

MIGRATION IN THE MIDDLE EAST AND MEDITERRANEAN

A Regional Study prepared for the Global Commission on International Migration

by

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Introduction

The Mediterranean and Middle East constitute probably the most remarkable geographical region of the world with respect to labour migration movements. From the post-World War II discouragement of emigration by Maghrebian and other countries, followed by Europe's 1960s labour immigration from Turkey and the Maghreb, through the oil-financed economic expansion of GCC¹ countries with labour shortages and massive guestworker programmes, later followed by two Gulf crises and mass expulsions of Arab guestworkers, and now with surplus labour supplies and high unemployment throughout the MENA² region, the migration of peoples has been massive and in continuous flux. We have not even mentioned forced migration, and the large-scale refugee movements which have impacted on many states in the region – usually those which have been the least able to accommodate them.

At the beginning of the twenty-first century, despite the lack of interest in migration research in the Middle East region alongside earlier assumptions that migrant presence would be much reduced by this point (Fergany, 2001: 1), in fact the world's highest share of migrant population is to be found in the Middle East. Of the top ten countries recorded in the 2004 *Human Development Report*, the first four are Middle Eastern, with another two ranked as sixth and ninth. **Table 1** below shows UN data for 2000: the highest ratio of migrants to total population not in the MENA region is in Singapore, with 34% (UNDP, 2004: 87). In fact, the UN data seem to be underestimates, as most national data indicate even higher levels of migrant presence.

Table 1
Estimated migrant stocks circa 2000 in the MENA region and Turkey, in thousands and as a proportion of total population

Country	N	%
QATAR	409	70.4
UNITED ARAB EMIRATES	1,922	68.2
KUWAIT	1,108	49.3
JORDAN	1,945	38.6
BAHRAIN	254	37.6
ISRAEL	2,256	37.3
OMAN	682	26.1
SAUDI ARABIA	5,255	23.7
LEBANON	634	18.2
LIBYA	570	10.9
SYRIA	903	5.5
TURKEY	1,503	2.2
YEMEN	284	1.4
ALGERIA	250	0.8
TUNISIA	38	0.4
EGYPT	169	0.2
MOROCCO	26	0.1

SOURCE: United Nations (2004b)

The peculiarities of the region are not confined, however, to these simple stocks of "temporary" labour migrants³ in the Gulf countries. To this we should add the recent emigration histories of the

¹ The *Gulf Cooperation Council*, established 1981.

² Middle East and North Africa

³ Some research indicates that the duration of stay averages 4-5 years, and can be as much as 7 years (Lucas, 2004: 10)

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Maghreb and Mashrek countries, along with their demographic pressures for continued emigration; the role of the latter as transit countries for illegal migrants from other regions; and the role of GCC states as a massive source of both recorded and unrecorded remittances to Asia and elsewhere, while Turkey and the Maghreb rely on remittances as a critical resource for economic stability (Lucas, 2004: 8).

Countries in the North of the Mediterranean, despite their demographic decline and labour market shortages, have shown a highly ambivalent attitude to receiving labour migrants from the South, with policy fluctuations and a lack of clear objectives in migration and labour market management (Baldwin-Edwards, 2002, 2004b). As new Mediterranean members⁴ enter the ‘club’, they are forced rapidly to align their immigration policies to the exclusionary vision of Schengen and the EU: nowhere is this more apparent than in the case of Turkey, currently formulating immigration management techniques at a rapid pace. Nevertheless, the large informal economies of southern Europe continue to attract illegal migrants and illegal workers from the South and East (Baldwin-Edwards and Arango, 1999; Renooy *et al.*, 2004).

A cursory glance at the wide range of countries covered by this area would suggest that there are more differences than commonalities between the countries of the region. Indeed, the UNDP Human Development Index (HDI) places the five northern Mediterranean countries (Spain, Italy, Greece, Cyprus and Malta) along with Israel clearly in the upper half of the first rank of the HDI, with GDP per capita roughly corresponding with other indicators. Five Arab countries (Brunei, Bahrain, Kuwait, Qatar and United Arab Emirates) are included in the lower half of the first rank, with their low ratings shown as inconsistent with their GDP per capita. Eleven countries from the region (Libya, Albania, Oman, Saudi Arabia, Lebanon, Turkey, Jordan, Tunisia, Syria, Algeria, Egypt, Morocco) are classed as Medium Human Development, with all but Albania and Syria displaying low levels of other indicators compared with GDP per capita. Finally, one country (Yemen) is classed as low human development, with its GDP per capita a tiny fraction of its poorest Arab neighbours of Syria and Egypt.

In looking at the Mediterranean and Middle East, we should not be overly concerned with the Northern Mediterranean except as receiving countries, whose policies impact heavily on the region. For a different reason, it is not useful to consider the remarkable case of Albania, from which over 20% of its population has emigrated and remittances have been until recently 17% of GDP (Baldwin-Edwards, 2004c). This geographical ‘misfit’ in the North-South economic and demographic divide has impacted mainly on Greece and Italy, and detailed research is available elsewhere on this. Finally, three refugee-producing countries of the Middle East have been excluded from this Report: these are Iraq, Palestine and Iran. In all three cases, the complexity of their situations allied with a complete lack of data render attempts at scientific analysis meaningless.

With these provisos, we now turn to examine patterns and trends in the MENA region and Turkey.

⁴ I refer here to Malta and Cyprus

Migratory patterns and historical trends in the Middle East and Mediterranean

Despite serious problems with data on migration and migrants (Afolayan, 2001: 22; Mazza 2004; Louhichi 2003), it is possible to discern several 'migration systems' operating in the region, although these are in flux and increasingly overlapping and becoming more complex. There are three broad systems, comprised of the Maghreb, GCC and Mashrek states. To these we must add two exceptional countries (Turkey and Israel), which have independent and important roles in migration in the region. We will characterise the nature of, and trends in, these migration systems in turn.

The Maghreb

For our purposes, these are the countries of Morocco, Tunisia, Libya and Algeria. Since 1968, Morocco has had a consistent policy of maximising emigration in order to manage unemployment levels, acquire hard currency through remittances, and raise skill levels through returning migrants. Tunisia and Algeria, initially followed a similar policy to that of Morocco; however, both encouraged their emigrants to return in the 1970s. Regardless of these differences in policy, the outcome by 1999 was some 700.000 each of Moroccans and Algerians residing in France, plus over 200.000 Tunisians (Fargues, 2004: 136). Their total presence in other European countries is of the same order, although the total of Moroccans abroad is estimated at 2,5 million or nearly 10% of the current population. IOM gives the expatriate Tunisian population at 690.000, of which 590.000 are in Europe and 90.000 in other Maghreb or Arab states (IOM, 2003: 231). Remittances are also the most significant for Morocco, which is the fourth largest recipient in the world with US\$3,3 billion in 2001, at 9,7% of GDP (Gallina, 2004: 13).

Over the last two decades, the emigration of highly skilled professionals from Morocco and Algeria has become of great concern. There are no available statistics on the large numbers who have left for the USA, Canada, Germany and France: however, in just one scientific institution in France there are over 1.600 researchers from the Maghreb, of which nearly half are Moroccan (Mghari, 2004: 77). The reasons for the exodus of professionals are not only pay-related, but also reflect general labour market and social conditions, such as lack of career opportunity and job satisfaction (UNDP, 2003: 144). However, the result of the 'brain drain' is that enterprises are starved of skilled and motivated staff, and foreign experts are needed to fill the gaps: the costs of such international expertise are as much as 60-90% of development aid or investment costs (Mghari, 2004: 82).

Most recently, the North African countries have become gateways to Europe, and used as transit routes by desperate migrants from sub-Saharan Africa in particular. There is little in the way of employment opportunities for the migrants in the Maghreb countries, and many transit migrants fail in their attempts to cross the Mediterranean and remain in North Africa. Libya is now also included in these problems, and EU plans for migration management – a buffer zone in North Africa – include all four countries.

The GCC states

These consist of the oil-rich countries of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. These countries now have massive stocks of foreign labour, but immigration into them is historically recent and explicitly related to development of oil resources. Earlier migration flows had involved small numbers of seasonal workers for fishing and pearling, but over the 1960s increased oil revenues and economic development led to labour importation. By 1972 there were about 800.000 migrant workers in the Arab OPEC countries (Abella, 1994: 164). With the oil prices increases which followed, the entire region rapidly became dependent upon foreign labour, and by 1975 the foreign population in the GCC states could have been as much as 3,8 million people, or 40% of total population (Abella, 1994: 165). Reasons for this massive dependency on foreign workers include the following:

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- Low labour force participation, especially of women (18-25%)
- Small population sizes (6,1 m for GCC region, excluding Iraq)
- Disinclination of nationals to work in the private sector
- Low literacy and educational levels
- High degree of non-labour income for nationals
- Growth of the “Khafeel” system⁵ for recruitment, as an economic activity in itself

Girgis (2002) identifies three major transitional stages of the GCC countries, with enough commonalities to view these six countries together. The stages are:

(1) *The Major Influx*, 1970s to early 1980s, with each GCC country competing to attract US, European, Arab and some Asian workers. The number of foreigners doubled from 1975-80, reaching 33% of total population. Great reliance was placed on recruiting Arab workers from Egypt, Yemen and Palestine.

(2) *The Asian Presence*, mid 1980s to mid 1990s. This was a period of austerity after falling oil prices, forcing public and private sectors to cut costs. Thus, a substitution of less skilled Asian workers for the existing Arab workers was begun, and the repatriation of massive numbers of Arabs. Additionally, in the wake of the 1990 Gulf crisis, it is estimated that 800.000 Yemeni were expelled from Saudi Arabia and other GCC states, 700.000 Egyptians returned from Iraq, Jordan and Kuwait, 200.000 Jordanians returned, and 150.000 Palestinians. The total is around 2 million Arab workers and their dependants who lost their employment in the GCC countries (Fergany, 2001: 4).

