most of the workers that turn to the embassy for help are domestic servants. They also account for the area of work that experience the most and most severe cases of abuse, according to the labour attaché. In most of the cases, such disputes end with the repatriation of the worker. As many of my informants reported, the costs of a court case may have to be borne by the employee, which makes this

\textsuperscript{123} Among others: Stephen Raymer, 2005
instrument of justice questionable. Many foreign workers simply do not have the financial means to file a complaint. Furthermore, there is no protection of dismissal from work when filing a complaint against the employer. According to my informants, therefore, an employee who has problems with his/her employer is better off seeking for other solutions if he/she would like to remain in the country.

**Working hours and Overtime**

The most common complaint that informants uttered towards me was that they did not get paid for overtime work. One informant even said that her boss let her work overtime even though there was nothing to do. When she complained to her boss about the unpaid overtime, she got to hear “in the UAE your boss is your God”. Needless to say that she did not get paid for this time and the practice continued. One story that I got to hear from a informant is the following:

**Story of the driver**

A., a 30 year-old Pakistani who worked for a British restaurant chain as a driver for the staff, got employed on a visit visa with the promise that the employer would change his visa into a employment visa once his visit visa expired. In the contract the working hours were stated as 9 hours per day. However, he found himself working between 12 and 17 hours a day – without getting reimbursed for the overtime. When he complained to the manager, he got fired directly. The secretary who issued his contract told me that the general manager and the operational manager both were very angry at her because she stated the maximum working hours per day in the contract. This is in approval of the labour law; however, it irritated the managers.

Nevertheless, A. has to keep on working for this company until a replacement for his job has been found. First then he will get back his passport and is free to leave and look for another job. Only by then, his visit visa will be expired, which means that he has to go back to his country and arrange for another visit visa to enter the UAE.

**Day of Rest**

One informant told me that her boss used to call her up on Fridays and wanted her to arrange some things for him. Sometimes it was even personal stuff. Not surprisingly, her efforts were not remunerated. When she refused to do the tasks or when she shut off her mobile phone, he would punish her the rest of the week by overloading her with work and letting her work overtime. As she did not want to loose her job, she said, she did not see any way to defend herself against him.
Annual Leave

Most of the informants have not experienced any troubles with annual leaves. However, one informant told me that she had been working for the same boss in two and a half year without getting her leave. Even when she asked him about a specific period, he simply would refuse.

Sick Leave and Medical Facilities

As the case of Syed Qamar Naqvi, a construction worker, shows, some companies breach the law by not providing medical treatment to its employees. The Pakistani reported to Khaleej Times\textsuperscript{124} that he himself had to pay for treatment against the severe pneumonia he is suffering from. Furthermore, the company refuses to pay for his repatriation costs, as was stipulated in Syed’s contract. What makes this case even more severe is that the workers of this company have not been paid their salary in over two months, and the Ministry of Labour and Social Affairs in Dubai has refused their complaint. This is a severe case where several labour provisions have been violated, and where there is no indication of a means through which justice can be obtained. Another case that was reported by the newspaper 7Days\textsuperscript{125} is the case of Syed Azizur Rahman, an Indian construction worker that was employed by the same company as Syed Qamar Naqvi. Rahman stated to 7Days that he was suffering from a work injury and did not receive a single dirham from the company to pay for his medical treatment. These two cases give valuable insight into the vulnerability of foreign workers – especially in the construction sector.

Termination of Contract and Ban

This is one of the issues that gave most grounds to complaints among the foreign population. To terminate a working contract before its expiry has proven to be a difficult task in the UAE as many of my informants and the literature from throughout the GCC countries state\textsuperscript{126}. As it is spelled out in chapter 3.4.1, changing the sponsor can be complicated. While some sponsors let their workers go, some of them ask for money to do that while others simply refuse. However, in many cases the worker is left with half-a-year or one-year ban from entering the country. This is a situation that has been proved to “create” irregular

\textsuperscript{124} Khaleej Times 1, 6\textsuperscript{th} April 2005
\textsuperscript{125} 7Days, 6\textsuperscript{th} April 2005
\textsuperscript{126} According to Kapiszewski (2001), in Kuwait it is even forbidden to change sponsor
migrants as many whose employer refuses to let them go, either abscond or return to their country and come back on forged documents.

**Wage Discrimination**

The wage discrimination in the UAE can almost be called institutionalized. One Indian informant who works for the Emirates Airlines company said that the wage discrimination in this company occurs between nationals and foreigners with all foreigners earning the same wage and all nationals earning the same wage for the same job. However, all other interviewees and acquaintances reported that wages are paid according to the system of ethnic stratification mentioned above; salary corresponds in most cases directly to nationality, gender and religion.

One recent example of wage discrimination is the news that all national public employees will receive a 25 per cent wage increase effective May 1st, while the foreigners in the public sector will receive 15 per cent increase\(^{127}\).

The national labour law does allow wage discrimination implicitly by not forbidding it. However, the ILO convention of 1959 against discrimination in employment and occupation prohibits discrimination in all terms of employment. The fact that the convention does not spell out the single procedures referred to under the term “terms of employment” can be seen as a weakness of the convention\(^{128}\).

**Salary delayed**

Newspapers have reported frequently that employers do not pay the salary of the employees regularly. Over 400 labourers gathered in a street protest in Abu Dhabi in the beginning of April to express their anger about unpaid salaries that was due since two years\(^{129}\). This gathering was the second in a row. After the first public protest in middle of March, 350 labourers were paid their full or part of their delayed salary.

