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Arab Employment Forum

# International labour migration and employment in the Arab region:
## Origins, consequences and the way forward

Thematic Paper

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# Thematic Background Paper for the Arab Employment Forum

This paper was prepared by Ibrahim Awad, Director of the ILO's International Labour Migration Programme and by Rola Abimourced, ILO consultant. The paper is intended to inform participants and solicit views during one of the thematic sessions of the Arab Employment Forum: *A Jobs Pact for Recovery and Growth*, held in Beirut from 19 to 21 October 2009. The authors have benefited from comments and reviews by ILO staff from the Regional Office for the Arab States, including Maurizio Bussi, Simel Esim, Azfar Khan and Zafiris Tzannatos as well as from tripartite participants at a preparatory roundtable meeting which took place on 28 July 2009 in Beirut.

This paper is one of the six thematic papers that were prepared to inform participants and frame the discussions of the thematic sessions of the Arab Employment Forum. The titles of these thematic papers are:

1. Growth, employment and decent work in the Arab region: Key policy issues;
2. International labour migration and employment in the Arab region: Origins, consequences and the way forward;
3. Tackling the global jobs crisis through social dialogue: Issues, challenges and perspectives in the Arab region;
4. Supporting recovery policies through international labour standards and respect for workers' rights: Issues and challenges for the Arab region;
5. Building adequate social protection systems and protecting people in the Arab region; and
6. Sustainable enterprise development and employment creation in the Arab region: A review of issues.

The choice of the themes reflects the priority areas and employment challenges facing the Arab region, particularly as a result of the global financial and economic crisis. These thematic papers provide the background material for the realization of commitments made at the global and regional levels on decent work and on the implementation of the Global Jobs Pact. Moreover these papers are complementary to ILO approaches and they build on an ongoing process to support the realization of decent work at global level.

At the Fourteenth Asian Regional Meeting held in Busan, Korea, in August/September 2006 the tripartite delegates launched an Asian Decent Work Decade and committed to the achievement of specific decent work outcomes. The Meeting recommended cooperation on specific initiatives at the regional level, where joint action and sharing of knowledge and expertise will contribute to the realization of decent work. Recommendations also included strengthening employment services, developing reliable regional statistics to complement decision-making, providing support services for small enterprises, establishing benchmarks and good practices on the extension of social protection and strengthening labour inspection, dispute prevention and settlement.[1]

At the 11th African Regional Meeting, which took place in Addis Ababa in April 2007, tripartite delegations from Arab countries in Africa committed themselves to a series of targets for the development of integrated Decent Work Country Programmes to accelerate progress towards the achievement of agreed international development goals including the Millennium Development Goals. The conclusions of the Meeting emphasized specific goals, including closure of the skills gap, social inclusion through job creation, tripartism

1 For further information, visit http://www.ilo.org/public/english/region/asro/bangkok/

as a key governance mechanism for inclusive poverty-reducing growth, a fair regional policy on migrant workers, freedom of association, the elimination of child labour, slavery and discrimination, the extension of a basic social protection package for poverty reduction, and escape from the informal economy trap. The constituents also committed themselves to the African Decent Work Decade for the period 2007-2015, following up on the conclusions of the Ouagadougou Summit of 2004 and its Declaration, Plan of Action and Follow-up Mechanism on Employment and Poverty Alleviation in Africa.[2]

The conclusions of the 35th Arab Labour Organization Conference in April 2009 called for greater regional cooperation in the areas of employment, human resources and social dialogue. The Conference conclusions placed emphasis on developing regional initiatives, including a unified Arab Labour Law, and creating regional mechanisms to tackle shared challenges, such as the establishment of an Arab Tripartite Forum and an Arab Labour Market Information system. The ALO has highlighted the need for greater regional cooperation and coordination with the ILO to address the financial and economic crisis. The ALO, in cooperation with the ILO, organized the Arab Forum on Development and Employment in November 2008 that resulted in the Doha Declaration, which identifies a shared set of regional priorities. The subsequent Arab Economic, Social and Development Summit (Kuwait, January 2009) ushered in the Arab Decade on Employment (2010-2020) that established clear goals for the region, such as decreasing unemployment, halving the percentage of working poor, enhancing production, promoting worker training, supporting small and medium enterprises and continuing the ratification process in the region towards full compliance with international and Arab labour standards.

2 For further information, visit http://www.ilo.org/public/english/region/afpro/addisababa/index.htm

# Content

# Introduction

1. Over 50 per cent of the estimated 214 million international migrants in 2010[1] will be migrant workers. Around another 40 per cent will be constituted by families of migrant workers. Therefore, population movements across international borders are essentially about labour migration. In countries of destination, demographic factors such as ageing and small or shrinking populations and labour forces, and the need to sustain economic activities and foster development, have acted as pull factors for migrant workers. In countries of origin, deficits in decent work and employment opportunities, coupled with high population and labour force growth push workers to seek jobs in foreign labour markets.

2. Even though international migrants were merely 3 per cent of the world population in 2000 and are estimated to account for 3.5 per cent in 2010, high-level international forums and discussions about migration have multiplied. Several reasons explain this increased interest. First, in some regions, the concentration of migrants is much higher than the average for the world. The Arab region is among these. Second, there are clear needs for labour in a great number of countries because of ageing, low fertility rates or small population bases at a time when these countries pursue economic growth and development. Third, countries with deficits in employment and decent work may seek external outlets for their labour forces, but they can also feel the consequences of the increased levels of migration of their highly-skilled labour. Fourth, there is great concern regarding the terms and conditions of employment of migrant workers and their rights to equality and non-discrimination.

3. International labour migration in the Arab region unfolds in two separate but interlinked systems. One encompasses the countries of the GCC as a destination for temporary contractual labour, essentially from other Arab and South and South-East Asian countries. These workers are mainly employed in construction, manufacturing, services and domestic work. The second comprises labour migration from the Arab Maghreb,[2] as well as Mashreq[3] countries, to Europe (see table A for a distribution of migrants). In addition, the Mashreq and Maghreb States are increasingly countries of immigration and transit. The Maghreb countries are corridors to Europe or destinations for migrants from Sub-Saharan Africa. In the Mashreq, Lebanon, Jordan and the Syrian Arab Republic are destination countries for mainly low-skilled foreign workers from other Arab countries, as well as from South and South-East Asia. Their patterns of employment resemble those of foreign workers employed in the GCC countries. This paper does not address settlement migration in the Americas and Australia.

4. This paper uses the terms "temporary contractual labour" and "temporary contractual workers" to denote the employment of foreign workers in the GCC countries. It does that in keeping with the official terminology used in the GCC. For the ILO, however, these are the workers described in the preamble of its Constitution when it set as an objective of the Organization, "the protection of the interests

1 See United Nations estimates, Department of Economic and Social Affairs, Population Division: *Trends in International Migrant Stock: The 2008 Revision* (2009), UN database, POP/DB/MIG/Stock/Rev.2008.

2 Arab Maghreb countries of origin in this report are Algeria, Morocco and Tunisia.

3 Arab Mashreq countries of origin in this report are Egypt, Jordan, Lebanon, the Syrian Arab Republic and the occupied Palestinian territory.

of workers when employed in countries other than their own" (ILO, 2004). In their normative action, the tripartite constituents of the ILO considered all workers employed in countries other than their own as migrant workers.

5. In both systems of migration in the Arab region, the operation of labour markets drives migration. In the GCC subregion, small populations and labour forces, coupled with the objective of using large financial revenues for the realization of development projects, drive demand for foreign contractual labour. This demand is met with an over-abundant supply of labour, which keeps productivity low and discourages upgrading production processes and the creation of high-skilled, high-wage jobs in the private sector. The consequence is the coexistence of large foreign labour stock with worryingly high unemployment rates among nationals. Low productivity employment is at the origin of issues related to the terms and conditions in which foreign contractual workers are employed.

6. In the Arab-European system, ageing, low to negative labour force growth and shortages in certain occupations, coupled with the need to sustain economic growth in European countries, are pull factors for Arab workers who meet the demand for labour in low-skilled and highly-skilled jobs. Deficits in decent work manifested in unemployment and underemployment, and resulting poverty, push workers to seek employment in Europe. Terms and conditions of living and employment of Arab workers in European countries are causes for concern. "Brain drain" is another issue of concern for development in countries of origin. In contrast, remittances are concrete gains, whether their sources are in European or GCC countries.

7. The impact of the current global economic crisis on foreign labour has varied depending upon region and sector, particularly upon economic performance and the demand for labour in specific sectors. Therefore, the effect on foreign temporary contractual labour in the GCC subregion and on Arab workers in Europe has not been the same.