(3) *Open Unemployment of Nationals*, which phase has prevailed for the last ten years or so. It was the result of the external shocks of the two Gulf Wars, low oil prices, depleted foreign assets, along with an expanding labour supply through population growth. The private sector is unwilling to hire nationals with their low skills and high wage expectations; the public sector is unable to afford to do so, and relies upon laying off foreign workers in order to employ nationals – many of whom are first-time job-seekers with no work experience. The second Gulf war led to even more changes in the composition of the foreign workforce, as Iraqis and those supportive of Iraq (Palestinians, Jordanians, Yemeni and Sudanese) were forced to leave the GCC states. Over 1,5 million people were displaced: up to a million Yemeni from Saudi Arabia, 200.000 Jordanians, 150.000 Palestinians, and 158.000 Egyptians (Kapiszewski, 2004: 121). Thus, by 2002 the Arab share of foreign population in GCC states was down to 25-29%, compared with 72% in 1975 (Kapiszewski, 2004: 123).

Current stocks of foreign workers are still extraordinarily high: [Table 2](#) and [Figure 1](#) give summary data derived from national sources. These data have been independently verified with national governments by Human Rights Watch⁶ (HRW, 2003). With a total of around 12,5 million foreigners in the GCC region, representing just under 40% of total population, the range of immigrant to population ratios is 26-80%, with United Arab Emirates and Qatar at 80%. The presence of foreigners in the workforce is even more pronounced for some countries, reaching 90% in UAE and Qatar, and 60% for Bahrain and Saudi Arabia (Kapiszewski, 2004: 116). However, it should be noted that these figures do not include illegal immigrants, which (judging by the number of expulsions carried out by Saudi Arabia and UAE) may be numerous (Lavergne, 2003).

⁵ See below, under [Trends, policies and regional issues](#), for a description of the *Khafeel* system.

⁶ According to the Labour Minister, by 2004 there were 8,8 million foreign residents in Saudi Arabia, constituting 67% of the labour force (Sherry, 2004). The 2004 Census, however, recorded only 6.15 million foreign residents (*Arab News*, 26 November 2004).

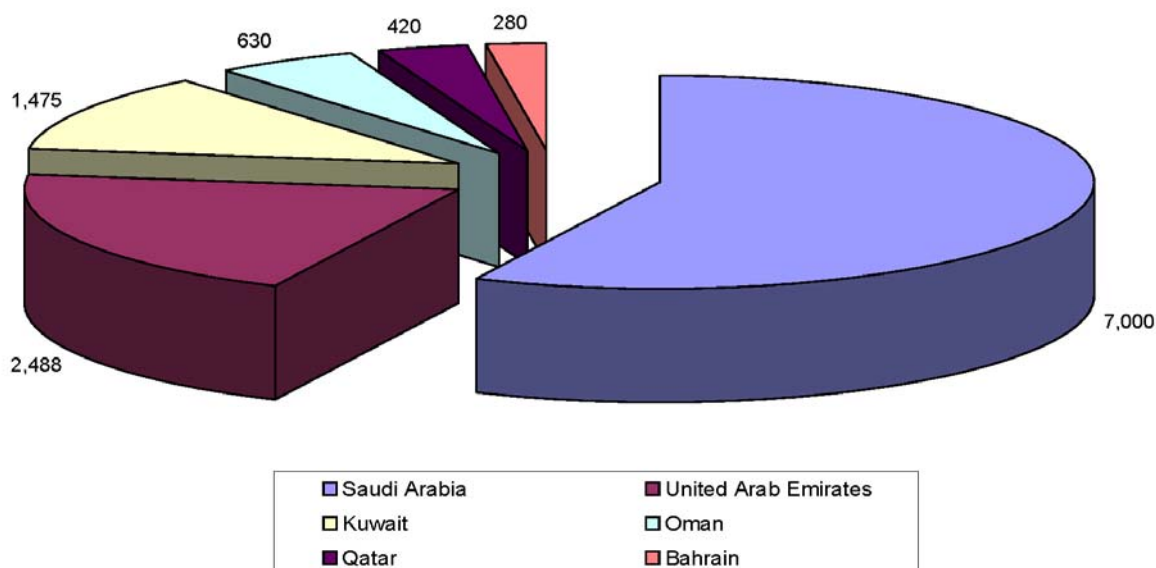
Table 2
GCC countries' foreign populations, absolutes and as % of total population, 2001-02

	Foreign residents	%
United Arab Emirates	2.488.000	80
Qatar	420.000	80
Kuwait	1.475.000	65
Bahrain	280.000	40
Saudi Arabia	7.000.000	30
Oman	630.000	26
GCC total	12.500.000	38,5

SOURCE: Kapiszewski (2004: 117)

Figure 1

Foreign population in GCC countries, 2002 [thousands]



Information on the nationalities of migrant communities is poor, and reliant upon estimates. Table 3 gives the most recent data available – all unofficial estimated data. As can be clearly seen, by 2002 the leading nationality of immigrants in the GCC was Indian, with 3,2 million persons. Second and third places are occupied by Pakistanis and Egyptians, followed by Yemeni. Overall, the region hosts some 3,5 million non-Gulf Arabs, compared with around 7,5 million Asians. Although the Arab share of foreign population in the GCC is around 28%, there is great variation between GCC countries. The highest proportions (37% and 34%) are in Saudi Arabia and Kuwait, with Egyptians as the principal nationality. Qatar has 20% (Jordanians, Palestinians and Egyptians); United Arab Emirates with 11% (Egyptians, Jordanians, Palestinians), and both Oman and Bahrain with negligible Arab migrants.

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Table 3
Major foreign communities in the GCC countries, 2002 (estimated)

Country of origin	BAHRAIN	KUWAIT	OMAN	QATAR	SAUDI ARABIA	UAE	TOTAL
India	100.000	295.000	300.000	100.000	1.400.000	1.000.000	3.200.000
Pakistan	50.000	100.000	70.000	70.000	1.000.000	450.000	1.740.000
Egypt		275.000	15.000	35.000	1.000.000	130.000	1.455.000
Yemen					1.000.000	35.000	1.035.000
Bangladesh		160.000	110.000		450.000	100.000	820.000
Sri Lanka		160.000		35.000	350.000	160.000	705.000
Philippines		60.000		50.000	500.000	120.000	730.000
Jordan/Palestine		50.000		50.000	270.000	110.000	480.000
Syria		95.000			170.000		265.000
Iran	45.000	80.000		20.000		40.000	145.000
Indonesia					250.000		250.000
Sudan					250.000		250.000
Kuwait					120.000		120.000
Turkey					100.000		100.000
TOTAL	280.000	1.475.000	630.000	420.000	7.000.000	2.488.000	

SOURCE: Kapiszewski (2004: 125)

Note: only major nationalities are included, therefore the columns do not add up to the totals given.

One of the largely unnoticed trends in immigration into the GCC countries concerns the “feminization” of migration, involving not only the recruitment of maids from Sri Lanka, the Philippines and Bangladesh, but also trafficking and forced prostitution of women from the former Soviet Union (McMurray, 1999: 17; Jaber *et al.*, 2004: 4). There is a real paucity of information on trafficking in the Middle East, and generally very negative reports on the situation of foreign female workers in the region (see below). It is also significant that the poor quality data on the very large immigrant communities in GCC do not give any indication of gender – and even the data on nationalities are unreliable.

The Mashrek

The Mashrek countries of Egypt, Jordan, Palestine, Lebanon, Syria and Yemen⁷ have a migratory history between them dating back to the end of World War I and the collapse of the Ottoman Empire (al Khouri, 2004: 22). However, the important period of emigration to the oil-rich GCC states began in the 1970s: indeed, it was not until 1971 that Egypt openly permitted emigration of its nationals, and then rapidly embarked on a policy of linking emigration policy with the country’s economic development (Anon., 2003: 21). Although with different national histories and specificities, all of the Mashrek has had extensive involvement with emigration over the last three decades. Most of this has been temporary labour migration to other Mashrek countries, and primarily to GCC countries. There has also been significant permanent emigration further afield – especially from Lebanon. The common characteristics can be summarised as the following:

- Mass temporary and permanent emigration since the 1970s
- Economic development strategies have been linked with diaspora and remittances
- Forcible return of migrants [from the GCC states during the first Gulf crisis] has created serious economic problems
- Demographic structure now requires even more job creation for young people
- “Brain drain” is significant for all Mashrek countries

⁷ Although Iraq is also considered to be part of the Mashrek, it is not discussed here.

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However, there are significant differences between the Mashrek countries, and it is necessary to examine each country individually. In particular, two (Egypt and Jordan) host very large numbers of refugees; three (Lebanon, Syria and Jordan) are importers of low-skilled labour from Asia; and one (Yemen) is at such a low level of economic development that its dependence on migrants' remittances is structurally problematic.

Egypt

Three phases of emigration from Egypt have been identified (Abella, 1994: 168). The first was to Libya in the early 1970s, the second to Saudi Arabia in the second half of the 1970s, and the third to Iraq, peaking in 1984. Currently, Egypt is thought to possess some 2,7 m emigrants (around 4% of current population), of which one third is permanent migration (Anon., 2003: 45). It has also an estimated three million unrecognised Sudanese refugees (IOM, 2003b: 20) plus numerous other nationalities, such as Somali (Al-Sharmani, 2004) and Palestinian (El Abed, 2003) – all predominantly located in Cairo. The total number of refugees could be as high as 5 million (Anon, 2003: 46), making Egypt clearly a country of net immigration. Egypt has just under 2m temporary migrants in other Arab countries (of which half are in Saudi Arabia), and an estimated 800.000 permanent emigrants elsewhere (about half in North America, and the remainder in various European countries. Tables 4 and 5 show these by country of location.