400 workers of another construction company in Abu Dhabi were on strike for 35 days for delayed salaries, unpaid overtime, poor accommodation and the medical insurance system in March/April. At first the management threatened to fire all of the workers on strike, but was hold back by the ministry of labour that sanctioned the workers’ protest. An amicable settlement was then reached between the workers and the management, and the management

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\(^{127}\) Gulf News, 6\(^{th}\) April 2005, and Gulf News, 7\(^{th}\) April 2005

\(^{128}\) Prohibition against discrimination in remuneration is spelled out in the revised Migration for Employment Convention of 1949. Nevertheless, the UAE has not ratified this convention.
agreed on paying back the salaries, sticking to an eight hours shift a day and improving medical insurance and the accommodation by letting only six workers share a room instead of nine\(^{130}\).

**Housing**

Many companies in the UAE provide accommodation to their workers and staff that is directly deducted from their salary. The accommodation for construction workers is commonly referred to as “labour camps”, while for workers in other professions it is referred to as “staff accommodation”. The quality for this kind of accommodation varies enormously. In my opinion, labour camps often bear a resemblance to prisons. It has been reported to me that it is not uncommon that up to ten men share one small room. Furthermore, some construction companies that work in three shifts around the clock let their workers share the same bed with two other shift workers. Construction workers are often un- and low-educated Indians, Pakistanis, Bangladeshis or Chinese that earn between AED 500 and 800 per month. As an article in the Khaleej Times\(^{131}\) states, in some cases the labour accommodations even lack air conditioning.

In general, the quality of staff accommodation varies. During my time in Dubai I spoke to several employees of various human resources departments that were right then looking for staff accommodations. While some did not want to allow more than three people in one room (irrespective the size), others planned to put at least 10 people in a small room of about 20 square meter. The latter, however, were more concerned about the area, as they wanted their female employees to feel safe in the neighbourhood and therefore were looking for an accommodation outside the areas with a high “male bachelor density”. Other researchers\(^{132}\) also found hotel staff, taxi drivers etc. in poor quality accommodations where up to ten people shared a small room of about ten square meters. Usually, there would be a small toilet in a second room and sometimes also a small kitchen. One informant that works in the real estate business says that often (though not always) Europeans and Americans do have higher demands on the quality of accommodation for their employees.

\(^{129}\) Kaleej Times 1, 6\(^{th}\) April 2005  
\(^{130}\) Kaleej Times 2, 6\(^{th}\) April 2005  
\(^{131}\) Khaleej Times 3, 6\(^{th}\) April 2005  
\(^{132}\) Among others: Steven Raymer, 2005
Passports

Even though the law does not allow the employers to collect the passport of the employees, it is common practice throughout the UAE to do that. The common discourse is that it serves as a protection against workers who want to run away and look for another work. However, employers who breached the law did not get punished for that. This might change in the future: the Ministry of Interior has launched an initiative to fine employers who held the workers’ passports. Nevertheless, according to an article in the Gulf News, all ministries, including the Ministry of Interior, hold the passports of expatriate staff.

Harassment, Sexual Harassment, Rape, Forced Prostitution

Harassment of any kind is frequently reported by foreign workers in the UAE. Rape and forced prostitutions is reported to above all occur in the domestic sector. The domestic sector is not covered by the labour law, and this circumstance is commonly explained by the “nature of the work”. As the Philippine labour attaché states out of the 192,000 Filipino workers in the UAE, an estimated 18 per cent (around 34,500) is employed in the domestic sector. Every month, the Philippine Consulate in Dubai receives complaints from about thirty domestic helpers. Their accusations range from unpaid salary to rape and beating. For those so-called distressed workers the Consulate provides legal assistance and shelter. In the labour attaché’s personal opinion the Philippines should stop sending domestic servants, as the rate of abuse is far too high. However, this is a political game. “If you ban domestic servants, the UAE would refuse to take Filipino professionals as well”. As prohibition is not feasible, the government tries to regulate the employment of housemaids as much as possible in order to discourage Filipinas to take up such professions. According to articles in the Gulf News, the cases of forced prostitution involve mainly domestic servants.

However, also employees of the regular labour market report harassment of their bosses or customers.

As Jenny says, her first employer had a crash on her. When she rejected his advancements, he started to harass her in the way that he let her work overtime without getting paid and without that there was any work to do. Even on Fridays he sometimes called her in and just let her sit in the office alone.

133 Gulf News, 31st March 2005, ”Tough penalties if a company holds passports”, Shireena Al Nowais
134 Gulf News, 13th November 2004, “Impounding passports is no guarantee”, Samir Salama
135 Among others: Vincente Cabe, the Philippine labour attaché in Dubai
136 Gulf News, 17th March, 2005; Gulf News, 10th April 2005
Lalaine, a 25 year-old Filipina who works at a hotel pub, says that she has been sexually harassed several times by drunken Arab customers. Her boss understood her anger but decided not to take any steps against the offenders. Her choices were to go back to the Philippines with ½ year ban or keep on working there. She decided to do the latter and next time she got sexually harassed she helped herself and cracked the tray in the offender’s face.

**Upward job mobility**

In a country that is characterized by the duality of a primary and secondary labour market, there are often no or only limited possibilities for upward mobility in the secondary labour market. Immigrants often end up in the secondary labour market which essential influences their options for promotion. In the UAE, as mentioned above, foreigners occupy the jobs in the private sector and can be found in every sector of it. This fact has interesting consequences when taking into account the highly employed social hierarchy in the country. Is there upward mobility for all foreigners in the UAE or only for certain nationalities? In order to answer this question in detail a study should be done that focus much more on the structures within a company. However, some interesting findings can be provided here as well.

In general, it can be said that the few Arabs and Europeans that I had the chance to interview, already were in higher positions. Some Filipino interviewees could not be asked those questions as they just arrived. However, they all hoped to get a promotion soon. Only one interviewee stated that she changed her job since Non-Westerners were not promoted any further at her previous job. The other interviewees that provided me with material on upward mobility state different reasons as to why they did not move higher up in the company.