8. In drafting this paper, the Office is mindful of the context of the Arab Employment Forum (AEF) to which it is submitted. Therefore, the paper attempts to provide an analysis of the two systems of Arab international labour migration in relation to the employment question in the region. The purpose is to contribute to discussions on the creation of freely-chosen and full employment in Arab countries. However, the paper takes particular care in emphasizing the terms and conditions of work and living of foreign temporary contractual workers in the GCC countries and of Arab workers in Europe. Terms and conditions of work and living raise questions of equality and non-discrimination and of rights of foreign workers, including the right to freedom of association. This latter right is the subject of a separate paper submitted to the AEF. This paper, therefore, does not address this issue.

9. This paper consists of two substantive sections dedicated to the two systems of migration in the region, and then presents its conclusions. In the section on the system surrounding the GCC, the paper successively discusses the volumes and distribution by origin of foreign contractual workers; the sectoral distribution of their employment; their terms and conditions of employment; the impact of contractual labour on the operation of labour markets in the GCC; and the recruitment and contracting procedures. The assumptions on which this paper is based are described at the beginning of the section.

10. Section 2 focuses on the Arab-European system. It successively reviews the push factors behind the migration of Arab workers and their volumes; their terms and conditions of living and employment; remittances to Arab countries; migration of highly-skilled workers and brain drain; and Arab-European cooperation in labour migration. The assumptions on which the analysis is based are also set forth at the beginning of the section. The impact of the global crisis is addressed under the subsections on volumes and remittances.

11. The conclusions make policy suggestions and raise issues for discussion.

# 1. Temporary contractual labour in the GCC countries

12. The use of large oil revenues for development objectives, small population bases and low levels of participation rates, resulting in even smaller labour forces, initially caused movements of labour to the GCC countries. The necessity to build modern infrastructure in the 1970s was a primary factor in these movements (Girgis, 2002). As volumes of incoming labour substantially increased over the following decades, the structure of total labour

forces revealed a segmentation whereby foreign and national workers were active in different sectors of the economy, with dissimilar terms and conditions of employment. The segmentation resulted in an operation of labour markets where unemployment of native workers coexisted with the presence of large volumes of foreign contractual workers. Abundant opportunities for foreign labour allowed a great number of origin countries to receive financial remittances, which helped their balances of payments and contributed to reducing poverty. However, this paper assumes that the availability of abundant foreign labour is behind depressed terms and conditions of employment, the segmentation of labour markets and low productivity in the private sector and, consequently, the unemployment of national workers in the GCC countries. The following subsections successively review these issues and assumptions.

## 1.1 Volumes and distribution by origin

13. In the last decades of the twentieth century and up to now, the volume of foreign labour steadily increased in the GCC countries. In 1975, 1980, 1985, 1995 and 2000, the numbers of foreign workers grew from 1.1 million to 2.85 million, 4.12 million, 7.04 million and 8.5 million, respectively. The share of non-nationals in total labour forces was markedly higher than in populations and in rapid increase. The shares of foreign workers in the labour force in Saudi Arabia, Bahrain, Oman, Kuwait, Qatar and the United Arab Emirates in 2000 amounted to 56 per cent, 59 per cent, 64 per cent, 81.9 per cent, 86 per cent and 89.8 per cent, respectively (Girgis, 2002; Dito, 2006).

14. The most recent population estimates point to the continued importance of foreign nationals in the subregion. New United Nations estimates indicate that in 2010 they are expected to number 15.1 million, up from 12.7 million in 2005, registering an 18.8 per cent growth in five years (see table 1). Between 2000 and 2005, stocks had grown 24.2 per cent. According to the same estimates, the share of non-nationals in individual GCC countries have remained constant or increased (see table 1).

Table 1: Non-nationals in GCC countries

| | Total | | % of total population | |
|---|---|---|---|---|
| **Year** | **2005** | **2010** | **2005** | **2010** |
| Bahrain | 278,166 | 315,403 | 38.2 | 39.1 |
| Kuwait | 1,869,665 | 2,097,527 | 69.2 | 68.8 |
| Oman | 666,263 | 826,074 | 25.5 | 28.4 |
| Qatar | 712,861 | 1,305,428 | 80.5 | 86.5 |
| Saudi Arabia | 6,336,666 | 7,288,900 | 26.8 | 27.8 |
| United Arab Emirates | 2,863,027 | 3,293,364 | 70.0 | 70.0 |
| **Total** | **12,726,648** | **15,126,696** | **…** | **…** |

Note: Estimated number of international migrants at mid-year.

Source: United Nations, Department of Economic and Social Affairs, Population Division: *Trends in International Migrant Stock: The 2008 Revision* (May 2009).

15. More specifically, in Kuwait, Qatar and the United Arab Emirates, the stock of non-nationals relative to total populations is particularly high. As indicated in table 1, estimates for 2010 are 68.8 per cent, 86.5 per cent, and 70 per cent, respectively.

16. Nationals from other Arab countries did not proportionately benefit from growth in foreign stocks. Whereas they represented 72 per cent of stocks in the GCC countries in 1975, they only accounted for 15-29 per cent in 2002. In Kuwait and Saudi Arabia, they even dropped from 80 to 34 per cent and from 90 to 37-43 per cent, respectively (Kapiszewski, 2003).

17. Asian workers now outnumber Arabs; most of these workers come from India, Pakistan, the Philippines, and Bangladesh, among others (see table B). However, Egyptians are still present in large numbers in the GCC subregion. According to Girgis, the representation of foreign nationals by country of origin can be listed in the following descending order: India, Egypt, Pakistan, Bangladesh and Yemen (Girgis, 2002: 10). More recent figures gleaned from different countries' consular services in the United Arab Emirates suggest a more or less similar ordering. Data on the distribution of temporary contractual workers in the private sector in Oman also depict a comparable pattern. For example, in 2007, the distribution of foreign workers by country of origin in the private sector could be listed in the following descending order: India, Pakistan, Bangladesh, Philippines, Egypt and Sri Lanka (Oman – Ministry of National Economy, 2008).

18. So far, the current economic crisis has only marginally affected the GCC subregion. Most likely, the crisis will be slower to affect the subregion, and its effects may be less severe than elsewhere in the world. Estimates of economic growth rates in 2008 are higher than in 2007 in Kuwait, Qatar, Saudi Arabia and the United Arab Emirates. With the exception of Qatar, however, rates are expected to decline or even register negative growth in some countries in 2009 (see table 2).

Table 2: GDP % by country

| | 2007 | 2008 | 2009 |
|---|---|---|---|
| Bahrain | 8.1 | 6.1 | 2.6 |
| Kuwait | 2.5 | 6.3 | -1.1 |
| Oman | 6.4 | 6.2 | 3.0 |
| Qatar | 15.3 | 16.4 | 18.0 |
| Saudi Arabia | 3.5 | 4.6 | -0.9 |
| United Arab Emirates | 6.3 | 7.4 | -0.6 |

Note: GDP in constant prices. Figures for 2008 and 2009 are IMF staff estimates.

Source: International Monetary Fund, World Economic Outlook Database, April 2009.

19. Large financial reserves accumulated in recent years by oil-exporting countries of the GCC, which has enabled them to sustain economic activity, may explain the growth in GDP in 2008 (Awad, 2009: 22). Representatives of both Bangladesh and India announced that, despite the crisis, large numbers of their nationals continued to secure employment in the Gulf countries. According to the 2008/2009 Consortium for Applied Research on International Migration (CARIM) Report, "the employment of migrant labour from the Arab countries peaked in 2008 due to projects started in 2006-2007" (CARIM, 2009: 33). However, Dubai seems to be the exception to this general situation, job losses having affected both highly-skilled and low-skilled foreign workers. Because of its openness to the global economy and a weak oil-exporting base, Dubai has been more vulnerable to the effects of the crisis. In particular, the decline of the real estate market in Dubai led to job shedding in the construction sector (Awad, 2009: 22).

## 1.2 The sectoral and occupational distribution of employment of foreign workers

20. Data on the sectoral distribution of foreign workers in countries of the GCC are scarce and often outdated. A review of available data indicates that most migrants are concentrated in construction, hotels and restaurants, wholesale and retail trade, and domestic work. Allowing for variations due to differences in economic and population structures, this is confirmed by data from Oman for 2007, which reveal that the majority of foreign workers are concentrated in construction, repairs, domestic service, agriculture and forestry, and manufacturing (Ministry of National Economy, 2008: 5).

21. Data on the sectoral and occupational distribution of foreign workers by nationality are even harder to come by. Information on the distribution of Arab workers is only available in Kuwait. Although the data is not from recent years, it may be illustrative. In 1998, 37.1 per cent of Arab migrant workers were employed as production workers, 12.1 per cent as service workers, 8.7 per cent as vendors and 1.9 per cent as agricultural workers. With some exceptions among service workers, most of these workers were employed in low-skilled jobs. In comparison, the total foreign labour represented 91 per cent of all production workers, 96 per cent of semi-skilled workers and 98 per cent of service and agricultural workers and labourers in 1999. The different occupational distribution of Arab and other foreign contractual workers indicates that Arab workers' occupational distribution is at a somewhat higher skill level than Asian workers (Awad, 2007). The higher skill level of their jobs, and therefore their lower numbers, may explain the steady relative decrease in the proportion of Arab workers in total temporary contractual labour forces in the GCC countries.