Table 4
Stocks of Temporary Egyptian Migrants by Receiving Country, 2001

RECEIVING COUNTRY	Number of migrants	percentage
<i>Saudi Arabia</i>	923.600	48,3
<i>Libya</i>	332.600	17,4
<i>Jordan</i>	226.850	11,9
<i>Kuwait</i>	190.550	10,0
<i>UAE</i>	95.000	5,0
<i>Iraq</i>	65.629	3,4
<i>Qatar</i>	25.000	1,3
<i>Yemen</i>	22.000	1,2
<i>Oman</i>	15.000	0,8
<i>Lebanon</i>	12.500	0,7
<i>Bahrain</i>	4.000	0,2
TOTAL	1.912.729	100.0

SOURCE: Anon. 2003: 32 (data from Central Agency for Public Mobilisation and Statistics)

Temporary migration to neighbouring countries consists of an almost equal mix of skilled professionals and unskilled or semi-skilled workers. In 2002, scientists and technicians constituted between 41% (in Saudi Arabia) up to 54% (in Kuwait) of migrants to GCC countries, and 57% and 69% respectively in Libya and Yemen; Egyptian unskilled migrants predominated in Lebanon (75%), Iraq and Jordan (63%) (Anon., 2003: 34-35). In previous decades, unskilled migration had dominated, especially for construction work: currently, the major opportunities are for skilled workers.

Table 5
Stocks of Permanent Egyptian Migrants by Receiving Country, 2000

COUNTRY OF DESTINATION	Number of migrants	percentage
USA	318.000	38,6
Canada	110.000	13,3
Italy	90.000	10,9
Australia	70.000	8,5
Greece	60.000	7,3
Netherlands	40.000	4,9
France	36.000	4,4
UK	35.000	4,2
Germany	25.000	3,0
Switzerland	14.000	1,7
Austria	14.000	1,7
Spain	12.000	1,5
TOTAL	824.000	100,0

Note: estimated data

SOURCE: Anon. 2003: 37 (data from Central Agency for Public Mobilisation and Statistics)

Jordan

Jordan possesses the highest refugee ratio in the world, with a total population of 5 million out of which in 2002 there were 1,6 million Palestinian refugees, another 800.000 displaced Palestinians since 1967, and an estimated remaining 300.000 Iraqi refugees (Chatelard, 2002a: 4-5). The Palestinian refugees in camps administered by UNRWA⁸ have been considered historically a most important reservoir of manpower for the GCC countries (see Table 3, above, for the current stocks). Unlike Palestinian refugees in Lebanon and Syria, those in Jordan were granted Jordanian citizenship in the 1950s, facilitating their incorporation into mainstream society (Khawaja, 2003: 28).

In the 1950s and 60s, Jordanians (primarily of Palestinian origin) emigrated to the GCC countries to help establish infrastructure; entire families settled in Kuwait, Dubai and Saudi Arabia, retaining only loose connections with Jordan (Chatelard 2004a). By 1980, the emigrant workforce was placed at 250.000, or over 50% of its workforce in 1980 (Abella, 1994: 168). Strong economic growth in the 1970s and 80s was based almost entirely upon emigrants' remittances, with little improvement in the domestic economy, especially as skilled workers had mostly emigrated (Gelos, 1995: 35-6). The return of migrant workers started in the late 1980s, and reached massive proportions after the 1990 Gulf crisis, with some 300.000 returnees increasing the population by 10%. By 1991, unemployment had peaked at 25% and remittances fell to 10% of GDP in 1993 (Chatelard, 2004a). In the mid-90s new emigration routes opened up, and highly skilled Jordanians began to migrate in large numbers: by 2000, 3.900 were resident in just the USA (al Khouri, 2004: 26). Remittances are thought to be around 24% of GDP for 2001 (Chatelard, 2004a).

At the same time as exporting skilled labour, Jordan imports mainly unskilled labour from the other Mashrek countries – especially Egypt and Syria. In 2002, the number of legal foreign workers was 127.000, with an estimated additional 275.000 working illegally (al Khouri, 2004: 24). There is a small number of South Asians (from India, Pakistan and Bangladesh) working legally, but there are no official data on numbers. There are also female domestic workers from Sri Lanka, the Philippines and Malaysia (Chatelard, 2004a), but again there are no data.

Jordan has now largely abandoned its pan-Arab approach to migration, starting in 1984 with permits being required for other Arab nationals, and now with real pressure to find employment for its emerging young labour force. Although there is a sort of equilibrium between skilled labour export and unskilled labour import, it is not a long-term solution. Hopes for productivity improvements through

⁸ United Nations Relief and Works Agency for Palestine Refugees in the Near East

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the repatriation of skilled migrants have not apparently been realised, and as throughout the Arab region the “brain drain” is a serious issue for economic development.

Syria

For decades, Syria has experienced continuous waves of migration toward the USA, Europe, Africa and Australia, with temporary labour migration to the GCC countries occurring after 1960. These later migrations were of skilled workmen and technicians, and in the 1970s also included other professionals. However, Syria’s net migration rate always remained lower than other Arab countries such as Jordan or Yemen (IOM, 2003b: 23).

The current estimate of Syrians working outside the country is 1,9 million, although the Syrian diaspora is estimated at 20 million – more than the current population (al Khouri, 2004: 29). There are thought to be large numbers of Syrians working in Jordan, although only 3.700 with work permits, and even more in Lebanon. In Lebanon, they were recorded as 600-700.000 in the mid-90s, and down to 250.000 in 2002. One commentator suggests that the displaced Syrians in Lebanon may have relocated to Jordan, although this is without substantive evidence (al Khouri, 2004: 27-28). There is very limited information on both emigration from and immigration into Syria, although IOM estimates that there are some 10-15.000 foreign domestic workers in the country (IOM, 2003b: 23).

Lebanon

Inevitably, the civil war (1975-1990) has played the most important part in migratory movements into and out of Lebanon in recent decades. During the fighting, an estimated 900.000 Lebanese left the country and some 800.000 internally displaced (Pedersen, 2003: 19): Lebanese diaspora abroad number anything from one million (IOM, 2003b: 22) to 14 millions of Lebanese descent (al Khouri, 2004: 28). Since the war, many emigrés have returned – but there are no data on this phenomenon, other than records of dual nationals who were attracted by the opportunities of the reconstruction programme. These include 40.000 Canadians, 30.000 French and 20.000 Americans (al Khouri, 2004: 29). At the same time, even higher rates of emigration occurred, owing to economic depression – an estimated 690.000 people over the period 1992-1999 (Pedersen, 2003: 20). Now, with a population of only 3,6 million, Lebanon hosts between 200.000 and 1m Syrian migrant workers, 100.000 Sri Lankans, 30.000 Ethiopians, 30.000 Egyptians, 20.000 Filipinos, and 11.000 Indians. Almost all are illegal workers, since only 87.000 work permits were issued in 2001 (IOM, 2003b: 22).

Lebanon has some 409.000 refugees and asylum seekers as of 2002 (over 10% of population), the vast majority of which are Palestinians. Unlike Palestinian refugees in Syria and Jordan, they are denied the right to work in skilled professions, to buy or inherit property, and most basic civil rights and are highly dependent upon UNRWA. The Lebanese Constitution also forbids the “implantation” of Palestinians in the country, on which basis they are denied healthcare and other social services, including attendance at schools or universities (USCR, 2003: 167).

Yemen

Despite a ban on emigration in 1973, by 1975 some 300.000 Yemeni workers (20% of the labour force) were working in GCC countries; by 1980, the figure for emigrant workers was estimated at 1m (Abella, 1994: 168), and by the mid-80s at 1,5m (al Khouri, 2004: 29). After the second Gulf crisis, some 850.000 were forcibly returned and found it impossible to integrate, resulting in the “destitute communities” of Yemeni living to this day in camps, unemployed and reliant upon government assistance (IOM, 2003b: 23). The problem of poverty in Yemen is so great, that UN and other estimates place it as high as 38-47% of the total population (al Khouri, 2004: 29). Currently, 1,2 m Yemeni are thought to live abroad, of which some 800.000 are in Saudi Arabia as well as in other GCC states, Africa, USA and the UK (IOM, 2003b: 23). However, the current rate of recruited emigrants to the USA is the lowest in the region, and suggests that illegal emigration is a likely strategy from the residents of Yemen (al Khouri, 2004: 30).

The Mediterranean Outliers – Israel and Turkey

Israel

Israel is a nation of immigrants, committed to the successful absorption of its Jewish immigrants. The Israeli Law of Return of 1950 gives Jews the right to immigrate into Israel, whilst the Israeli Law of Nationality gives them almost automatic Israeli nationality. Israel is an ethnically divided society, with 83% Jews and 17% Arabs, the latter who theoretically are equal citizens and in reality constitute a subordinate national minority (Gesser *et al.*, 2000). After the 1967 war, the state began to recruit non-citizen Palestinian workers from the West Bank and Gaza Strip as day-labourers, entering by day and leaving the country at night. By 1986, they comprised 7% of the Israeli workforce. The Palestinian uprising of 1987 created a shortage of labour, as the Palestinians did not turn up for work: the state in 1987 began to recruit foreign blue collar workers – only 2.500 in 1987, but it had increased to 9.600 by 1993 (Gesser *et al.*, 2000). Then, the Israeli government sealed the border with the Occupied Territories, and actively sought to replace Palestinian workers with immigrants (Kemp, 2004: 272). These were recruited primarily from Romania (construction), Thailand (agriculture) and the Philippines (geriatric care, nursing and domestic services). Three years later, the number of legal workers had increased tenfold to 103.000 (Willen, 2003: 247), plus a comparable number in the parallel informal economy. By 2003, there were an estimated 200.000 illegal workers plus 111.000 legal workers – totalling over 13% of the labour force (Ellman and Laacher, 2004: 19). There seem to be no data on the numbers of nationalities (or gender), but the legal workers are concentrated in three sectors:

- **Agriculture:** Thais
- **Construction:** Romanian, Bulgarian, Chinese (and others)
- **Caregivers:** Philippino

Illegal workers are in a variety of economic sectors, but most obviously in housekeeping, childcare and restaurants: their nationalities include West Africans, South Americans and Eastern Europeans (Willen, 2003: 247).