When Nenette came from Oman to the UAE, she found a job according to her qualifications in Sharjah. She was hired as an Executive Assistant to the General Manager in a Canadian company. However, after six years she reached the peak there. As she says, none of the higher positions was available for non-Westerners. Now she works in the Jebel Ali Freezone for a British multinational company, where there are no limits to upward mobility, as she says.

Daniel, a young accountant from Ethiopia, stated that his company actually offered him additional education in his field plus a better job afterwards. The education would take another two years and would be fully covered by his company. However, Daniel decided not to take the offer, as promising as it sounded, since he did not trust the fast changing immigration and labour laws in this country. He says that he could never be sure whether the laws would change in a way that would make his
studies and later employment impossible. As he is married to an Ethiopian in Dubai and has his family here, he does not want to take the risk.

A supervisor position was offered to Lalaine, as her boss really appreciates her work attitude and her abilities. Nevertheless, Lalaine refused to take the job. In her opinion, the whole management of the restaurant where she is working is bad, and she does not want to have “additional headache”.

An Indonesian girl who had very good work records as a service staff in the restaurant chain, got the offer to become a manager of a new outlet. She was offered AED 4,000 a month for the position. However, as a colleague of her states, she knew that the Moroccan manager in the other outlet earned AED 7,000 a month. This wage discrimination and the fact that the management of the restaurant chain in her opinion is bad, made her refuse the promotion. As her colleague states, the boss got so angry at her that he fired her immediately.

Empirical evidence therefore states that foreign workers are not just prevented from moving upward in their jobs by simple promotional discrimination. Rather, there are several other factors that play an important role. Wage discrimination, bad management and fast-changing immigration regulations can be obstacles to upward job mobility of foreign workers.

### 5.2 Leisure Time

Longva’s findings from Kuwait show that the majority of the expatriates chose to live a strict and hard-working life during their stay in the country. Usually this was explained with the short period of stay in which no efforts and sacrifices seemed too great. Remittances and savings for later were in focus, and life in the home country seemed often more real than in the country of migration. As Longva states, only “the necessity to earn and save” mattered. In Kuwait, expatriate accommodations often reflect this thinking, and not seldom foreign workers prefer to share a rented flat with several people.

The majority of the interviewees in the UAE say that they do not do that much on their day off. Most of them explain this with the high prices in Dubai. Furthermore, they refer to the fact that many of them send home remittances and keep savings for future houses, businesses or studies. Money seems, therefore, only reluctantly spent in the UAE.

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137 Longva, 1997:159-166  
138 Longva, 1997:162
Nenette who works in the Jebel Ali Freezone still lives in the emirate of Sharjah, as rents are much lower in Sharjah compared to Dubai. She shares a room with another Filipino woman in a three-room apartment of a Filipino family. As Nenette is single, she decided that it is better for her to live very cheap and save some more money. On the other hand, her daily way to work takes about one and a half hour on the always busy highway. On her free day she usually stays at home, sleeping or watching TV. Twice a month she goes to the beauty salon.

Laleine works in a hotel pub that is located outside the centre of Dubai. She says that she uses to sleep most of the time during her day off and only takes the bus to the city when she sends home money. Sometimes, she says, she would go to the nearby beach, but only early in the morning when some work mates give her company.

Jenny likes to go out to bars, have a drink and dance, and she and her boyfriend can often be met in some pubs in Dubai. However, this way of spending her evenings and Fridays have led to profound arguments with her older sister. As Jenny says, her older sister expects her to live a “boring” life in Dubai and send the entire money home to the family; just as the older sister does herself. She furthermore argues that Jenny should save money for her future back home. However, as Jenny puts it, she works 5 ½ days per week very hard and “needs to have some fun” in her spare time.

5.3 Hiring Procedures

Legally speaking all recruitment should go through an agent. Exceptions are the foreign workers who after their three years contract legally look for another job. Joy is an executive secretary for a British restaurant chain responsible for the process or staff recruitment. If a larger number of staff is needed, she addresses an agency to hire people. On my question why all the service staff is of Philippine and Indonesian nationality, she replies that Filipino and Indonesian workers are available at the cheapest rate and at the same time those nationalities are perceived to be more qualified and reliable compared to citizens of other countries.

However, if there is only one position to cover, she often hires locally, and states that this is the widespread practice in the UAE. According to her and other informants, it is a common practice that workers are hired on a visit visa, with the three months validity of the visa serving as probation period. This is a widespread custom despite the fact that it is against the law to work on visit visa. After the three months the employer in most cases issues the proper employment permit. However, in many cases, when the visit visa expires the employee gets dismissed without getting an employment permit and in some cases even without pay.
Furthermore, the practice of keeping the employee’s passport is also effected with visit visa holders. As Joy states, a common reasoning among employers is that the employee on visit visa “may not commit with you immediately, as she/he will have several choices as the UAE is always short on manpower”.

As all the interviewees stay a lot of the hiring process involves contacts and a social network. When Joy, for example, has a positions to cover that do not require an agent, she says she would usually talk to some of her Filipino and Non-Filipino acquaintances about it, and tries then to hire some person recommended by them.

As already stated in chapter 4, social ties are of crucial value when looking for a job. All the interviewees who did come on visit visa to the country stated that social ties where in one or another way involved when they got their job. Interestingly, not in all cases the social ties are limited to family or kinship ties, or even ethnic group ties. They are in some cases extended to acquaintances of different nationalities and religions.

When Jenny was in the country the second time on a visit visa, she had members of several Arab and European nationalities help her find her current position. As a Filipina, her migrant network extended significantly by being affiliated to a man of Arab nationality that has been living in the country for many years.