22. The domestic work sector is a "key factor in opening up legal channels of temporary migration for large numbers of women with few employment options at home" (ILO, 2009b: 36). In recent years, growing demand has resulted in raising the share of women in foreign labour flows to the GCC countries. Migrant women work predominately in domestic services with only a minor presence in other branches of economic activity. It is misleading, however, to infer that the domestic work sector is only occupied by women. In Bahrain, at the end of 2007, there were a total of 64,000 domestic workers, of whom 64.7 per cent were women and 35.3 per cent men (LMRA, 2008). In Qatar, the 2007 Labour Force Survey revealed that a total of 72,765 foreign workers were employed in domestic services, 60.2 per cent women and 39.8 per cent men (Qatar Statistics Authority, 2008). The special situation and legal status of domestic workers will be addressed under the subsection on terms and conditions of employment below.

## 1.3 Terms and conditions of employment of foreign contractual labour

23. Terms and conditions of employment of foreign workers bear no comparison to those of nationals. The situation in Bahrain, as revealed by published official information, may be a useful example. At the end of 2007, average monthly wages for non-Bahraini workers were 58BD[4] in agriculture, 48BD in fishing, 157BD in manufacturing, 98BD in construction, 147BD in wholesale and retail trade, and 108BD in hotels and restaurants. The number of workers employed in these branches was 229,462 at the end of 2007, accounting for 79 per cent of total foreign workers. Thus, average monthly wages of total foreign workers amounted to 168BD, well below the level of low wages defined by GOSI (Bahrain – General Organization for Social Insurance (GOSI), 2008). Domestic workers, almost all of whom are foreign, earned an average monthly wage of 128BD at the end of 2007 (LMRA, 2008). In the meantime, wages of Bahraini workers were above the 200BD level in all branches. Average wages for total Bahraini workers amounted to 507BD.

24. Annual average wages signalled by El Nozahy, although for Qatar and not Bahrain, eloquently bring out the segmentation of labour markets and the problematic communication between segments under the present terms and conditions of employment. According to El Nozahy, average annual wages, to which only a very small minority of highly-skilled foreign workers have access, were US$26,980 in construction, US$9,470 in distribution, US$7,785 in tourism, US$15,834 in transportation, US$25,431 in financial services and US$20,462 in education (El Nozahy, 2007).

25. Working conditions raise questions of rights at work. Non-national workers, with the exception of domestic workers, are included in the scope of labour laws. However, the recruitment and contracting system and incomplete enforcement result in foreign workers being unable or unwilling to report breaches to law enforcement officials. In most GCC countries, changes to labour regulations were introduced that provide for stopping of work in construction sites during certain time periods in the work day because of high temperatures or for strict payment for overtime work. However, there are still complaints of non-respect of these provisions. Laws also prohibit the retention of passports of foreign workers, but this is not always respected by employers. Small, low productivity, enterprises employing foreign workers are more likely to incur such breaches of labour laws (Al Najjar, forthcoming paper).

26. Representation of the interests of foreign workers, pending their exercise of the right to freedom of association, is an effective means to promoting their rights. In this respect, the agreements signed between the trade unions in Bahrain, Jordan and Kuwait and the trade unions in Sri Lanka, with support from the ILO, are an example of efforts aimed at reconciling the interests of temporary contractual workers with those of destination countries of the GCC.

27. As in most other countries, domestic workers are not covered by labour laws. This poses serious problems in monitoring their conditions of employment. Low wages and long hours of work increase dependence on foreign domestic labour. These conditions have been identified in certain cases as exploitation. Women domestic workers are particularly vulnerable to such situations. Cases of abuse and violence have been reported in the GCC as well as in some Mashreq countries, such as Lebanon (Chammartin, 2004). The model contract for non-Jordanian women domestic workers drawn up by the Jordanian Government, in consultation with embassies of the main origin countries and social partners, is an example of a means of action to improve the terms and conditions of employment of women domestic workers.

## 1.4 The impact of foreign workers on GCC labour markets

28. The review above underscores the segmentation of labour markets in the GCC subregion; whereby foreign workers are concentrated in low-paid, low-skilled employment in the private sector and nationals in high-paid jobs in the public sector. In the private sector, national workers are only present in high-productivity, highly-paid jobs. This explains the coexistence of high unemployment rates of nationals with large volumes of foreign workers. Unemployment rates for nationals and foreign workers are not available for all countries. Data from the United Arab Emirates may be used to demonstrate the incidence of high unemployment among nationals. According to the 2008 Labour Force Survey, the rate of unemployment among nationals was 13.8 per cent, and only 2.6 per cent among foreign workers (United Arab Emirates, Ministry of Economy, Central Department of Statistics, LFS 2008).

4 The exchange rate for the Bahraini Dinar is 0.377 to US$1.

29. Policies resulting in the supply of abundant labour may be at the origin of such a situation. The percentage of nationals in total employment is reported to have fallen from 61 per cent in 1961 to 26 per cent in 1995, even though in absolute terms the employment of nationals increased from 1.7 million to 2.5 million during the same period (Girgis, 2002). Percentages of nationals and foreign workers in total employment for more recent years, shown in table 3 below, point to a continued fall in the share of national workers in total employment. If growth in the volume of foreign labour pointed out above and low unemployment rates of foreign workers are considered together, the necessary inference is that jobs have been continuously created in numbers even higher than the growth in the native labour. It is not the unavailability of jobs or the presence of foreign workers that cause unemployment of native workers. Rather, it is the largely dissimilar terms and conditions of employment resulting in the segmentation of labour markets. Depressed wages and conditions of employment act as a deterrent to the entry of nationals into segments dominated by foreign contractual workers. Nationals opt for unemployment rather than accept poor terms and conditions of employment in the private sector.

Table 3: Percentage of nationals and expatriates in employment

| | Nationals | Expatriates |
|---|---|---|
| **Bahrain(a)** | 26.4 | 73.6 |
| **Kuwait** | … | … |
| **Oman(b)** | 22.3 | 77.3 |
| **Qatar(c)** | 7.5 | 92.5 |
| **Saudi Arabia(d)** | 13.3 | 86.7 |
| **United Arab Emirates** | … | … |

… denotes lack of data
(a) Figures calculated on the basis of 2007 total employment data.
(b) Data on employment in the private sector in 2007.
(c) Figures calculated on the basis of 2007 economically active population.
(d) Figures calculated on the basis of data on employment in the private sector for 2008.
Sources: Bahraini Labour Market Regulatory Authority, table A (GOSI, PFC; CSB statistics); Qatar Annual Statistical Abstracts 2007, 2008, tables 1 and 24; Oman, Ministry of Manpower, 2007 Report, pp.11; Saudi Arabia, Ministry of Labour, 2008.

30. It is important to underscore that easily accessible foreign labour with low wages and unfavourable employment conditions encourage low productivity and slow growth in the private sector. In turn, low productivity discourages employers from seeking educated jobseekers, higher wages or providing training. Thus, any jobs created are low-skilled and low-wage.

31. Faced with high unemployment rates of national workers, Governments in the subregion initially tried to absorb new jobseekers in the public sector. This had the effect of increased disguised unemployment, inefficiency in the public sector, and raising the share of wages in public expenditures (Awad, 2007). Policy then shifted towards "nationalization" programmes, whereby a number of GCC countries introduced measures to replace foreign workers with nationals in the private sector. For example, the Kuwaiti Government adopted a bill in 2000 designed to encourage Kuwaitis to seek employment in the private sector by extending most of the benefits of public sector employment to the private sector. The bill also sets a quota for Kuwaitis, which provides sanctions against companies which fail to respect it (ibid.). Even if some nationalization programmes have made progress, most have yet to achieve the intended objectives of lowering the unemployment rate among nationals and reducing the dependence on foreign labour.

## 1.5 Consequences for employment and other aspects of the recruitment and contracting system of foreign workers

32. The general features of the recruitment and contracting system of foreign workers ("Kafala" or sponsorship system) are similar in the GCC countries. The system is aimed at meeting the demand for labour with foreign workers while at the same time ensuring that these workers are only temporary residents in the country. Clearly, the "Kafala" is simultaneously an employment and residence system. Employers play a pivotal role in its operation of the system.

33. Under the current system, employers are the "Kafeels" (sponsors) who determine the demand for labour and meet it either directly or through intermediaries, such as private employment agencies. Based on identification of specific jobs, they obtain authorization for selected foreign workers to enter the country. Ministries of Labour issue employment permits for the workers based on an administrative process including health screening. The employment or work permits are the bases for issuing temporary residence permits. Once the employment relationship is broken, there is no legal basis for workers to stay. They are required to leave at once. The system produces three sets of interrelated consequences: for the operation of the labour market; for the residence situation; and for the working conditions and rights of foreign workers.