In principle, Israel declares that it is “not a country of immigration” (Willen, 2003: 246), and the actual state recruitment process is thought by most academic commentators to closely resemble the indentured or “Kafala” system of the GCC countries, rather than the pattern to be found in west European democracies. The state grants permits to employers, thereby maximising control by employers and the state over the entire foreign population; there is no right of family reunification; there is no access to social or medical care (Kemp, 2004: 272). Since 2002, Ariel Sharon has declared a goal of deportations of 50.000 immigrants a year, now raised to 100.000 (Willen, 2003: 244): a political position directly linked with rising unemployment levels in Israel.

Despite the fact that Israel is signatory to most international human rights laws, there is a massive gap between law and reality (Kemp, 2004: 274). Ellman and Laacher document these discrepancies, showing that even for legally employed workers the law is not observed with respect to minimum wages, overtime payments, social benefits, monitoring of pay by the Labour Ministry, pension funds managed by the Treasury, and provision of information leaflets about the Ombudsman’s services (Ellman and Laacher, 2004: 17). Furthermore, the importation of workers is not simply a matter of recruiting necessary labour, but is also a major industry for the charging of illegal mediation fees. There is recorded evidence in 2001 of 13.000 Chinese workers recruited to work in construction, without available work, simply as a scam for extracting \$10.000 per worker (Kemp, 2004: 279). Once in Israel, they were arrested for being unemployed, prohibited from looking for another employer, and deported to China – there to face insolvency.

Thus, Israel has effected a substitution policy whereby foreign indentured workers and illegal immigrants have replaced Palestinian workers. The policy followed has by all independent accounts been abusive of the basic human rights of migrants, and in many respects in breach of both Israeli and international law. With a temporary immigrant workforce of over 13%, and following the indentured immigration policy and passport confiscation of the GCC Arab states, Israel replicates the

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'modern slavery conditions' of immigrant workers in many Middle Eastern countries (Ellman and Laacher, 2004).

Turkey

For much of the twentieth century, Turkey was a country of government-sponsored immigration for population reasons: this inflow of ethnic Turks and assimilable ethnicities from the Balkans (such as Albanians, Pomaks and Tartars) was governed by the Law on Settlement of 1934, and by 1997 more than 1.6 million had arrived (Kirişci, 2003b). Largely, this was discontinued from the early 1970s, apart from 300.000 Turks and Pomaks who were expelled from Bulgaria in 1989: current legal immigration is at low levels.

Emigration from Turkey started as late as 1961: by 2001, there were some 3,6 million abroad – mostly in the EU, and with 2 million in Germany alone (OECD, 2003: 283). There are four distinct periods of emigration, with quite different characteristics of each (Icduygu et al., 2001: 43):

- **1961-74:** labour recruitment to Western Europe
- **1974-80:** cessation of labour migration to Europe (although family reunification, asylum-seeking and illegal migration existed), and the emergence of labour migration to MENA countries and Australia
- **1980s:** mass temporary labour migration to GCC countries (Saudi Arabia, Libya and Iraq)
- **1990s:** reduced labour migration to GCC countries and new labour migration to the former USSR countries

Apart from labour migration, Turkey is also a source country of asylum-seekers and illegal migrants (the distinction is difficult to pursue): in the period 2000-02, Turkey ranked third in the number of nationals applying for asylum in industrialised countries, after Iraq and FR Yugoslavia (Mannaert, 2003: 5). Many Turkish asylum-seekers are Kurds, but the proportion is not known: it seems that there is a downward trend in such applications (Kirişci 2003a: 82), possibly because of recent improvements in the treatment of the Kurdish community in Turkey (Mannaert, 2003: 12).

For the last two decades, Turkey has been a country of immigration and transit with respect to both asylum-seeking and illegal migration (OECD, 2003: 282-3), but there is an older history of asylum-seeking dating back to the Second World War and refugees from the Nazi-occupied Balkan territories (Kirişci, 2003a: 82). Subsequently, Turkey took an active role in the creation of the 1951 Convention, and for geopolitical reasons has not accepted the 1967 Bellagio Protocol concerning the restriction of asylum to those from European countries. Currently, UNHCR is responsible for determination of asylum requests in Turkey (Mannaert, 2003: 11): the largest numbers have been of Iranians (1,5 m in the period 1980-91) and Iraqis (600.000 in the period 1988-91): the great majority of these, and others from Asia and Africa, have transited through Turkey (Mannaert, 2003: 3). More recent asylum applications 1998-2001 averaged around 6.000 per year, and are mainly of Iranians, Iraqis, Afghans and various MENA countries (OECD, 2003: 283). However, although Turkey grants temporary protection, it is expected that refugees be relocated outside of Turkey: in the period 2000-03, some 10.000 were relocated to North America, Scandinavia, and smaller numbers to Australasia (Kirişci, 2003b).

Illegal immigration, with Turkey as both a destination and transit country, has become a significant issue in the last decade: since 2001 the government has actively pursued policy to address the issues (Icduygu, 2004: 7). Three types of irregular migrants can be identified in contemporary Turkey (Icduygu, 2003: 69) – economic migrants, who remain for some time before moving on to western or northern Europe; overstayers, who work illegally; and rejected asylum-seekers. However, because of the illegal nature of all types, along with the nature of the Turkish approach to asylum applications, there is great overlap between all three. Nevertheless, the nationalities of these three types tend to be specific: overstayers working illegally tend to be from the former Soviet bloc – Romania, Moldova, Russia and Ukraine; economic transit migrants are from the Middle East – predominantly Iraq and Iran, but also Asia (Pakistan, Bangladesh, Sri Lanka) and Africa (Nigeria, Somalia, Rep. of Congo) (Icduygu, 2004: 8). Asylum seekers are also predominantly from Iraq and Iran, as noted above;

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because of the uncertainties in the asylum process, they go underground and add to the stocks of illegal migrants. Although some government officials pronounce that there are “almost one million illegal foreign workers in Turkey” (Kirişci, 2003b; Icduygu, 2004: 8), independent analysts are sceptical of the magnitude and suggest several hundred thousand long-term irregular migrants as a more realistic figure (Icduygu, 2003: 68).

Table 6 shows the latest cumulative data for illegal immigrant apprehensions by the Turkish security services for the period 1995-2004. Over this last decade, some half million apprehensions have been made: the principal nationalities are Iraqi, Afghan, Pakistani and Iranian, although more Turkish illegal migrants have been arrested than Iranian. The major regions of origin are the Middle East, Former Soviet Republics and Asia. Annual data on numbers of arrest show a massive peak in 2000 at 95.000, declining to 56.000 by 2003: this seems to reflect the more aggressive policing of illegal migration by the Turkish authorities, and a diversion to other routes of international migration.

Thus, there exists a highly complex picture of emigration, transit migration and immigration involving Turkey. In 2001, temporary labour migration of Turks to the CIS, Gulf states, EU and Israel stood at around 20.000 and family reunification flows at 60.000, totalling 80.000 per annum. Clearly, known labour emigration flows are at very low levels for the last few years. To this can be added some 25.000 asylum seekers, mostly transiting through Turkey. Inflows into Turkey are estimated at some 300.000 illegal entries in 2001; the stock of residence permit holders is around 140.000 for 2001, with only 36.000 for employment purposes (OECD, 2003: 282-3).

Remittances from the large number of Turks abroad have been a major source of foreign currency since the 1960s (Kirişci, 2003b); although Turkey is one of the world’s leading recipients of remittances, their importance as a proportion of GDP and of trade deficit has been in continuous decline since the mid 1990s.

The issue of “brain drain” seems largely to have been neglected in Turkish policy, although some recent work has been done (Tansel and Güngör, 2003): the situation seems generally comparable with that in Egypt, with emigration’s benefits viewed overall as outweighing the costs of skill losses (Wickramasekara, 2002: 7).

Table 6
Illegal immigrants arrested by Turkish security forces, 1994 to June 2004, by country or region of origin

Region of origin	Country of origin	N
	Iran	22.199
	Iraq	99.402
	Syria	5.018
<i>Middle East</i>	[subtotal]	126.619
<i>North Africa</i>		9.397
<i>Former Soviet Republics*</i>		100.018
<i>Central Asian New Independent States**</i>		6.473
	Albania	3.988
	Bulgaria	9.111
	Romania	19.067
<i>Balkans</i>	[subtotal]	32.166
	Pakistan	28.442
	Afghanistan	28.911
	Bangladesh	13.418
<i>South Central Asia</i>	[subtotal]	70.771
	Turkey	24.419
	Others	107.986
TOTAL		477.849

* Russia, Ukraine, Moldova, Georgia, Azerbaijan, Armenia, Belarus, Lithuania, Latvia, Estonia

** Kyrgyzstan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan

SOURCE: adapted from Apap *et al.* (2004: 18)

The increasing feminization of labour migrations?