Charlie, the web designer, says that his employer, a Pakistani with a Filipino wife, somehow knew his professor in Manila, who in turn recommended Charlie for the job. Charlie himself, after having started on the job, recommended some of his old classmates from highschool, and counts now seven of them in Sharjah.

When Anna, an Austrian human resource manager of an international hotel chain, told her Filipino acquaintances she would spend one week in Manila to directly hire new hotel staff, she got about ten CVs of relatives of those acquaintances already in Dubai. In most of the cases she agreed upon meeting those relatives during her stay in Manila.

Ani and Shaker, two interviewees with low education and irregular status stated that they solely relate on people of the same nationality to find new jobs. Mariam, however, the Indonesian office cleaner, also has the Arab family to rely on for support whose domestic servant she was in the beginning of her stay.
5.4 Irregular Migrants

There are different categories of irregular migrants in the UAE\textsuperscript{139}. The first category contains people who were illegally smuggled into the country. The second category contains people who entered the country on false passports. This could be someone else’s passport or a new faked one. The third category of irregular migrants has overstayed their visa for different reasons:

1) They overstay their original visa term and have been unable to extend it
2) They entered the country on visit or tourist visa and started to work without proper documents
3) They changed employer without proper authorization or resigned from the job (changing employment without consent of original sponsor and authorities is illegal)
4) They were unable to regulate their status or simply leave the country since their employers did not give back their passports
5) They finished their contracts but were unable to leave the country as their employers did not provide them with the return ticket which they were unable to buy for themselves
6) They left their sponsors when they were not paid the salaries or when they were forced to work much longer hours than the labour law allows
7) They changed their place of work as a result of the actions of their sponsors who, facing economic difficulties, instead of repatriating their employees, forced them to look for another job (both to avoid paying the cost of a worker returning home and also because they were unable to legalize the transfer of their sponsorships)

As stated above, it is common practice in many GCC countries that employers confiscate the worker’s passport for as long as the worker stays in the country. In the UAE, as well as in Kuwait\textsuperscript{140} it happens that expatriates end up in irregularity after a conflict with the employer. As mentioned above in more details, a foreign worker often ends up either with a ban in the passport or in an irregular situation after a conflict with an employer. Without passport and the approval of their sponsor, migrants cannot obtain the exit visa to leave the country. Human Rights Watch reports cases where exit visas were arbitrarily withheld which place the

\textsuperscript{139} All information is taken from Kapiszewski (2001: 88-90) if not otherwise stated
\textsuperscript{140} Longva, 1997:95-97
migrant in a situation of forced labour. Furthermore, it is hard to find a new job since the migrant is still under sponsorship of the former employer. It is mostly non-Arabs that run off, and among them it is more widespread among the low-waged, low-skilled workers in the private sector, and particularly the domestic sector.

The only way to get back the passport was to turn oneself in to the authorities and make an official complaint against their sponsors/employers. Usually those complaints are made through the embassy, and in most cases the employer would hand back the passport against a sum of money paid by the embassy. In some cases, however, the worker is pressured to go back to work for the employer.

Hanny Megally, executive director of the Middle East and North Africa division of Human Rights Watch states that it is very easy for a contract worker in a Gulf country to slip into irregularity. Cases have been reported of unscrupulous employers and sponsors who intentionally let residence permits expire, or sell workers to other employers, which invalidates their work permits. Furthermore many migrants flee abusive working conditions.

Absconders who do not turn themselves in, often “go illegal” and look for another job. This is easier for those who can count on a solid social network for shelter and a new job. As Longva states, “the longer an ethnic community had been in Kuwait and the more established it was, the easier it became for an individual who belonged to this community to find such network support (...)

Also in the UAE such network practices had been reported to me by some informants. In most of the cases, it was members of the extended family or the same ethnic community that offered help to the individual. However, in at least one case, the supporting network consisted of a wide range of nationalities. In this case the people involved had different nationalities, different religions and they came from different continents. Empirical evidence, therefore, shows that networks are important when in need for support, but those networks do not solely consist of members that belong to the same ethnic group.

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141 Human Rights Watch, 2003
142 Longva, 1997:96
143 Human Rights Watch, 2003
144 Longva, 1997:95
145 Longva, 1997:96
Another group that Longva\textsuperscript{146} presents in the shadowy population of Kuwait is the ones whose contracts ended and whose residence permits therefore expired but who nevertheless stay in the country. This group consists mainly of Arabs\textsuperscript{147}.

One interviewee of Palestinian descent stated that he did not have a valid residence permit at the moment. He was full of anger about the fact that he had grown up in the UAE and still has to renew his visa every three years. Due to problems with his sponsor that he did not want to reveal, at the moment of the interview he did not possess a valid residence permit.

Shaker, a 26 years old Indian, had people from the same or neighbouring villages in his state Andhra Pradesh arrange for his visit visa. As he states, his plan was from the beginning to work as many jobs as possible for about three years. He was fully aware that the only possibility to leave the country afterwards was to turn himself in to the police and go to jail for one month before they would repatriate him on state costs. After one year he managed to have three jobs where he would earn around AED 1100 per month. All his jobs he found through Indian and Pakistani nationals. Two weeks after the interview I was given the news by one of his employers that Shaker had been arrested by the police on a raid in one neighbourhood where a lot of bachelors live. His options were to either pay the return ticket himself or stay one month in jail and have the UAE pay his return ticket. After two days Shaker’s employer told me again that Shaker’s Indian friends paid the money for the ticket and that he was about to leave the country.