34. Given the shortage of national labour forces, the system is supposed to help bring in workers in adequate volumes and with qualifications required to meet demand for labour. When the volume of foreign workers admitted exceeds demand of enterprises, it will result in an excess supply of labour, which will exercise downward pressures on their wages and other working and living conditions. Easy access to labour can tempt some unscrupulous "Kafeels" to bring in workers for whom there is no real demand, and channel them to the informal labour market. This will further depress wages of foreign workers formally employed. A segmented labour market will result, driving national workers away from the vast majority of jobs in the private sector. At the same time, easily accessed abundant foreign labour with low wages and other terms and conditions of employment will result in a low-productivity labour market and economy. This is a situation where labour market outcomes of national workers cannot be improved.

35. In summary, easily accessible abundant foreign labour has the following interrelated consequences for the operation of the labour market: depressed wages and other terms and conditions of labour of foreign workers; segmentation of the labour market; and unemployment among national workers.

36. Three possible forms of breaches to the residence laws can also result from easy access to foreign labour under the current recruitment and contracting system, which originally provides for a tight relationship between employment and residence permits. The breaches are produced through oversupply of labour and depressed wages. The three forms of breaches are: presence of foreign workers in the country without the existence of formal employment relationships; foreign workers abandoning formal employment relationships and seeking informal employment while keeping legal residence permits; and foreign workers extending their stay beyond the expiry of the formal employment relationship and thus falling in irregular situations from the perspective of immigration (residence) law.

37. Finally, the current recruitment and contracting system has consequences for the terms and conditions of employment of foreign contractual workers that may very well be in violation of the laws of GCC countries. These consequences encompass working and living conditions, irregular payment of wages and, in extreme cases, retention of travel documents. Foreign workers are more often than not forced to accept these circumstances having incurred the costs of finding jobs and travelling. Tying workers to specific jobs and constraining their mobility in labour markets affects their labour rights and the realization of their full potential in the labour market. But, from an employment perspective, and seen from the prism of the GCC countries, restricting workers only to jobs for which they were brought in deprives enterprises of the valuable experience and expertise acquired by foreign workers in GCC labour markets. This detracts from the effectiveness of the operation of labour markets. Bahrain has recently introduced changes allowing mobility between jobs. The consequences of this positive development need to be closely followed.

## 2. Migration in the Arab-European system

38. Arab labour migration to European destination countries, which had been ongoing for some time, took on force from around the 1950s, when European countries sought migrants to help with the reconstruction after the Second World War (Awad, 2007). Many of these migrants were initially thought to be temporary, but many became permanent residents in European destination countries. The oil shocks of the 1970s and soaring unemployment in Europe caused many European countries to close their doors to labour migration, and flows from North Africa decreased considerably. Family reunification and asylum became the only legal channels for migration. Although migration to the European Mediterranean countries resumed in the mid-1970s, it was for the most part irregular, and flows took a new direction in response to changing demand and the increasing difficulty in accessing traditional countries of immigration (World Bank, 2009: 14). While earlier migrant flows from North Africa were towards France, Belgium, Germany and the Netherlands, more recent migration flows were directed at new immigration countries such as Italy, Spain and Greece (Awad, 2002). Arab migrants to Europe are noted to hail mainly from the Maghreb (Morocco, Tunisia and Algeria), however, Egyptians, Lebanese, Jordanians and Palestinians migrated, and continue to migrate, to Europe for employment (see table C for statistics on Arab migrants in European Union Member States for 2008).

## 2.1 Push and pull factors in the Arab-European system

39. Both push and pull factors explain labour migration trends from the Arab region to Europe. Unemployment, underemployment and poverty in Arab origin countries explain the factors behind emigration. The MENA region has one of the highest unemployment rates in the world. However, some progress has been made in recent years with the unemployment rate being reduced from "a peak of 14.2 per cent in 2000 to 10.3 per cent in 2008" (Awad, 2009). Recent ILO estimates indicate that in 2008 the unemployment rate in the Middle East was 9 per cent and 10 per cent in North Africa, the male unemployment rate was 8 per cent and 8.1 per cent, respectively, and the female unemployment rate was 12.3 per cent and 15 per cent, respectively (ILO, May 2009: 23).[5] The high rate is mainly due to rapid labour force growth, low productivity, a freeze in public employment and labour shedding because of ongoing restructuring and privatization. The increase in the share of 15-24 year-olds in the population between 1960 and 1980 resulted in rapid expansion of first-time jobseekers (Shaban et al., 2005). Youth are especially affected by unemployment; a comparison of adult and youth unemployment rates reveals the extent of the employment problem for young people in the MENA region. In 2008, whereas the adult unemployment rates for the Middle East and North Africa were 6.1 per cent and 6.3 per cent, the rates for youth were 18.8 per cent and 24.1 per cent, respectively (ILO, May 2009: 24).

40. A review of youth unemployment rates over several years reveals that the MENA region has one of the highest rates of unemployment among young people in comparison to other regions. Unemployed youth are mostly new entrants to the labour market. Unemployment is even higher among young women, as rapidly rising participation rates of women in the region has meant that young educated women have come to expect formal sector employment (Shaban et al., 2005: 69). Women, especially young women, suffer from even higher unemployment rates when compared to their male counterparts in Algeria, Egypt, Jordan and the Syrian Arab Republic but, in Morocco and Tunisia, the unemployment rates among young men are much higher than that of young women (El Ehwany, 2007). In non-GCC countries, unemployment rates are highest among individuals who completed secondary education, with the exception of Morocco, where unemployment rates are highest among university graduates (Kabbani and Kothari, 2005: 32).

41. Underemployment and poverty are push factors in the Arab region. Underemployment and work in the informal economy highlight the low quality of employment and/or decent work deficits that affect a large number of the employed and push them to migrate. Underemployment concerns all those who may be classified as employed but whose total income is insufficient for ensuring a decent living and/or raising them above the poverty threshold. The absence of employment opportunities in the formal sector and underemployment often push individuals to take up work in the informal economy. Poverty continues to be a major push factor in the Arab region. The proportion of the population living below national poverty lines fell only slightly, from 23 per cent in 1995-99 to 22.6 per cent in 2000-05 and, on a subregional level, poverty declined from 11.2 to 9 per cent in the Maghreb, but increased from 17.9 per cent to 19 per cent in the Mashreq (UN, 2007: 20).[6] The *Arab Human Development Report 2009*, estimates the proportion of the population under the national poverty line (1990-2004) at much higher rates for the Maghreb than the Mashreq countries; 22.6 per cent in Algeria, 19 per cent in Morocco, 16.7 per cent in Egypt, 14.2 per cent in Jordan and 7.6 per cent in Tunisia (UNDP, 2009).

42. In the European countries of destination, pull factors, such as economic growth, labour and occupational shortages, ageing populations and, concomitantly, shrinking national labour forces and the operation of informal economies, have encouraged both irregular and regular migration flows. Demographic trends indicate a rapidly ageing population and a slowdown in population growth in Europe as low fertility rates, extended life expectancy, and the baby-boom generation reaching retirement age create a decline in the natural increase of the population with shrinking labour forces and rising dependency rates. It is projected that, by 2050, the 27 Member States of the European Union will account for around 5 per cent of the world's population, and net migration will become an important source of population growth. Indeed, since the mid-1980s, the contribution of net migration to population growth has increased in importance, becoming the main component of demographic growth. In 2005, the population of the

5 ILO unemployment figures for 2008 are preliminary estimates.

6 These figures are based on data from 12 Arab countries compiled for three periods: 1990-94, 1995-99 and 2000-05.

EU-27 rose by 2.0 million persons, of which 1.7 million could be attributed to positive net migration and 0.3 million to natural population increase (Eurostat Yearbook, 2008).

43. Economic growth and expansion of certain sectors in the new immigration countries of Spain, Italy and Greece have created employment opportunities that the native population could or would not fill. Foreign contractual workers often took on jobs shunned by nationals in western European countries. These so-called 3-Ds jobs (dirty, dangerous and demeaning) are often low paid and entail poor terms and conditions of work. Demand for low-skilled labour in agriculture, construction, manufacturing, and domestic and caring services have spurred migration flows from North African and other origin countries. Foreign workers' greater flexibility and mobility mean that they are more willing and able to cover labour shortages in the above-mentioned sectors. Despite high unemployment among nationals, unemployment benefits and other social assistance measures discourage nationals from seeking temporary or informal employment.

44. At the same time, the high costs associated with formal employment shapes employers' preference to hire workers on temporary or fixed-term contracts. Migrants are more likely to be temporarily employed and to take up work in the informal economy, in which workers lack social protection and are often in precarious work situations. In many Organisation for Economic Co-operation and Development (OECD) countries, foreign contractual workers have a higher share in temporary employment than nationals (World Bank, 2009: 36). Europeans' lack of labour mobility means that labour shortages persist despite unemployment among nationals. Less than 0.5 per cent of European workers move to a different region; in contrast, 2.5 per cent of American workers move for employment each year (Nonneman, 2007). Migrants' greater mobility means that they can fill shortages where they exist.