Despite some general perceptions that more and more women migrate, especially as temporary labour migrants, there is a real deficit of hard information on the phenomenon. Chart 1 shows some UN stock data over time for the proportion of women in migrant labour forces of the region. These data, although ending in 1990, do not reveal significant increases of female migrants except in the cases of the United Arab Emirates, Lebanon and Yemen. In two countries – Jordan and Oman – there is actually a decrease; in the remainder, the proportion of women remains roughly constant. It should also be noted that in the Maghreb and Mashrek, the proportion of females is around 50%, whereas it is much lower in the GCC countries.

Constructed from the same dataset, Chart 2 shows absolute numbers of female migrant workers in the MENA region: the greatest number is in Saudi Arabia, followed at much lower levels by Turkey, Jordan, UAE, Syria, Lebanon and Kuwait. Turkey and Lebanon are unusual in possessing large numbers as well as proportions of female migrants.

Data provided by the ILO for GCC countries suggest a similar picture for 2000 data, although showing Oman with a 35% female rate (compared with 21% in 1990 in the other dataset) and Bahrain with only 19% (compared with 28%). These anomalies serve to highlight the very serious data deficit on female migration in the GCC region.

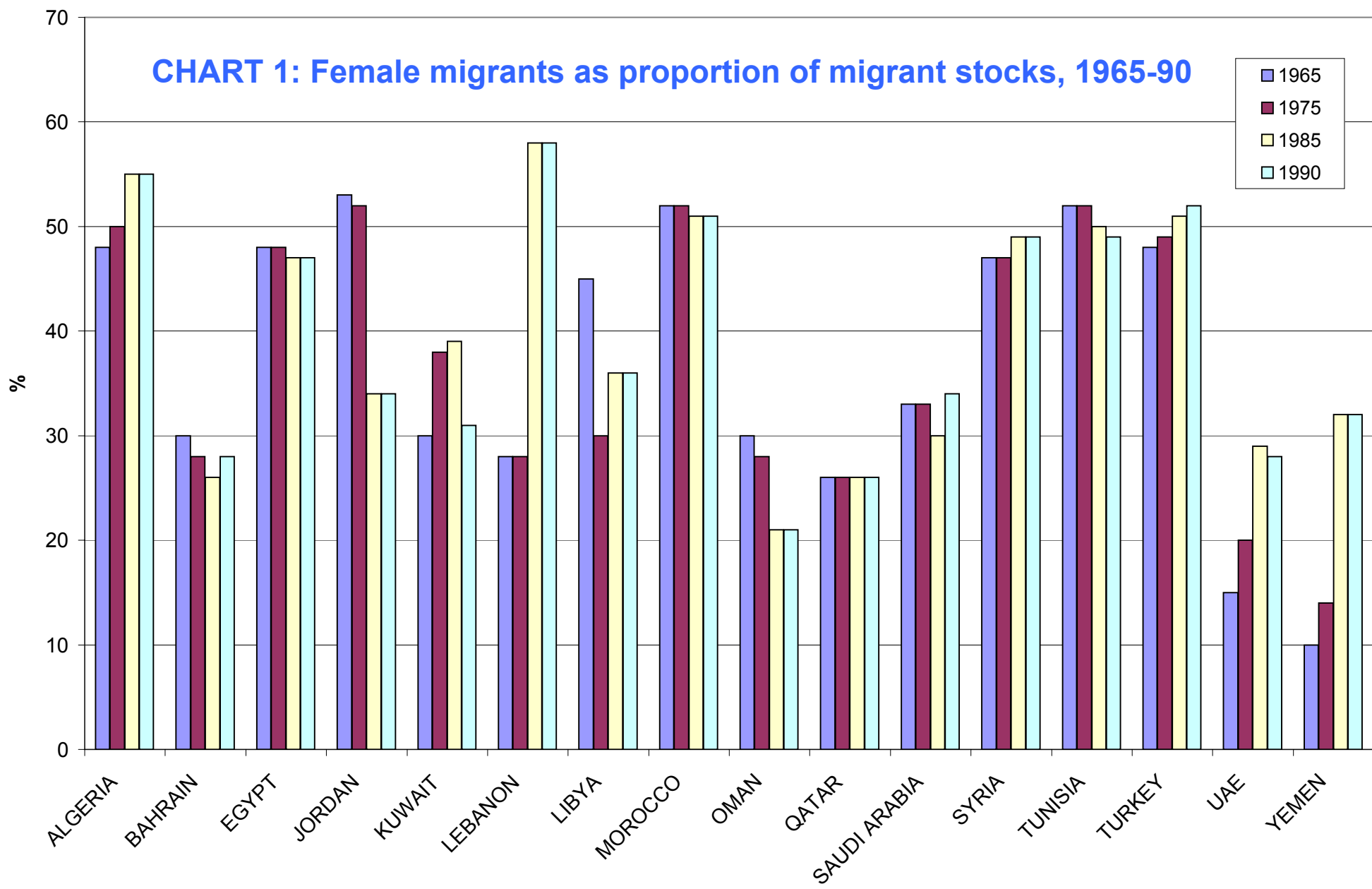
Table 7 uses data compiled from sending countries, of their estimated stocks of nationals. The data show that in the countries in the Table, these three nationalities are predominantly female workers. The exception lies with Philipinos in Saudi Arabia and UAE, and with Sri Lankans in Qatar. Although the total numbers look small in comparison with the immigrant workforce, this is because the greater part of immigrant labour in the GCC countries comes from India, Pakistan and Bangladesh – countries whose emigrants are nearly 100% male. Thus, although there is an increasing trend of recruitment of female housekeepers and caregivers, there is no evidence available to suggest that the ratio of female migrations has overall increased so greatly as to reach the levels found in other regions of the world.

Table 7

Estimated stocks of female workers from Indonesia, Sri Lanka and the Philippines (1998-2001), also expressed as % of same-nationality immigrant labour force

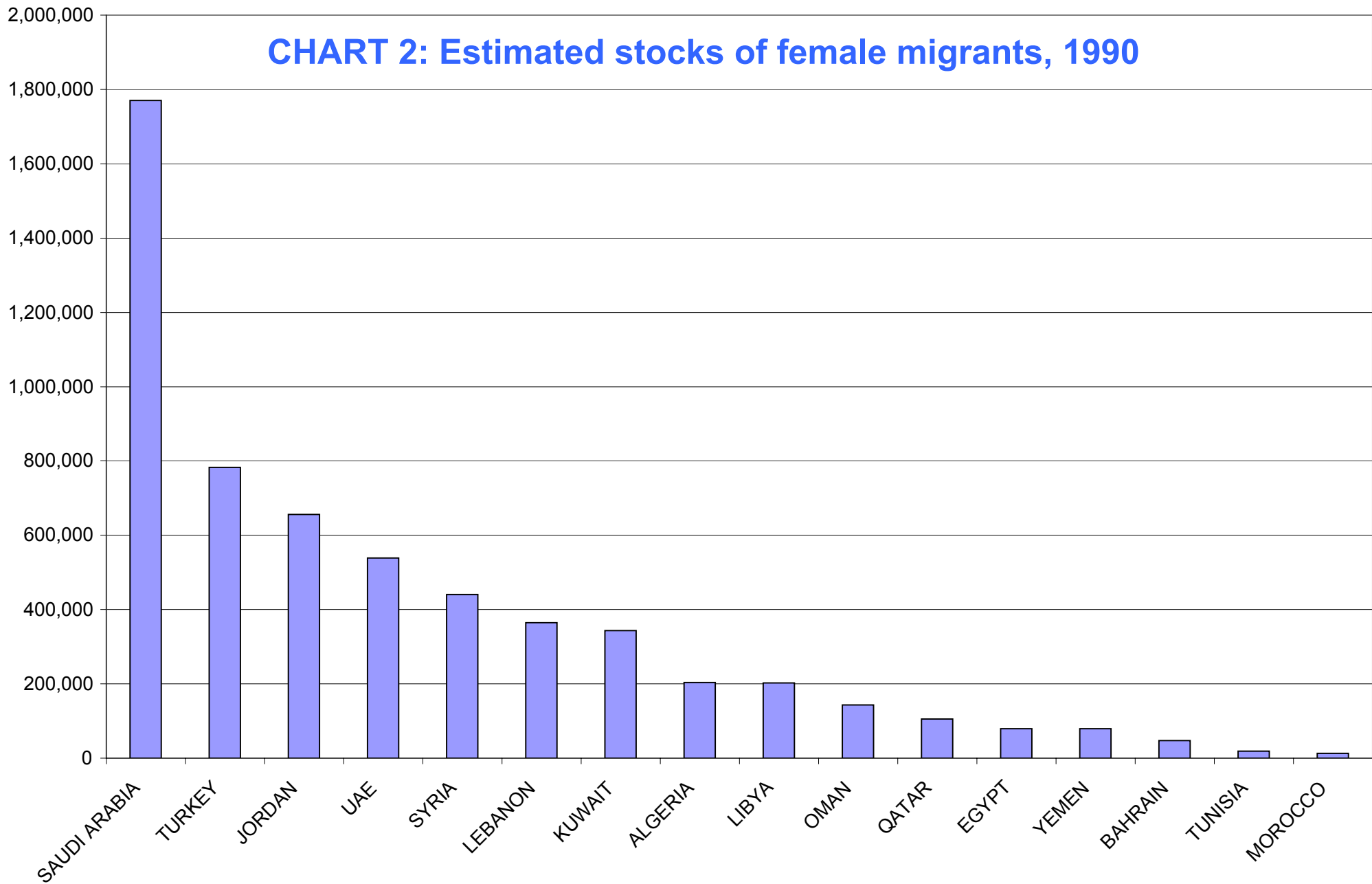
	Indonesian		Sri Lankan		Philippino	
	N	%	N	%	N	%
SAUDI ARABIA	295,038	92	183,800	57	71,000	27
UAE			94,500	72	19,000	44
KUWAIT			137,700	85	24,000	75
OMAN			28,400	79	3,000	n.d.
JORDAN			35,000	88	1,000	n.d.
QATAR			11,000	19	5,000	71
BAHRAIN			21,000	78	3,000	60
LEBANON			75,000	94	4,000	80
weighted average				69		36

SOURCE: Esim and Smith (2004: 13)



SOURCE: UN Population Division data, cited in Esim and Smith (2004: 11)

CHART 2: Estimated stocks of female migrants, 1990



SOURCE: UN Population Division data, cited in Esim and Smith (2004: 11)

Illegal migrations and trafficking in the region

The sheer complexity and flux of migration routes and mechanisms used by migrants, smugglers and traffickers makes this a very difficult area of analysis. In the Mediterranean region, it seems that smuggling and trafficking by air routes is a relatively expensive and difficult mechanism (ICMPD, 2004a: 10), and is little-used: step-wise land travel and sea routes are the most common mechanisms. Although older research in the Mediterranean region⁹ suggested that most illegal migration occurred through overstaying of visas rather than illegal crossing of frontiers, this pattern appears now to have changed (Baldwin-Edwards, 2004a). Here, we examine separately illegal migration and smuggling, and the rather different phenomenon of trafficking.