The authorities are fully aware of high number of irregular residents /workers and announce an amnesty every four to five years. Usually, within a period of three months, the irregulars could turn themselves in to their embassy and get a legal entry if they were not able to get back their passports. Without these amnesties it would be impossible for the migrants to ever leave the country, since everybody that leaves the country needs an exit visa issued by the Kuwaiti authorities\textsuperscript{148}. During the amnesty of 1987, out of the approximately 20,000 to 30,000 illegally residing migrants, about 10,000 made use of the legal exit possibility. As stated by my informants, the police are frequently doing raid in suspicious areas (mostly bachelor areas, houses or accommodations) to search for undocumented foreigners. In the year 1999, there were 8,663 irregular migrants arrested, with the majority of the people coming from Pakistan, followed by Afghanistan, India, Iran and Bangladesh. The following

\textsuperscript{146} Longva, 1997
\textsuperscript{147} Longva, 1997:96
\textsuperscript{148} Longva, 1997:96
year, the number of irregulars arrested rose up to 10,766, again with Pakistan accounting for the majority of the cases, namely 78 per cent.\(^{149}\)

As the United Nations High Commissioner on Human Rights (UNHCHR) in Fact Sheet No. 24 states,

“Without status, the illegal migrant is a natural target of exploitation. He or she is at the mercy of employers and may be obliged to accept any kind of job, and any working and living conditions. In the worst cases, the situation of migrant workers is akin to slavery or forced labour. Illegal migrants rarely seek justice for fear of exposure and expulsion, and in many States have no right of appeal against administrative decisions which affect them.”\(^{150}\)

Some absconders do actually find new employment and sometimes find themselves in an even better position than when formally employed. However, the absconders represent a pool of labour that is cheaper to employ than average migrants\(^{151}\). Furthermore, due to their irregular status they are even more vulnerable to mistreat than average migrants.

The Indonesian office girl Ani that Cathy hired stopped coming to work one day. When she did not come the second day either, Cathy called her up and asked for her reasons. Ani replied that she had been sexually harassed by a staff at the office and that she therefore prefers to stay at home. She furthermore said that she wished to continue working there if this problem stopped. So Cathy arranged a meeting between the harassing staff, Ani and herself, where she officially asked the man to stop harassing the office girl. Embarrassed about the disclosure of his deeds he agreed.

As becomes evident in this situation, Ani is solely dependant on her employer’s good will for her protection. If the harassment, however, continues, Cathy has no other choice than to release Ani, as she cannot risk troubles with an irregular employee due to the high fine for employers who hire an irregular foreigner.

\(^{149}\) Khaleej Times, 10\(^{th}\) July 2002
\(^{150}\) United Nations High Commissioner for Human Rights, 1990
\(^{151}\) Longva, 1997:96
As Human Rights Watch\textsuperscript{152} states trafficked migrants are in the most vulnerable positions. There are cases reported about recruiters in the source countries that promise jobs and salaries to potential migrants. Significant sums of money have been paid for working visas and the contracts. However, by the time of arrival in the Gulf States these promises prove to be false, and the often deeply indebted migrant has no other option than to work for local sponsors or employers under often highly exploitative conditions, that can be called servitude or forced labour. In other cases, however, smuggling of illegal migrants is done by a boat passage across the Indian Ocean to some quiet beach on the Indian Ocean coast. Research by Nambiar\textsuperscript{153} shows that this route was mostly taken by poverty-stricken unskilled migrants from the Indian state of Kerala.

The fine for an employer who employs an irregular worker is AED 10,000 and/or six months in jail\textsuperscript{154}. When I was investigating why employers still hire irregular labour, my informants referred uniformly to the costs that an employer can save by hiring an irregular.

Anna, who was in charge of hiring the office cleaner at her company, said that she hired an undocumented Indonesian. After three months it was reported to her by other staff that money had been stolen. Anna did not have any other choice than immediately fire the office cleaner. As she says, it is not sure whether the office cleaner has taken the money, nor is it sure that there has been money stolen at all. But due to the high fine on employers hiring irregulars, a proper investigation into the case was impossible. After that incident, Anna decided to hire a professional office cleaner who costs her double as much.

The budget that her boss gave her in order to hire an office cleaner was so small that only an irregular migrant would have accepted it, says Joy. When the Indian accountant suggested an irregular Indian man to clean the office three hours a day, she therefore agreed.

As Woodward\textsuperscript{155} points out, the costs to hire a regular employee through an agency are high. Besides of the costs for agency fee etc they need to employ staff that deals with the visa procedures, and other kind of work that deals with the requirements that commonly occur when foreign labour is hired: Accommodation has often to be provided, medical costs to be paid, transportation organized etc. Furthermore, once the contract worker has arrived, he/she has to be maintained and return tickets for the annual leave and the repatriation on the termination of the contract has to be paid. Due

\textsuperscript{152} Human Rights Watch, 2003
\textsuperscript{153} Nam biar, 1995:76
\textsuperscript{154} Gulf News, 25th January 2005
to these circumstances, “employers prefer to hire a man off the street and pay straight cash”.\textsuperscript{156}

The UAE, as many other Gulf States, tries to tackle the problem of irregular migrants by launching amnesties. In 1996, a four-month amnesty was ordered during which visa overstayers and absconders could leave the country without any penalty. During the last month, all illegal migrants were included. By the end of October 1996, around 167’000 irregular migrants had left the UAE, which accounts for about 7 per cent of the total population. Most of the workers that left were from Asian countries, such as the Philippines, Bangladesh, India, Sri Lanka, Pakistan, Afghanistan, and Iran, and they were employed on construction sites and in service positions. Apparently wages in those kinds of sectors rose by up to 40 per cent for maids and 10 to 20 per cent for hotel staff\textsuperscript{157}.