45. The current economic crisis has had a differential impact on the employment of foreign workers, depending upon the country of destination and their sector of employment. The unemployment rates of foreign workers in several major European destination countries highlight the impact of the crisis on foreign workers and their families; in Spain, the unemployment rate for foreign workers was 17 per cent (third quarter 2008), 7.3 per cent in the United Kingdom (third quarter 2008) and 9.5 per cent in Ireland (fourth quarter 2008) (Awad, 2009). Given the substantial presence of North African migrants in Europe, the rise in unemployment could significantly impact their employment opportunities. The collapse of the housing markets in Spain and the United States especially affected foreign workers as construction slowed down. In Spain, 21 per cent of all migrants were employed in construction in 2007 (ibid.). Moroccan migrants, who form a large presence in Spain and are concentrated in agriculture, construction and manufacturing in that country, could face a rise in unemployment and thus a reduction in remittances.

46. Yet, it should be noted that no large-scale returns have been witnessed and return programmes introduced by some European destination countries have not yielded the desired results. For example, the Spanish return programme for non-EU migrant workers, introduced in September 2008, targeted unemployed migrants from North African and Latin American countries, among others, in the hope that at least 87,000 migrants would return. Individuals participating in the programme and members of their families only numbered about 6,000 (as of June 2009), the majority of whom originate from Latin America (Ministerio de Trabajo e Immigración, 2009).

47. Available information reveals that new migrant workers arriving in Europe are generally young and work at the lower scales of the occupational ladder for short-term durations. Most of these migrants have below medium levels of education. This is the case for 50 per cent of all male migrants and 55 per cent of all female migrants hailing from the MENA region (World Bank, 2009: 24). This is significant since the majority of Arab migrants to Europe originate in North African countries. Arab migrants' low education levels affect their employment opportunities; the majority work in low-skilled occupations in the formal and informal sectors. These migrants fill jobs in agriculture, services and construction, which are the three sectors where informal employment is pervasive. Women migrants, who are growing in numbers among North African migrants, mainly work as domestic help (see tables D.1, D.2 and D.3). The short duration and informality of employment have also affected older generations of migrants in regular situations. This is a result of increased flexibility in the functioning of labour markets and the expansion of the services sector at the expense of manufacturing (Awad, 2002; Awad, 1999).

## 2.2 Terms and conditions of employment of Arab workers in Europe

48. The occupational and sectoral distribution of employment of Arab migrant workers determine to a great extent their terms and conditions of employment described above. Wages, informality, security of employment relationships, and occupational safety and health are the terms and conditions here reviewed. Another determinant is actual discrimination they may be exposed to despite legal provisions on equality of treatment. Discrimination is often discussed, but difficult to gauge. However, one form that can be measured, using a methodology developed by the ILO, is discrimination in access to employment. The application of this methodology in one country will be taken up.

49. In respect to security of employment relationships, the argument is as follows. Despite high unemployment among nationals, unemployment benefits and other social assistance measures keep nationals from seeking temporary or informal employment. At the same time, the high costs associated with formal employment shapes employers' preferences to hire workers on temporary or fixed-term contracts. Migrants are more likely to be temporarily employed and to take up work in the informal economy, in which workers lack social protection and are often in precarious work situations. In many OECD countries, migrant workers represent a larger proportion in temporary employment than nationals (World Bank, 2009: 36). Migrants' greater mobility means that they can fill shortages where they exist.

50. The short duration and informality of employment not only affects new migrant workers, it has extended to older generations of migrants in regular situations. This is a result of increased flexibility in the functioning of labour markets and the expansion of the services sector at the expense of manufacturing (Awad, 2002; Awad, 1999).

51. Information on the wages of North African migrant workers is scant. However, anecdotal evidence in Spain, for example, highlighted the payment in the 1990s of low wages, particularly in the construction sector where there is a great concentration of Moroccan workers. On the positive side, increased controls from labour inspectors caused a decline in informal employment over the last decade. However, contracts for migrants in the construction industry continue to be short-term, "migrant workers usually earning less than Spaniards even when they are formally employed" (Reyneri, 2001). Similar cases have occurred in Italy, where many migrants, hired on short-term contracts in bars, hotels and restaurants earn less than the minimum wage.

52. Employed at the lowest strata of the labour market, where they receive poor wages and are employed in poor working conditions, migrants from Arab countries in Europe are among the most prone to accidents (Allasino, 2004). According to one researcher, statistics from INAIL (an Italian government institute concerned with insuring workers against accidents), the accidents suffered by immigrants grew from 4.1 per cent in 1999 to 5.4 per cent in 2001, the majority being experienced by Moroccans, at 22 per cent of the entire number of accidents (Zohry, 2005).

53. The results of a 2004 ILO study, conducted in Italy, uncovered the frequency of discrimination in access to employment (Allasino et al., 2004). The study concentrated on the experiences of young first-generation immigrants from Morocco seeking employment in Italy. In that year, Moroccans, working in a wide range of sectors throughout the country, constituted the largest national group among immigrants in Italy. The basic premise of the study was to compare the rejection rate of a migrant seeking employment against that of a national seeking the same job.[7] This rejection was based on the name and accent of the applicant, without any assessment of personal and work characteristics. The study concluded that the overall rate of discrimination in Italy was 40.9 per cent. Similar experiments, with comparable results, have been carried out in European countries, further confirming the findings of the Italian study (Arriin, 1998; Bendick, 1996; Bovenkerk, 1995; Goldberg et al., 1996; de Prada et al., 1996).

54. In addition to other factors, discriminatory access to employment explains labour market outcomes. In 2000, the unemployment rates of migrants from Algeria, Morocco and Tunisia were more than three times as high as those of nationals. Unemployment rates for North Africans and nationals were, respectively, 35.3 per cent and 11.2 per cent in France, 36.7 per cent and 9.5 per cent in Belgium, 34.3 per cent and 10.5 per cent in Italy, 14.4 per cent

7 The two candidates' professional and personal characteristics were configured so as to appear equivalent, and the hiring process was divided into three distinct phases to identify at which junctures applicants were weeded out. For example, in the primary stage, in which the job applicant telephones an employer to enquire about an advertised position, the Moroccan tester was preferred only 12 times, whereas the Italian tester was preferred 154 times.

and 9.5 per cent in Germany and 34.6 per cent and 14.6 per cent in Spain (Eurostat, as cited in Hadj Zekri, 2006).

## 2.3 Remittances

55. Remittances sent by migrant workers are the most tangible benefits of migration and are a key source of funds for poverty reduction and development. Officially recorded global workers' remittances stood at US$371 billion in 2007, significantly higher than the US$105.3 billion received in ODA (OECD.Stats.Extracts). In the MENA region, encompassing the Arab countries, foreign direct investment accounted for 3.7 per cent of GDP, while remittances were 4.5 per cent of GDP (World Bank, 2008b). Remittances have remained resilient in comparison to foreign direct investment (FDI) and overseas development aid (ODA) in the face of the current economic crisis, the World Bank has estimated a 7-10 per cent decline in remittance flows worldwide in 2009 (Ratha, Mohapatra and Silwal, 2009).

56. In 2008, decline in the growth rate of remittances in the Middle East and North Africa was lower than those of other regions except for those to South Asia, which may reflect the relative resistance of the economies of the GCC to the downturn. In 2009, flows to the MENA region are expected to decline by 6.0 per cent. In comparison, Europe and Central Asia are expected to experience the largest decline (15 per cent), followed by Sub-Saharan Africa (8 per cent) and Latin America and the Caribbean (7 per cent). Remittances to North African countries may also decline significantly, since their migrants mainly work in Europe. One researcher indicates that remittances to Morocco declined by 15.2 per cent in the first quarter of 2009 in comparison to the same quarter last year (Cherkaoui et al., 2009). Looking at remittance flows from major countries of destination, the decline in remittances to Morocco are even greater; remittance flows from Spain to Morocco declined by 29.2 per cent over those of the previous year (ibid.).

57. Despite the decline in remittances worldwide, a number of Arab countries remain among the top receivers of remittances in the world. Together with tourism, remittances represent a major source of foreign exchange. In 2007, Morocco was estimated to have received US$6.7 billion in remittances, Algeria, US$2.1 billion, and Tunisia, US$1.7 billion (World Bank, March 2009). In Morocco, remittances represented 9 per cent of GDP, in 2007. Egypt, although only partially belonging to the North Africa-Europe system, received, in 2007, remittances amounting to approximately 6.0 per cent of GDP (US$7.7 billion) (World Bank, March 2009).