Illegal migration patterns and smuggling routes

For simple geographical reasons, the countries of proximity to the Northern Mediterranean have been either source countries or, more recently, increasingly countries of transit illegal migration. These are Morocco, Tunisia and Libya in North Africa; and Lebanon and Turkey in the East. **Map 1** shows typical transit migration routes, as identified through empirical research by ICMPD, for Africa. The main arrival areas are the Canary Islands, the Gibraltar Strait and the Sicily islands [boxed in red, on the map]. Most illegal migrants do not travel as stowaways, but currently seem to be departing from Libya (80%) and Algeria (20%) (ICMPD, 2004a: 4): recent changes in the management of migration in Morocco, Tunisia and Spain seem to have had deterrent effects on both individual illegal crossings and smuggling arrangements (Baldwin-Edwards, 2004a). The currently favoured route through Libya has some 80.000 migrants per year, landing in Sicily and nearby islands, and Malta (ICMPD, 2004a: 13-14). Boubakri (2004) confirms the primacy of Libya in illegal transit migration, but comments on the increased presence of sub-Saharan Africans in Tunisia and its potential to become an important transit route.

ICMPD estimates that 100-120.000 irregular migrants cross the Mediterranean every year, of which 35.000 are of sub-Saharan origin, 30.000 from other countries of origin (e.g. Asia) and 55.000 from the South or East Mediterranean (ICMPD, 2004a: 8). Additionally, there is an estimate of lives lost in the Mediterranean crossings (based on detected corpses on the Spanish coastline) of some 2.000 persons per year. The Eastern Mediterranean migration routes are less well-known, and difficult to comment upon. However, the accession of Malta and Cyprus to the EU has increased their attractiveness as destination or transit countries, with 1.700 apprehensions in Malta and 4.750 in Cyprus in 2002: these compare in 2002/3 with 14.000 in Italy, 11.000 in Spain and 4.000 in Greece (ICMPD, 2004a: 7; Baldwin-Edwards, 2004a).

Turkey is situated at the crossroads of Africa, Asia and Europe and over the last two decades has become a major staging post for irregular migration movements in the region (Icduygu, 2003: 18). Entry points to Turkey are on the Iranian and Iraqi borders, but the migrants originate also from many others such as Afghanistan, Algeria, Azerbaijan, Bangladesh, Ghana, India, Nigeria, Pakistan, Palestine and Sri Lanka. The departure points from Turkey lie in the west, mainly coastal areas such as Istanbul and Izmir, or close to the border with Greece (Icduygu, 2003: 20). As noted above in Table 6, there have been some 500.000 arrests of illegal migrants over the period 1994-2004; however, as in the case of Morocco, the bulk of state activism has been since 2000. **Figure 2** shows the growth of arrests since the mid-1990s, and the rapid decline in numbers since 2000. This looks to be the result of more successful policing and formal collaboration with EU agencies (Apap *et al.*, 2004: 19), resulting in the diversion of migration routes away from Turkey. A similar peak in 2001/2 of arrests of smugglers tends to confirm that picture.

⁹ The Eurostat/NIDI project, looking at Egypt, Ghana, Morocco, Senegal and Turkey as origin countries, and Italy and Spain as receiving countries. Results are reported in Icduygu and Unalan (2002) and from NIDI on <http://www.nidi.nl/pushpull/>. Also CIS research in Spain, reported in Baldwin-Edwards (2002), confirms the legal mode of entry as typical in the 1990s.

Map 1: Transit Migration Routes from Africa

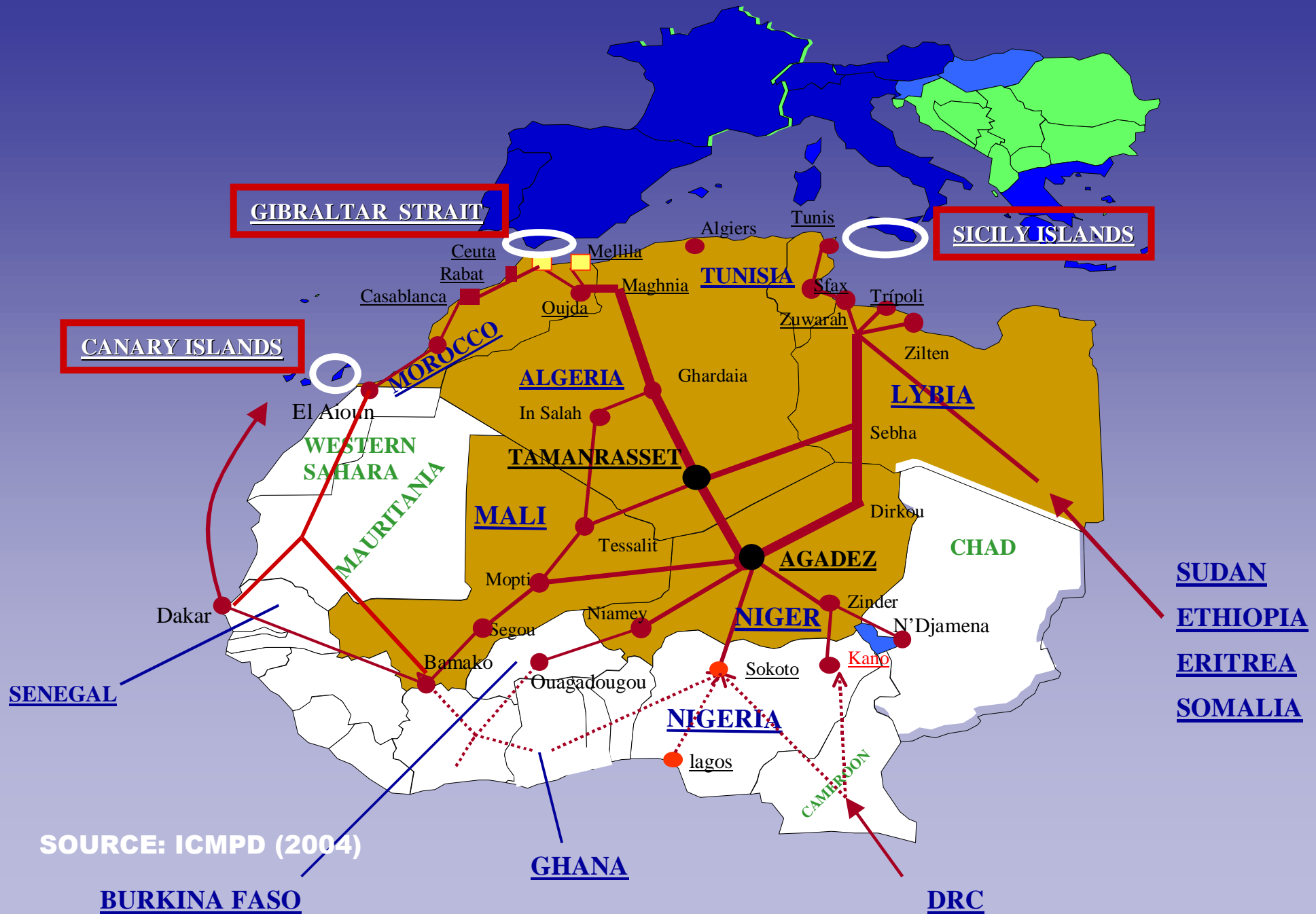
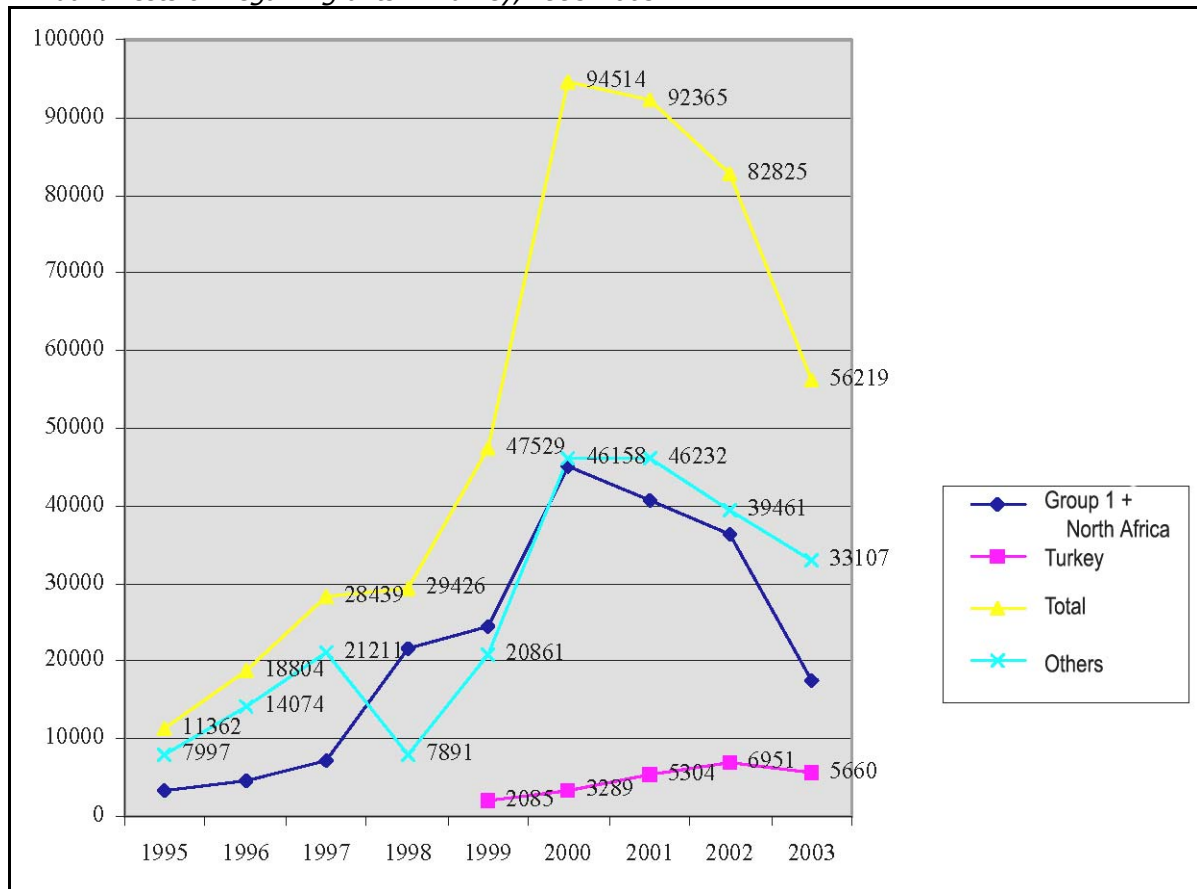