\section*{5.5 Analysis}

Many of the work-related problems stated by the foreign workers are practices that breach directly with ILO conventions, many of those the country has chosen not to sign. It seems that the migrant workers main problems in the UAE are strongly connected to the sponsorship system that creates a high power fraction between employee and employer. The ILOs Migrant Workers (Supplementary Provisions) Convention of 1975 that the UAE has not ratified, spells out the workers’ right that the loss of employment shall not automatically signify the withdrawal of the work and residence permits. In addition, the migrant workers shall enjoy the same kind of employment security. For the migrant population, therefore, the ratification and implementation of this particular convention would signify an improvement of their situation. The instrument that gives the best protection to migrant workers nowadays is however, the UN Convention on the Protection of the Rights of Migrants Workers and their Families. So far, the UAE has resisted the pressure of international human rights organization to sign the convention.

As a result, the UAE is still a country in which daily discrimination against foreign workers is widespread. This discrimination regards areas such as salary, upward mobility,
delay of payment, harassment etc. As spelled out in the labour law, any employee has the right to seek legal justice before the labour department or the labour court. As this is a welcoming measure for the worker’s protection, it is only an alleged instrument of justice, as the costs to seek justice on the legal way are high and to be born by the employee. Furthermore, there is no protection from dismissal when launching a complaint against the employer. With the dismissal follows an automatic ban of half-a-year or a year. This is a reason why many workers decide to look for other solutions (abscend, keep on working), as often their priority is to earn as much money as possible before returning home.

As could be seen, obstacles towards promotional mobility did not only stem from direct discrimination against foreign workers. Other factors, such as fast-changing immigration procedures and wage discrimination were, in some cases, additional factors for promotional immobility. However, the scope of this study is not enough to determine whether or whether not promotional immobility of foreign workers is institutionalized. As was shown in the small section on leisure time activities, many foreign workers in the UAE do not engage in many activities outside their work. Instead, they save their money and “wait” for their life to come once they are back home. In this way, it can be argued, they act closer to the way the temporary labour migration system wants them to do: solely as economic migrants. Only a few informants state that they actually take advantage of the vast choice of pubs, restaurants, nightclubs, beauty salons and other entertainment and services available in Dubai. However, none of these informants had relatives at home that directly depended on their remittances, while some of the first group did.

When it comes to the process of hiring, it can be seen that informal networks have a big impact on a recruiter’s choice to employ someone. It can furthermore be seen, that the networks in question do not only consist of members of the same family, home community or nationality. Networks can contain any nationality or religion, and be based on common factors such as mutual friends, reciprocity of favours or other kinds of relationships between people.

The UAE is a country where service jobs are produced by the life-style of the nationals and the richer foreigners. With a high scarcity of labour, the immigration to the country is clearly demand-led. Since nationals refuse to work in low-paid job, there is even more demand in the low-wage sector. Low-educated people such as Shaker, Ani and Mariam, are drawn by the possibilities to earn higher wages in the UAE and prefer to be in an irregular position in order to do part-time work that results in higher wages than regular employment in low-wage sectors.
Otherwise, as the system is built up at the moment with sponsorship and the residence permit that is directly connected to the work contract together with a not well accessible legal complaint body, many expatriates end up in a irregular situation whether intended or not. Irregular expatriates whose boss and work mates do know about their status live at the mercy of their boss and working mates. Irregulars like Ani, do not have any possibility of legal complaint, as they would be immediately deported in such a case.

Another interviewee who managed to keep her status a secret in front of her boss or other work mates feels more secure. However, even though her boss does breach the law when it comes to her overtime pay, annual leave and day of rest, she knows that she does not have any power to complain against him.

Another aspect that this paper has brought light to is that the causes of irregular migration are not solely economic hardship or the lack of opportunities. Rather, irregular migration can also be created in situation when relationships and affection collide with immigration regulations.

The fact that foreign workers are also social beings often is hit by the reality that the system is designed for economic beings. Of course, the decision to rather become irregular than go back to the country of origin, is favoured by the vast labour demand in the UAE, as well as the fact that the person in question could rely on a personal network. Again, the human agency approach can be applied in the analysis on irregular migration. Why an individual “chooses” to become or remain irregular can more satisfyingly be answered by taking into account the individual’s experience and reflections. Here, individual experiences, such as relationships and personal affection, are valued as an account for the person’s decision.
6. Summary and Discussion

In the field of labour migration neither the importance of structural constraints on individual decisions, nor agency of individual and families can be denied. Therefore, when it comes to analyzing why individuals have chosen to migrate to the UAE in search for employment, causal factors on all macro-, meso- and micro-levels have to be taken into account.

Pushed by the lack or imperfection of social insurances, high unemployment rates and low wages in the country of origin and pulled by a constant labour-demand and a social network consisting of family members, home community members etc. in the country of migration; these are the reasons why most of the interviewees came to the UAE. In many cases it has not been the migrant him/herself that suffered from the imperfections, rather those imperfections have targeted one member or several members of the family or kinship. As has been shown in the paper, the UAE, and especially Dubai, are not only in constant need of labour, the country also offers the kinds of positions to foreigners that, depending on the level and kind of education, enhance the worker’s human capital and are profitable for his/her later career in the country of origin or the future country of emigration.

One characteristic of labour migration to the UAE that I came across in my survey was that only few interviewees have had the possibility to choose their country of migration; for the rest, family and other social ties were decisive, as well as (random) decision-making of recruitment agents in the home country. Furthermore, it should be acknowledged that the role of politics and ideology in the country of migration has far reaching consequences on labour migration. For instance, the migration of individuals who did not come through an agency and who did not have social ties in the UAE prior to arrival was facilitated by an immigration system that allows nationals to financially profit from sponsoring foreigners (fake visas), and an economy that makes finding work easy due to a constant labour-demand. On the other hand, in my opinion, the role of politics and ideology in the country of origin has to be taken into account as well: an emigration system that is highly regulated by the government, as it is the case in the Philippines, for sure has positive effects on the out-migration of its nationals.