58. Remittances are primarily used for housing construction, but they also have a positive impact on poverty reduction, improving health care, education and human capital formation. For example, a study on the impact of remittances on poverty reduction suggested that, in 1998-99, 1.2 million Moroccans may have escaped poverty because of funds transferred by nationals abroad (Khachani, 2009). Remittances can also be an important source of funding for development, in particular for public infrastructure projects, and can directly and indirectly assist employment creation. Studies conducted in Morocco found that finance transfers' impact on employment can be seen in migrants' investments in micro-projects, the majority of which employ less than ten workers (ibid.).

## 2.4 Highly-skilled worker migration from the Arab Mediterranean countries

59. Brain drain can counter-balance the benefits of migration. As is common with all developing countries, immigrants from North African countries are relatively more educated than the native population they leave behind (Özden, 2006). Brain drain, the emigration of professionals and qualified workers out of developing countries is also a source of concern for Arab countries, as it effectively deprives them of trained personnel, in whose education they have invested, thereby exacerbating the existing dearth of highly-skilled human resources. The absence of employment and decent work opportunities, undeveloped scientific and research infrastructures, exemplified by the high unemployment rates among the educated in countries of origin, and the promise of higher income and better working conditions, are strong incentives for migration. However, what may be a positive choice for the individual may be detrimental to the development of the country of origin, which is deprived of the human resources needed for development and suffers the financial costs associated with the loss of the highly skilled. One researcher's assessment of the financial loss incurred through the emigration of Moroccan engineers underscores the costs to the origin country. According to Khachani, based on the assumption that 1,500 engineers emigrate

per year, the emigration of these individuals could cost Morocco at least US$47 million annually (Khachani, 2009a: 16).

60. Indeed, the Middle East and North Africa region seem to suffer more from brain drain than other regions, with higher expatriation rates of the highly qualified; 9.1 per cent as compared to Latin America (8.3 per cent), East Asia and Pacific (7.7 per cent) and Eastern Europe and Central Asia (4.1 per cent) (World Bank, 2009). Brain drain trends in North Africa are principally shaped by the region's geographic proximity and historic ties with Europe. The major pattern of brain drain movement has principally been from Algeria, Morocco and Tunisia to France or Belgium, and increasingly, in recent years, to Spain and Italy (ibid.; IOM, 2003).

61. The qualifications of Arab migrants in member States of the Organisation for Economic Co-operation and Development (OECD) vary depending upon the country of origin. Migrants from Tunisia, Morocco and Algeria often have low qualifications, while those from Egypt, Jordan, the Syrian Arab Republic and Lebanon are relatively highly-qualified (Abi Samra, 2009). However, the expatriation rate of highly-qualified migrants from Maghreb countries is high in comparison to other MENA countries. Estimates range from 9.4 per cent to 18 per cent for Algeria, 17 per cent to 19.5 per cent for Morocco, and 12.5 to 21.4 per cent for Tunisia (World Bank, 2009). This seeming contradiction can be explained by the fact that most highly-skilled migrants from the MENA region are concentrated in the United States and Canada. For example, respectively, 84.1 per cent and 72.8 per cent of Algerian highly-skilled migrants are in Canada and the United States, but only 10 per cent are in Belgium, France and Spain (ibid.). In the case of Algeria, the large presence of Algerians in France means that "on average, 5 to 6 highly educated Algerians out of a 100 reside in France" (ibid.: 96).

62. In recent years, the European Union (EU) has introduced new initiatives to attract more highly-qualified migrants to meet labour demand, modernize economies and reinforce the EU countries' competitiveness. One such initiative is the EU Blue Card Directive for the employment of highly-qualified third country nationals, which came into force in June 2009. The Directive would fast-track the processing of applications and provide for better conditions for family reunification and freedom of movement in labour markets of European Union Member States. Such initiatives may encourage increased emigration of highly-skilled Arabs to Europe.

## 2.5 Arab-European cooperation on labour migration

63. EU policies on labour migration, as well as bilateral agreements between member States and Arab countries, are noted responses to the demographic challenge confronting Europe, irregular migration and problems associated with brain drain and underdevelopment in the country of origin, albeit with limited success. The Barcelona Declaration of 1995 launched an initiative to expand cooperation between the European Union Member States and Mediterranean countries, through a focus on three broad working areas: political and security dialogue; economic and financial partnership; and social, cultural and human partnership. As part of this process, the EU has concluded Association Agreements with a number of Arab-Mediterranean countries.[8] The Barcelona Process and the Association Agreements address three areas for cooperation: legal migration; migration and development; and irregular migration (First Euro-Mediterranean Ministerial Meeting on Migration, 2007). In focusing on these three areas, the Ministerial conclusions call for greater cooperation to: address the root causes of migration, mainly poverty, unemployment and underemployment; promote regular migration channels, including temporary and circular migration; coordinate action to combat irregular migration; and facilitate partnerships for sustainable development.

64. Similarly, bilateral agreements concluded between European Union Member States and Arab-Mediterranean origin countries provide a framework for cooperation on migration flows and development partnerships. However, these bilateral agreements often provide for very limited migration for employment opportunities, which does not adequately respond to actual flows or demand (CARIM, 2009: 3-4). France has concluded bilateral agreements with Tunisia and Morocco, among others, on migration and development. These bilateral agreements address the temporary migration of nationals of both countries and their visa requirements, coordination on combating irregular migration, and formation of partnerships for "co-development". Bilateral agreements concluded between France and Morocco also address the temporary migration of young professionals for a period of 3-12 months

8 Algeria (2005), Egypt (2004), Jordan (2002), Lebanon (2006), Morocco (2000) and Tunisia (1998).

to improve their work experience and linguistic abilities (Khachani, 2009; Boubakri, 2009). Spain has also concluded a number of bilateral agreements with North African origin countries. One such agreement involves Cartaya, a Spanish city, and seasonal workers from Morocco for strawberry picking. The circular migration programme allows workers to return for the next season if workers adhere to the immigration regulations. Egypt and Tunisia also have concluded bilateral agreements on temporary labour migration with Italy.

# 3. Conclusions and policy suggestions

65. International labour migration in the Arab region takes place in two separate but communicating systems. The first encompasses temporary contractual foreign labour from other Arab and Asian countries to the GCC countries. The second system is about migration from Arab Mediterranean countries, mainly the Maghreb (Algeria, Morocco and Tunisia) but also, to a lesser extent, the Mashreq (Egypt, Jordan and Lebanon), to European countries.

66. The volume, composition and status of labour flows changed over time in the two systems. Prior to the 1970s, labour flows to the GCC were composed of mainly temporary workers from other Arab countries. With the large increase in oil revenues starting in the mid-1970s, workers from South and South-East Asia joined the flows. They now form the majority of temporary contractual workers in the GCC countries. The system of Arab labour migration to Europe has also gone through transformations. In the post Second World War reconstruction phase, European countries welcomed migrant workers from the Arab Mediterranean and other countries. After reconstruction was completed and faced with inflation, compounded by rising oil prices in the early 1970s, European countries changed their policies and closed their doors to migration. Family reunification and asylum became the principal means of legal migration. Irregular migration emerged and, for a period, intensified for accessing jobs in European labour markets.

67. In both systems, the operation of labour markets explains migration patterns and its outcomes. In the Gulf region, putting large oil revenues at the service of economic growth and development, small populations and native labour forces, and low labour force participation among nationals, act as pull factors. In Europe, an ageing population, native labour force stagnation and occupational shortages drive demand for foreign labour. At the same time poverty, unemployment and underemployment in Arab origin countries push workers to seek employment in the GCC countries and Europe. In the GCC countries, a large volume of foreign labour coexists with high unemployment rates of nationals. An over-abundant supply of foreign workers results in low value-added economic activities and discourages the creation of high-productivity, highly-paid jobs that could attract national workers. In other words, and allowing for differences between GCC countries, foreign contractual workers' depressed wages and conditions of employment drive nationals away from jobs in the private sector. The majority of nationals continue to rely on over-extended public sectors or opt for unemployment instead of joining "migrant" sectors. The recruitment and contracting system is responsible for the abundant supply of labour and for the segmentation of labour markets that drives nationals away from private sector jobs.

68. Importantly, low productivity in the private sector results in inadequate terms and conditions of work. Foreign contractual workers employed in the private sector are covered by national labour laws. However, the recruitment and contracting system and problems in enforcement leave migrants in vulnerable situations. Their rights at work thus become an issue of concern. In European countries, Arab migrant workers' concentration in low-paid and low-skilled occupations, and discrimination against them, shape their employment opportunities, as well as their ability to contribute to their families and origin communities. This notwithstanding, push factors (unemployment, underemployment and poverty) continue to drive individual migration choices. Brain drain is a major concern for North African countries, as highly-skilled workers are attracted by higher wages and better employment conditions overseas. Expatriation rates of highly-skilled individuals are especially high in the Maghreb, depriving these countries of human resources needed for development. Regional and bilateral initiatives in the Euro-Mediterranean region partially respond to these challenges, coordinating legal avenues for migration and cooperating on tackling the root causes of migration and combating irregular migration.