Figure 2
Annual arrests of illegal migrants in Turkey, 1995-2003



Note:
Group 1: Afghanistan, Bangladesh, Pakistan, Iran, Iraq, Syria
North Africa: Egypt, Libya, Tunisia, Morocco, Algeria

SOURCE: Ministry of Interior, Turkey: reproduced in Apap *et al.* (2004: 20)

Trafficking of women and children

For much of the 1990s, the concept of trafficking was poorly defined and frequently used as a synonym for smuggling or even illegal migration. Since December 2000, a global definition of trafficking has been available through the signing of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons*, which supplements the Convention on Transnational Organized Crime. The Protocol defines trafficking comprehensively: its focus is on coercion for the purpose of exploitation, and it precludes the possibility of legal consent by the victims of traffickers (Laczko 2002). Although in practice there are some problems in distinguishing between trafficking and smuggling, one of the most important results of such a distinction is that it is mainly women and children who are the victims of traffickers (Budapest Group, 1999: 15). Frequently, the form of exploitation is forced prostitution or sexual enslavement, but not necessarily so: sometimes it is bonded labour, in housekeeping or, for boys in certain Gulf countries, camel jockeys.

Research conducted in 1996¹⁰ on the routes and modus operandi of illegal migration, smuggling and trafficking concluded that over the period 1992-97 the majority of illegal migrants to Europe had originated from Iraq, China, Pakistan, India or from Africa. Increasingly, Africa is a source region (according to Interpol), with more clandestine movements, more diverse transit points and complex changing dynamics. From East Africa, young girls and women are trafficked from war zones to the

¹⁰ *Project Marco Polo*, INTERPOL, cited in Budapest Group (1999)

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Gulf States (Adepoju, 2004). IOM notes trafficking of women from Ghana to Lebanon, Libya and EU countries, women for domestic service from Central and West Africa to Saudi Arabia and Kuwait, and even voluntary migrations of women from Ethiopia to the Middle East where working conditions are considered to be virtual slavery (IOM, 2001: 2). Trafficking from South Asia to the Middle East is a serious problem, with some 200.000 persons trafficked over 20 years, and 3.400 children over the last 10 years (IOM, 2001: 2). It seems that the old routes with a South-North character which appeared to be in decline in the mid 1990s (Salt and Stein, 1997: 476) have been reinvented and diversified, but still reflect two broad transit areas of the Mediterranean Sea [from the South] and Turkey [from Asia]; the Middle East itself seems a region of destination rather than of transit. Turkey, according to most research, is less caught up in trafficking and organised smuggling than in small-scale operations, with relatively little abuse of migrants (Erder and Kaska, 2003; Icduygu and Toktas, 2002).

The quality of information and data on trafficking is very poor, although new sources of data are emerging (Laczko, 2002). Few governments systematically collect data, and as of 1 Jan. 2005, few states in the Middle East or Mediterranean region had ratified the UN Protocol, effective from December 2003. Acceding states are: Albania, Bahrain, Cyprus, Egypt, Libya, Malta, Spain, Tunisia, Turkey. Signatory states (without ratification) include Algeria, Greece, Israel, Italy, Kuwait, Lebanon, Saudi Arabia, Syria. Countries which have not even signed the Protocol are, in this region, Oman, Qatar, UAE, Morocco, Jordan and Yemen: some of these latter have very serious problems with trafficking.

Two global reports on trafficking have been produced. One, last dated 2002, is from 'The Protection Project', at Johns Hopkins University. The other is the annual US State Department Report, the latest dated 2004. Neither is as comprehensive as is needed, and neither has developed an analytical framework which could be used for evaluation purposes. The State Department Report places countries into categories for apparent compliance with international anti-trafficking norms: in reality, these seem to be very subjective and even politicized decisions. Human Rights Watch has consistently criticized these Reports for failing to evaluate and analyse the actual situations in each country.

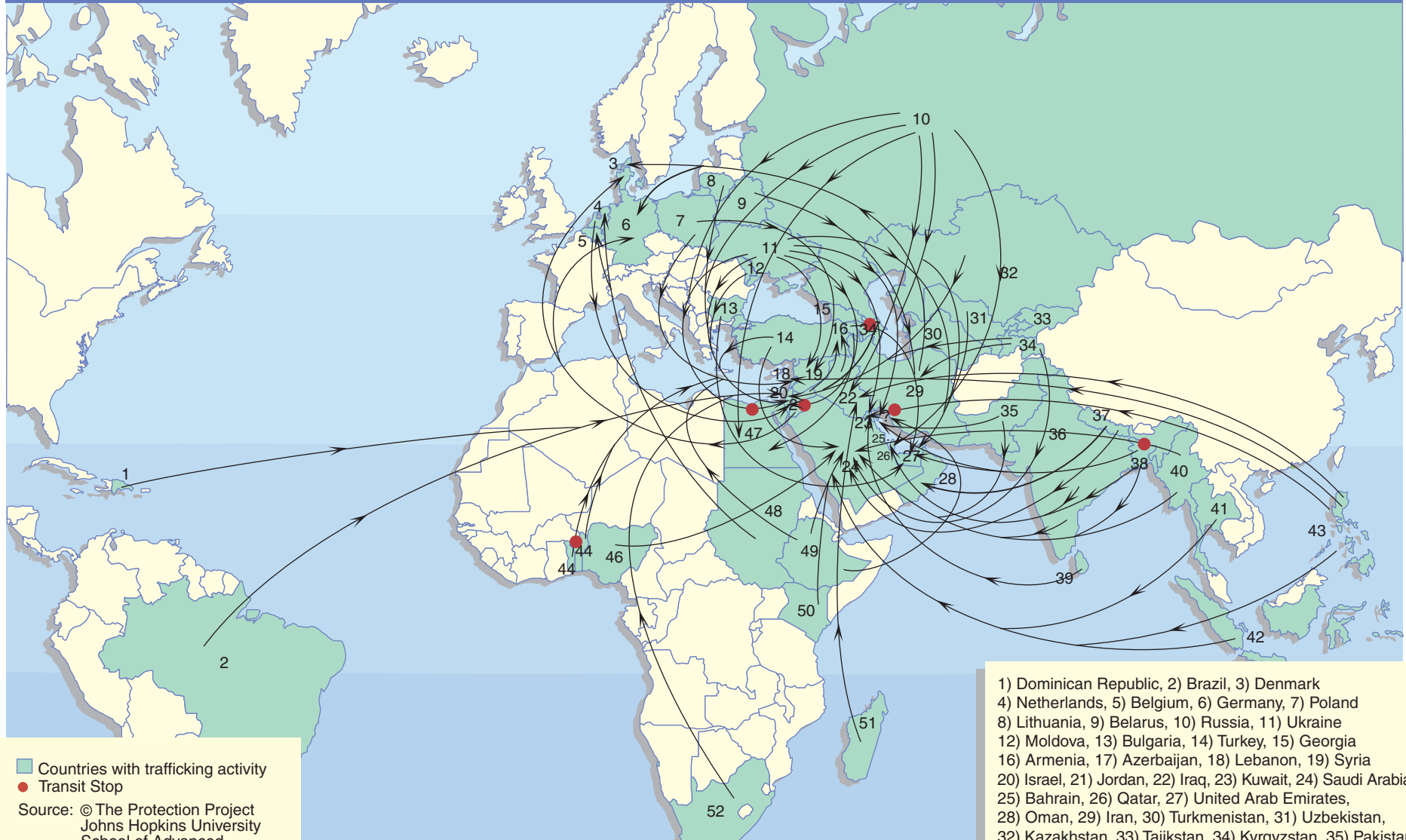
Table 8 is a synoptic summary of the Protection Project data for the MENA region. It shows clearly that the GCC countries are recipients of trafficking, with the Mashrek and Maghreb as transit or transit + destination countries. Three countries – Egypt, Turkey and Jordan – are also source countries. However, the number of cases involved is not reflected in the data, and these are therefore potentially misleading. Map 2 shows the routes taken by traffickers, for the Middle East region only.