As mentioned earlier, the UAE labour market is rather sharply divided into the public sector for nationals and the private sector for foreigners. Due to the lack of regulations in the private sector, this sector is not very attractive for nationals – except for the top positions. As

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158 Russel, 1989:25
the labour market is in constant need for workers, it can be said that the segmented labour market theory describes the reasons for migration to the UAE fairly well. Many interviewees have had a decent job before coming to Dubai. This is another implicit support for the importance of this theory.

When it comes to irregular migration, the paper has shown that in most cases the reasons for people to irregularly migrate are survival-driven. Most of the interviewees that were living in an irregular position in the UAE stated that their families directly depended on their remittances. Unlike theories on regular migration state, these migrants often come from the poorest segment of the population and are generally low-educated. However, as I have shown throughout this paper, the constant labour demand in the UAE together with the relatively low punishment for illegally staying in the country may lower the level of economic despair that leads individuals to accept an irregular status. In other words: due to the high demand of labour and the low punishment, even individuals with only little economic hardship may decide to “go illegal”.

The expatriate life in the UAE is not only shaped by the national legislations concerning immigration and work, but also by the informal practices that are widespread and often institutionalized. Wage discrimination, delay of payment, quality of accommodation, upward mobility, pay back the visa costs in order to change the sponsor, lack of protection against harassment and abuse are such examples of informal practices. The facts that filing a complaint against an employer that breaches the law may be costly, and that there is no protection against dismissal from work while filing a complaint, make the labour court a questionable instrument of justice. The most fatal regulation, however, is the sponsorship system. The factor of linking the residence permit to the work permit/contract and of having the employer as a sponsor has often significant effects on the migrants, and limits their mobility and agency power substantially. It furthermore creates a power gradient that reproduces the exclusion of foreigners in the UAE society, and puts the migrant workers on a constant verge of illegality. Many formal and informal practices in the private sector of the UAE could be improved or eliminated if the country were willing to sign and ratify a more extensive international set of rules of protection of migrant workers. It remains therefore to be hoped that the UAE gives in to the pressure of international human rights organizations, and ratifies and implements the UN Convention on the Protection of Rights of Migrant Workers and Their Families. Not only regular but also irregular migrants would profit from the
implementation of this convention, as this legal instrument also includes irregular migrants in its scope of protection.

Irregular migrants in the UAE either entered the country illegally, overstayed their visa, or ran away from their employers. As part-time work results in higher remuneration than regular low-wage employment, many migrants in the low-wage sector are tempted to breach the law and work several jobs. The backside of this is that the irregular migrant is solely dependent on the good-will of the employer or other work colleagues when it comes to the payment of salary, protection from abuse etc. What has been shown in the paper is that not only economic hardship account for a migrant’s decision to live in the UAE with an irregular immigration status, but also other factors, such as relationships and personal affection. In this case, the human agency approach completes the migrant’s account on reasons for labour migration.

In recent years, the governmental sector has been filled with staff, which has led to involuntary unemployment among nationals. However, the government has undertaken steps to tackle the problem and it seems adequate to assume that stronger regulation will be coming to the private sector within a couple of years as well. Another factor that has impact on the nature of labour migration to the UAE in this regard is the programme of emiratisation. This programme aims at nationalizing the labour market by kicking out expatriates from their jobs and replacing them with unemployed nationals. This programme has started in the year 2000 and has far reaching consequences on expatriates already in the country and on potential migrants in the sending countries. With increased unemployment among nationals and the emiratisation programme trying to tackle it, more and more nationals are likely to enter the private sector. Due to their these days often high level of education and their vast protection by state and national influential society, the majority of the nationals is likely to find jobs in the upper or middle part of the private sector. This leads to the conclusion that the UAE will see a development towards a primary and secondary labour market, as it is the tendency in other developed countries in Europe and North America.
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*Email*

Steven L. Raymer, Associate Professor at Indiana University, USA, 20th April 2005
Appendices