69. A review of both systems indicates that individuals essentially migrate because of a lack of employment and/or decent work opportunities in the country of origin. Migration, at times, becomes a necessity and not a choice. Any efforts to combat irregular migration and reduce the impact of brain drain would benefit from addressing the root causes of migration. Better matching of labour demand and supply through education and skills acquisition would better prepare youth for employment in national labour markets and help move economies towards higher productivity. Cooperation and dialogue on development between destination and origin countries could help identify the concerns of both sides and possible actions to defuse them. The Barcelona Process and bilateral agreements concluded between some European and Arab countries provide a good example and could possibly be extended to provide more migration opportunities, while protecting migrant workers. Origin countries can draw upon the expertise and resources of their nationals abroad by creating linkages between these communities and the origin communities. A number of Arab countries, such as Morocco and Egypt, have introduced programmes targeting their nationals in countries of employment. There is a room to raise the efficiency and effectiveness of such programmes.[9]

70. At destinations, poor working conditions, low productivity and low wages are detrimental to the interests of both countries of destination and origin and to foreign workers themselves. In the GCC subregion, consideration should be given to reforming the recruitment and contracting system. Reforms should aim at limiting the supply of overabundant cheap foreign labour. This would produce several results. First, it would raise the technological level of production processes and thus also raise productivity. Rising productivity would result in higher wages and better terms and conditions of employment for all workers. Nationals would be attracted to jobs in the private sector. At the same time, the enjoyment of labour rights by foreign contractual workers would be improved. Automatically, problems of enforcement of labour laws would be greatly diminished. A number of GCC countries, such as Qatar and Saudi Arabia, have started to reassess previous recruitment and contracting regulations, with some introducing new labour laws. The UAE has recently launched a pilot initiative in partnership with the governments of the Philippines and of India aimed at testing models to improve recruitment and reintegration practices. Bahrain has reformed its recruitment and contracting system. Innovative schemes such as the agreements between trade unions in Sri Lanka, an origin country, and trade unions in Bahrain, Jordan and Kuwait, are examples of means to reinforce the protection of foreign workers and for furthering the interests of countries of destination and origin. Trade unions in Arab countries in the Maghreb and Mashreq can draw inspiration from these agreements.

71. Domestic workers' exclusion from national labour laws remains a global concern. Therefore, measures to reinforce their protection, given their particular vulnerability, should be considered.

72. Extension of social protection to foreign workers would improve their employment conditions. Additionally, social security coverage would raise the costs of hiring foreign workers, thus encouraging higher productivity and higher value-added economies, while reducing the dependence on foreign labour. Higher productivity economies would advance development. The new social security law in Bahrain provides an example. Countries that extend social protection to foreign workers would benefit from entering into bilateral social security agreements with origin countries. Bilateral social security agreements are means of protection but they also allow foreign workers to return to their countries of origin without fearing the loss of benefits due to them at the destination. Arab Mediterranean countries in the Maghreb and Mashreq that have not done so should consider entering into such agreements with European countries.

73. Until now, the global economic crisis has had different consequences for Arab migrant workers depending upon their destination. The large majority of those employed in the GCC countries seem to have kept their employment. Their countries of origin have not been affected by serious declines in remittances. This is due to the fact that GCC countries maintained robust growth rates in 2008. Arab migrant workers in Europe have had a different experience; some major European destination countries have registered sharp drops in growth and high unemployment rates, and many workers have lost their jobs and incomes. Their countries of origin have received fewer remittances, which may have a serious impact on balances of payments and economic activities. Their families also received fewer

9 A number of origin countries, such as Thailand and Ukraine, have introduced funding projects designed to link scientific diasporas abroad to scientific communities in the origin country. These funding projects provide incentives for cooperation on research and development projects, as well as temporary migration opportunities for both young professionals and highly-qualified individuals.

remittances, and levels of poverty may rise. The situation in the coming months should be closely monitored since international financial institutions forecast negative growth rates in a number of destination countries.

## 4. Selected questions for discussion and debate

1. Which measures are required to defuse the anomaly of large volumes of temporary contractual labour co-existing with high unemployment rates of nationals in the GCC countries? Is reforming the recruitment and contracting system among these measures? Of what should the reform consist?

2. How can Arab countries of the Maghreb and Mashreq expand legal migration opportunities for their workers in Europe while at the same time re-inforcing their protection?

3. How can countries in the Arab region benefit from the provisions of international labour conventions on migrant workers and of the non-binding ILO Multilateral Framework on Labour Migration in formulating their labour migration policies?

4. What measures could be taken to reverse the steady decrease of the share of Arab workers in foreign labour in the GCC countries?

5. In the current global crisis, what measures could be taken to help in the reinsertion of returnees into the labour markets of their countries of origin?

6. How could the ILO support in reinforcing social dialogue and the contribution of social partners to the policy process on labour migration and in protecting foreign and national workers?

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# Annex

## Table A: Distribution of migrants from selected origin countries

| Country of Origin | Country of residence | | | |
|---|---|---|---|---|
| | European countries | Arab countries | Others | Total |
| Algeria (1995) | 991,796 | 66,398 | 14,052 | 1,072,246 |
| Egypt (2006) | 106,398 | 1,928,160 | 381,400 | 2,415,958 |
| Lebanon (2001) | 157,030 | 123,966 | 325,604 | 606,600 |
| Morocco (2006) | 2,837,654 | 281,631 | 173,314 | 3,292,599 |
| Occupied Palestinian Territory (2002) | 295,075 | 418,0673 | 231,723 | 4,707,471 |
| Tunisia (2007) | 846,803 | 142,655 | 28,715 | 1,018,173 |

Note: Data from records of origin countries.

Source: Adapted from European University Institute, *CARIM Mediterranean Migration Report 2008-09*, table 1, pp. 472.

Table B: Total and percentage of workers in GCC labour force by nationality, 2005

| | Total | % of LF |
|---|---|---|
| **Bahrain** | **306,000** | **58.58** |
| Arab | 38,000 | 12.42 |
| Asian | 245,000 | 80.07 |
| European | 6,000 | 1.96 |
| American | 6,000 | 1.96 |
| Others | 11,000 | 3.59 |
| **Kuwait** | **1,302,000** | **81.7** |
| Arab | 403,000 | 30.95 |
| Asian | 851,000 | 65.36 |
| European | 4,000 | 0.31 |
| American | 2,000 | 0.15 |
| Others | 42,000 | 3.23 |
| **Oman** | **605,000** | **66.13** |
| Arab | 34,000 | 5.61 |
| Asian | 559,000 | 92.4 |
| European | … | … |
| American | … | … |
| Others | 12,000 | 1.99 |
| **Qatar** | **315,034** | **56.69** |
| Arab | 126,013 | 40.07 |
| Asian | 144,915 | 45.64 |
| European | 5,954 | 1.99 |
| American | … | … |
| Others | 38,152 | 12.3 |
| **Saudi Arabia** | **4,894,000** | **64.57** |
| Arab | 1,527,000 | 31.2 |
| Asian | 2,902,000 | 59.3 |
| European | 159,000 | 3.25 |
| American | 103,000 | 2.1 |
| Others | 203,000 | 4.15 |
| **United Arab Emirates** | **2,738,000** | **82.26** |
| Arab | 238,000 | 8.71 |
| Asian | 2,386,000 | 87.14 |
| European | 41,000 | 1.5 |
| American | 15,000 | 0.54 |
| Others | 58,000 | 2.11 |

Source: Arab Labour Organization.