Appendix I: Map

Source: University of Texas at Austin, 2004
## Appendix II: Interviewees

<table>
<thead>
<tr>
<th>Name/ Age</th>
<th>Nationality</th>
<th>Gender</th>
<th>Education</th>
<th>Job in UAE</th>
<th>Years in UAE/Entry/ Status</th>
<th>Social Ties in UAE prior to arrival</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naveed, 31</td>
<td>English</td>
<td>Male</td>
<td>MBA</td>
<td>Operational manager in restaurant chain, Dubai</td>
<td>Half a year, visit visa</td>
<td>Came with wife</td>
</tr>
<tr>
<td>Mutassen, 24</td>
<td>Lebanese</td>
<td>Male</td>
<td>Bachelor in Management</td>
<td>Assistant manager, Dubai</td>
<td>2 years, visit visa</td>
<td>Aunt</td>
</tr>
<tr>
<td>Naser, around 40</td>
<td>Palestinian-Jordan</td>
<td>Male</td>
<td>Civil Engineer</td>
<td>Project Manager for multinational company, Sharjah</td>
<td>4 years (16 years in Saudi Arabia before), visit visa</td>
<td>Came with wife</td>
</tr>
<tr>
<td>Harris, 27</td>
<td>Indian</td>
<td>Male</td>
<td>Bachelor in Banking</td>
<td>Accountant, Dubai</td>
<td>3 years, visit visa</td>
<td>Brother, friends, other relatives</td>
</tr>
<tr>
<td>Jeric, 27</td>
<td>Filipino</td>
<td>Male</td>
<td>Bachelor in Computer Science</td>
<td>Assistant Manager, Dubai</td>
<td>3 weeks, agency</td>
<td>None</td>
</tr>
<tr>
<td>Maribeth, 27</td>
<td>Filipina</td>
<td>Female</td>
<td>Bachelor in Business Administration Management</td>
<td>Service staff at restaurant chain, Dubai</td>
<td>3 weeks, agency</td>
<td>None</td>
</tr>
<tr>
<td>Marivic, 32</td>
<td>Filipina</td>
<td>Female</td>
<td>College</td>
<td>Service staff at restaurant chain, Dubai</td>
<td>3 weeks (worked 5 years in Bahrain and 10 months in Malaysia), agency</td>
<td>None</td>
</tr>
<tr>
<td>Eleanor, 42</td>
<td>Filipina</td>
<td>Female</td>
<td>College</td>
<td>Secretary, Sharjah</td>
<td>1986-1991, visit visa, 1998 up to now, family visa</td>
<td>1986: None 1998: Husband, children, sister and cousins</td>
</tr>
<tr>
<td>Nenette, 37</td>
<td>Filipina</td>
<td>Female</td>
<td>Bachelor in Business Administration</td>
<td>Executive Secretary, Jebel Ali Freezone</td>
<td>9 years (first 4 ½ years in Oman), GCC visa</td>
<td>None</td>
</tr>
<tr>
<td>Cristina, 26</td>
<td>Filipina</td>
<td>Female</td>
<td>Bachelor in Business Administration</td>
<td>Reservation Agent at Travel Agency, Sharjah</td>
<td>15 months, Visit visa</td>
<td>None</td>
</tr>
<tr>
<td>Name</td>
<td>Nationality</td>
<td>Gender</td>
<td>Age</td>
<td>Type of Education</td>
<td>Occupation</td>
<td>Duration</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
<td>--------</td>
<td>-----</td>
<td>-------------------</td>
<td>-------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Wilsan</td>
<td>Filipina</td>
<td>Female</td>
<td>27</td>
<td>Bachelor in Commerce</td>
<td>Reservation Agent at Travel Agency, Sharjah</td>
<td>2 years, visit visa</td>
</tr>
<tr>
<td>Netsanet</td>
<td>Ethiopian</td>
<td>Female</td>
<td>20</td>
<td>12 years of schooling</td>
<td>Retail agent, Dubai</td>
<td>1 year 9 months, visit visa</td>
</tr>
<tr>
<td>Yodit</td>
<td>Ethiopian</td>
<td>Female</td>
<td>28</td>
<td>10-12 years of schooling</td>
<td>Manager for fashion outlet, Dubai</td>
<td>9 years, housemaid visa</td>
</tr>
<tr>
<td>Lalaine</td>
<td>Filipina</td>
<td>Female</td>
<td>25</td>
<td>10-12 years of schooling</td>
<td>Service staff, Dubai</td>
<td>1 ½ years, visit visa</td>
</tr>
<tr>
<td>Faye</td>
<td>Filipina</td>
<td>Female</td>
<td>27</td>
<td>Bachelor in Tourism</td>
<td>Supervisor in Reservation Department of Travel Agency, Sharjah</td>
<td>Since September 2001, visit visa</td>
</tr>
<tr>
<td>Charlie</td>
<td>Filipino</td>
<td>Male</td>
<td>24</td>
<td>Bachelor of Science in IT</td>
<td>Web designer, Sharjah</td>
<td>4 years, Visit Visa</td>
</tr>
<tr>
<td>Jenny</td>
<td>Filipina</td>
<td>Female</td>
<td>28</td>
<td>Bachelor as Secretary</td>
<td>Executive Secretary, Dubai</td>
<td>5 years, Visit Visa, irregular</td>
</tr>
<tr>
<td>Ashiq</td>
<td>Pakistani</td>
<td>Male</td>
<td>45</td>
<td>Highschool</td>
<td>Driver in multinational company, Dubai</td>
<td>Since 1978, illegal entry, now regular</td>
</tr>
<tr>
<td>Ani</td>
<td>Indonesian</td>
<td>Female</td>
<td>25</td>
<td>6 years</td>
<td>Office girl, Dubai</td>
<td>Around 2 years, Visit visa, irregular</td>
</tr>
<tr>
<td>Mariam</td>
<td>Indonesian</td>
<td>Female</td>
<td>26</td>
<td>Little</td>
<td>Nanny, Office cleaner, Dubai</td>
<td>2 years 6 months, First housemaid visa, the visit visa, irregular</td>
</tr>
<tr>
<td>Shaker</td>
<td>Indian</td>
<td>Male</td>
<td>26</td>
<td>6 years</td>
<td>Office cleaner, car washer, house cleaner, Dubai</td>
<td>9 months, Visit visa (deported in April 2005)</td>
</tr>
<tr>
<td>Prejit</td>
<td>Indian</td>
<td>Male</td>
<td>30s</td>
<td>Master of Science</td>
<td>Tourist Guide, Dubai</td>
<td>29 years, Family Visa</td>
</tr>
</tbody>
</table>
Appendix III: Country Data, Currency Converter

UAE Data\(^{159}\):

Size: 77,700 square kilometers  
Capital: Abu Dhabi  
Official Language: Arabic  
Other languages: English (language of trade), Hindi, Urdu, Farsi  
Currency: 1 Dirham (AED) = 100 Fils  
Independent since: 1971  
Life Expectancy: 75 years (1999)  
Birth Rate: 1.8 %  
Child Mortality: 0.9 % (1999)

Currency Exchange\(^{160}\)

\[
\begin{align*}
1 \text{ AED} &= 2 \text{ SEK} & 1 \text{ SEK} &= 0.5 \text{ AED} \\
1 \text{ AED} &= 0.3 \text{ US Dollar} & 1 \text{ US Dollar} &= 3.6 \text{ AED} \\
1 \text{ AED} &= 0.2 \text{ €} & 1 \text{ €} &= 4.6 \text{ AED} \\
\end{align*}
\]

(AED = Dirham, SEK = Swedish Crowns)

\(^{159}\) Weltalmanach, 2002  
\(^{160}\) Forex, 2005