Table C: Population of immigrants in European Union Member States by selected country of birth, 2008

| | Algeria | Egypt | Jordan | Lebanon | Morocco | Occupied Palestinian territory* | Syrian Arab Republic | Tunisia |
|---|---|---|---|---|---|---|---|---|
| AT | 990 | 12,878 | 644 | 1,602 | 1,563 | 188 | 2,587 | 3,079 |
| BE | 20,295 | 2,746 | 682 | 4,652 | 162,626 | 137 | 3,726 | 10,480 |
| BG | … | … | … | … | … | … | … | … |
| CH | … | … | … | … | … | … | … | … |
| CY | … | … | … | … | … | … | … | … |
| CZ | … | … | … | … | … | … | … | … |
| DE | … | … | … | … | … | … | … | … |
| DK | 889 | 1,390 | 1,069 | 12,228 | 5,073 | | 1,743 | 817 |
| EE | … | … | … | … | … | … | … | … |
| ES | 54,110 | 3,574 | 2,022 | 2,986 | 664,948 | | 4,659 | 2,324 |
| FI | 566 | 655 | 208 | 455 | 1429 | 11 | 324 | 447 |
| FR | … | … | … | … | … | … | … | … |
| GR | … | … | … | … | … | … | … | … |
| HR | … | … | … | … | … | … | … | … |
| HU | … | … | … | … | … | … | … | … |
| IE | … | … | … | … | … | … | … | … |
| IS | … | … | … | … | … | … | … | … |
| IT | … | … | … | … | … | … | … | … |
| LI | … | … | … | … | … | … | … | … |
| LT | 17 | 30 | 8 | 181 | 5 | 2 | 20 | 10 |
| LU | … | … | … | … | … | … | … | … |
| LV | 16 | 33 | 5 | 53 | 7 | 0 | 19 | 2 |
| MK | … | … | … | … | … | … | … | … |
| MT | … | … | … | … | … | … | … | … |
| NL | 3,829 | 11,289 | 871 | 3,350 | 167,180 | | 6,694 | 4,229 |
| NO | 1,034 | 611 | 209 | 1,590 | 4,656 | 1,194 | 1,223 | 770 |
| PL | … | … | … | … | … | … | … | … |
| PT | … | … | … | … | … | … | … | … |
| RO | 7 | 24 | 904 | 1086 | 12 | 10 | 7489 | 1 |
| SE | 2,216 | 2,865 | 2,092 | 22,967 | 6,209 | 2,800 | 18,229 | 3,538 |
| SI | 31 | 70 | 76 | 24 | 16 | 0 | 30 | 25 |
| SK | … | … | … | … | … | … | … | … |
| TR | … | … | … | … | … | … | … | … |
| UK | … | … | … | … | … | … | … | … |
| Total | **84,000** | **36,165** | **8,790** | **51,174** | **1,013,724** | **4,342** | **46,743** | **25,722** |
| | | | | | | | Total | **1,270,660** |

* Palestinian Authority.

… denotes lack of data.

0 denotes value less than one.

Source: Eurostat, *International Migration and Asylum Database* [extracted 19 August 2009].

## Table D.1: Distribution of Algerian immigrants in selected OECD countries

| Country of destination | Agriculture and fishing | | Hotels and restaurants | | Manufacturing | | Construction | | Education | | Other community, social, personal service | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women |
| Austria | 0 | 0 | 45 | 8 | 51 | 5 | 8 | 1 | 11 | 9 | 11 | 5 |
| Czech R. | 0 | 1 | 38 | 1 | 38 | 2 | 7 | 0 | 4 | 3 | 12 | 0 |
| Denmark | 1 | 1 | 35 | 1 | 46 | 7 | 9 | 1 | 10 | 13 | 14 | 4 |
| Finland | 0 | 0 | 24 | 1 | 51 | 2 | 8 | 0 | 14 | 1 | 2 | 2 |
| France | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Greece | 6 | 6 | 12 | 8 | 18 | 3 | 32 | 0 | 1 | 4 | 6 | 2 |
| Hungary | 4 | 0 | 11 | 1 | 55 | 1 | 16 | 1 | 6 | 3 | 5 | 2 |
| Ireland | 2 | 0 | 95 | 8 | 41 | 3 | 5 | 0 | 8 | 8 | 6 | 1 |
| Italy | 474 | 35 | 339 | 98 | 2317 | 219 | 780 | 24 | 75 | 124 | 159 | 73 |
| Norway | 2 | 0 | 41 | 7 | 36 | 0 | 4 | 0 | 12 | 8 | 1 | 2 |
| Poland | 1 | 1 | 11 | 2 | 24 | 3 | 11 | 0 | 21 | 4 | 6 | 1 |
| Portugal | 7 | 0 | 6 | 3 | 15 | 2 | 19 | 1 | 9 | 7 | 2 | 0 |
| Spain | 2,820 | 240 | 980 | 320 | 2,360 | 220 | 2,880 | 100 | 80 | 200 | 220 | 100 |
| Sweden | 0 | 0 | 70 | 15 | 90 | 5 | 20 | 5 | 50 | 55 | 15 | 5 |
| Switzerland | 29 | 8 | 154 | 54 | 364 | 63 | 78 | 10 | 144 | 113 | 86 | 71 |
| U.K. | 8 | 3 | 1144 | 66 | 371 | 48 | 153 | 0 | 295 | 251 | 208 | 49 |

Note: Data comes from 2000 round of census, gaps in data filled in by registers, labour force surveys provided by Eurostat.

Source: Organisation for Economic Co-operation and Development Database, OECD.StatExtracts [accessed 15 August 2009].

## Table D.2: Distribution of Moroccan immigrants in selected OECD countries

| Country of destination | Agriculture and fishing | | Hotels and restaurants | | Manufacturing | | Construction | | Education | | Other community, social, personal service | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women |
| Austria | 3 | 2 | 84 | 36 | 67 | 18 | 18 | 5 | 19 | 9 | 14 | 12 |
| Czech Republic | 0 | 0 | 7 | 0 | 5 | 0 | 2 | 0 | 2 | 0 | 5 | 1 |
| Denmark | 4 | 0 | 154 | 28 | 196 | 44 | 33 | 3 | 59 | 57 | 46 | 23 |
| Finland | 2 | 2 | 72 | 4 | 96 | 6 | 15 | 0 | 21 | 1 | 19 | 2 |
| France | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Greece | 14 | 4 | 38 | 15 | 56 | 15 | 59 | 1 | 3 | 11 | 15 | 8 |
| Hungary | 1 | 0 | 3 | 1 | 5 | 2 | 0 | 0 | 3 | 0 | 0 | 0 |
| Ireland | 2 | 0 | 69 | 7 | 21 | 5 | 4 | 0 | 2 | 3 | 2 | 0 |
| Italy | 4,772 | 835 | 2,412 | 1,512 | 29,975 | 4,540 | 12,105 | 181 | 289 | 343 | 1,585 | 637 |
| Norway | 3 | 0 | 242 | 54 | 95 | 10 | 51 | 2 | 59 | 49 | 22 | 7 |
| Poland | 0 | 0 | 5 | 0 | 13 | 1 | 2 | 0 | 3 | 2 | 1 | 0 |
| Portugal | 41 | 26 | 38 | 36 | 66 | 24 | 114 | 6 | 15 | 30 | 21 | 11 |
| Spain | 28,100 | 0 | 7,540 | 0 | 15,640 | 0 | 32,420 | 0 | 1,540 | 0 | 1,920 | 0 |
| Sweden | 0 | 2,400 | 175 | 4,840 | 245 | 3,360 | 35 | 1,100 | 95 | 1,920 | 30 | 1,100 |
| Switzerland | 32 | 0 | 287 | 65 | 499 | 65 | 105 | 0 | 163 | 130 | 117 | 25 |
| United Kingdom | 23 | 16 | 1,060 | 362 | 453 | 251 | 157 | 16 | 173 | 143 | 240 | 138 |

See table D.1 for source information.

## Table D.3: Distribution of Tunisian immigrants in selected OECD countries

| Country of destination | Agriculture and fishing | | Hotels and restaurants | | Manufacturing | | Construction | | Education | | Other community, social, personal service | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women | Men | Women |
| Austria | 3 | 0 | 321 | 26 | 213 | 24 | 75 | 9 | 23 | 15 | 41 | 7 |
| Czech Republic | 0 | 0 | 10 | 0 | 8 | 1 | 1 | 0 | 2 | 1 | 8 | 1 |
| Denmark | 1 | 0 | 57 | 3 | 38 | 5 | 8 | 1 | 17 | 4 | 15 | 1 |
| Finland | 1 | 0 | 31 | 0 | 24 | 2 | 10 | 1 | 12 | 2 | 12 | 0 |
| France | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Greece | 8 | 1 | 23 | 8 | 16 | 3 | 47 | 0 | 1 | 2 | 3 | 4 |
| Hungary | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ireland | 1 | 0 | 37 | 2 | 7 | 0 | 1 | 0 | 0 | 1 | 3 | 0 |
| Italy | 3,489 | 276 | 1,364 | 350 | 7,335 | 1,010 | 5,499 | 77 | 228 | 456 | 592 | 231 |
| Norway | 2 | 1 | 35 | 2 | 34 | 2 | 13 | 0 | 13 | 3 | 6 | 1 |
| Poland | 0 | 0 | 7 | 0 | 3 | 0 | 2 | 0 | 9 | 1 | 1 | 0 |
| Portugal | 1 | 0 | 4 | 0 | 5 | 2 | 1 | 0 | 1 | 0 | 1 | 0 |
| Spain | 20 | 0 | 100 | 0 | 100 | 20 | 60 | 0 | 0 | 20 | 20 | 0 |
| Sweden | 0 | 0 | 140 | 30 | 160 | 40 | 10 | 0 | 55 | 40 | 20 | 10 |
| Switzerland | 10 | 9 | 370 | 68 | 490 | 77 | 149 | 7 | 99 | 65 | 103 | 49 |
| United Kingdom | 9 | 3 | 309 | 33 | 166 | 25 | 70 | 6 | 43 | 84 | 73 | 19 |

See table D.1 for source information.