Table 8
Trafficking of women and children in the MENA region; characteristics and trafficking routes, 2002

	destination	origin	transit	related countries
ISRAEL	■			Ukraine, Russia, Moldova, Brazil, Dominican Rep., S. Africa, Turkey
KUWAIT	■			Bangladesh, Sri Lanka, India, Russia, Ukraine
LEBANON	■			Ethiopia, Madagascar, Poland
OMAN	■			Nepal, Asia, Africa
QATAR	■			Bangladesh, South Asia
SAUDI ARABIA	■			Burma, Indonesia, Nepal, India, Bangladesh, Ethiopia
SYRIA	■			Poland, Russia
UAE	■			Eastern Europe, CIS; boys from Asia
BAHRAIN	■		■	Ethiopia, Bangladesh, Russia, Ukraine; Philippines
MOROCCO	■		■	Africa, Asia; Spain, western Europe
EGYPT	■	■	■	Eastern Europe; Middle East; Israel
TURKEY	■	■	■	Bulgaria, India, Iraq, Jordan, Philippines, Romania, Russia, Ukraine; Asia, Saudi Arabia
JORDAN		■	■	Israel, Turkey; Ukraine, Eastern Europe
LIBYA			■	Africa, Sri Lanka; Spain, western Europe
ALGERIA			■	Italy, southern Europe
TUNISIA				
YEMEN				

SOURCE: compiled from 'The Protection Project (2002)', Johns Hopkins University.

Map 2: Trafficking of Persons, Especially Women and Children: Middle East Routes



■ Countries with trafficking activity
● Transit Stop

Source: © The Protection Project
 Johns Hopkins University
 School of Advanced
 International Studies

Created by Neha Mathur
 March 2002

Routes represent at least one documented case of trafficking of persons. See individual country reports for additional information.

- 1) Dominican Republic, 2) Brazil, 3) Denmark
- 4) Netherlands, 5) Belgium, 6) Germany, 7) Poland
- 8) Lithuania, 9) Belarus, 10) Russia, 11) Ukraine
- 12) Moldova, 13) Bulgaria, 14) Turkey, 15) Georgia
- 16) Armenia, 17) Azerbaijan, 18) Lebanon, 19) Syria
- 20) Israel, 21) Jordan, 22) Iraq, 23) Kuwait, 24) Saudi Arabia,
- 25) Bahrain, 26) Qatar, 27) United Arab Emirates,
- 28) Oman, 29) Iran, 30) Turkmenistan, 31) Uzbekistan,
- 32) Kazakhstan, 33) Tajikistan, 34) Kyrgyzstan, 35) Pakistan,
- 36) India, 37) Nepal, 38) Bangladesh, 39) Sri Lanka, 40) Burma,
- 41) Thailand, 42) Indonesia, 43) Philippines, 44) Togo,
- 45) Benin, 46) Nigeria, 47) Egypt, 48) Sudan, 49) Ethiopia,
- 50) Kenya, 51) Madagascar, 52) South Africa

The State Department Report (USA, 2004) is broadly in line with the above data, although slightly more restrictive as it does not consider routes with fewer than 100 trafficked persons. A particular abuse, of young boys trafficked for the violent and dangerous pursuit of camel-racing, is documented for Qatar [children from Sudan, Somalia and S. Asia], Kuwait [Sudan, Yemen, Eritrea and S. Asia] and United Arab Emirates [Pakistan and Bangladesh]. In addition, it notes extensive trafficking of children from South Asia and Africa for begging rings in Saudi Arabia. Overall, the 2004 Report notes for this region that there is a confusion by state authorities of trafficking with prostitution and illegal immigration, and a lack of labour law protection for domestic workers and boy jockeys in the GCC countries.¹¹ To this, one might add the apparent nexus of trafficking, domestic service and forced prostitution – with very many reported cases of the ease with which employers and traffickers can trick and cheat immigrants of their few legal rights.

One of the clear lessons of anti-trafficking policy is that strong specific legislation, accompanied by the political will to prosecute cases, is needed for dealing with these problems. None of the GCC countries possesses such legislation; currently, it exists for Israel, all of southern Europe, Turkey and is in process in Egypt. One might suppose that the existence, and use of, anti-trafficking legalisation would be a crucial evaluation criterion of the placement of countries in the US State Department Report (USA, 2004: 39). In fact, Greece, Cyprus and Turkey (all with extensive anti-trafficking laws, as of 2004) are placed below many of the GCC countries – the latter, whose record is simply non-existent or openly tolerant of abuses. **Table 9** shows the latest rankings of countries in this region, in the 2004 Report. It seems that the collection and analysis of data has a very long way to go, before we can claim adequate scientific understanding of the realities of trafficking and abusive conditions of immigrants in the MENA region.

Table 9
Placement of countries in US State Department 'Trafficking in Persons Report, 2004'

Tier 1	Tier 2	Tier 2 Watch List
Italy	Bahrain	Cyprus
Morocco	Egypt	Greece
Spain	Israel	Qatar
	Kuwait	Turkey
	Lebanon	
	Saudi Arabia	
	United Arab Emirates	

SOURCE: USA (2004: 39)

¹¹ Apparently, these are not employment relationships! Domestic workers are part of a family, and underage camel jockeys are participating in sport activities.

Some economic aspects of migration in the MENA region

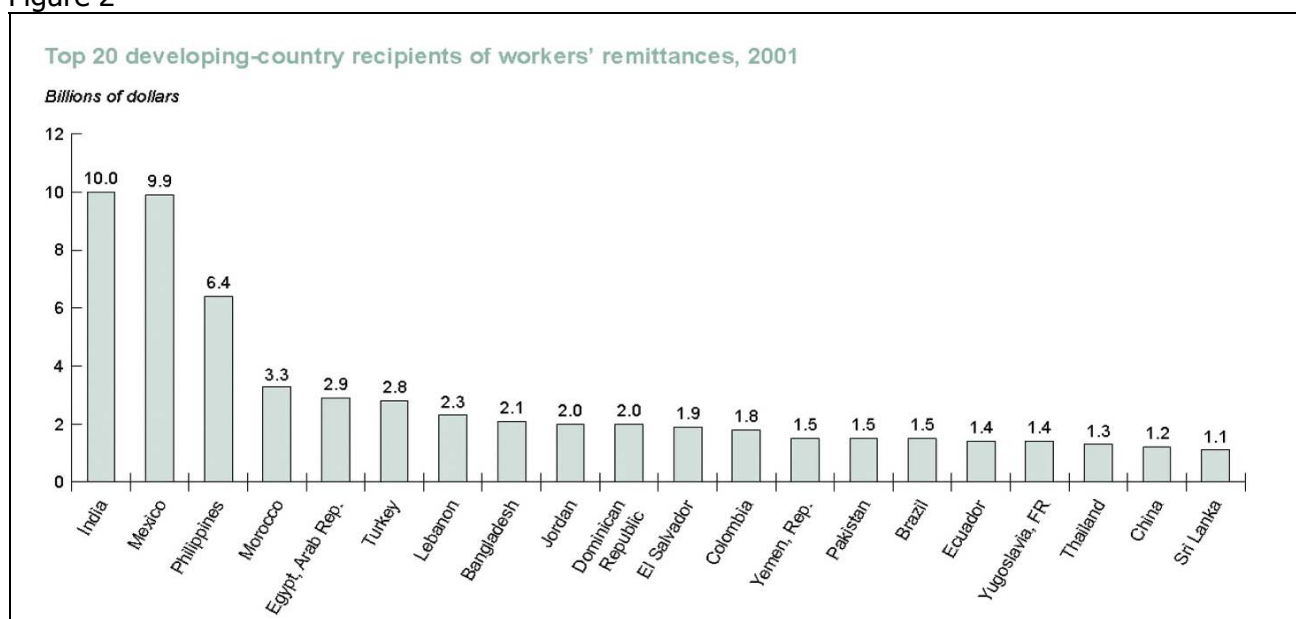
Migration has dominated the economic landscape of the MENA countries for the last 40 years or so, although in several different ways. For the Maghreb, emigration was a solution to labour supply growth which outstripped economic development (Khachani, 2004: 35). Within this region, though, the two oil-producing countries of Algeria and Libya have not had the economic pressures of their poorer neighbours. For the Mashrek countries, emigration was also favoured since about 1970 – although short-term labour migration to the Gulf countries was envisaged, rather than to the USA or Europe. For the GCC countries, however, their own insufficient labour supply led them to import more and more temporary foreign workers – initially from the Arab world, then more from Asia. Current pressures lead them to attempt reductions in their foreign workforces, but these attempts are frustrated by the lack of labour market reforms and other structural economic problems (World Bank, 2004a; UNDP, 2002 and 2003). We examine separately here, issues of emigration and remittances, and population and national labour markets in the region.

Emigration, remittances and the “brain drain”

For the last two decades or more, migrants’ remittances to North Africa have constituted the highest ratio to GDP of any region in the world: in 2002, they were 3,1% of GDP, compared with 1,6% for Latin America or 0,6% for sub-Saharan Africa – the latter, the lowest ratio in the world (United Nations, 2004a: 106-7). Taking the MENA region as a whole, the ratio comes down to 2,2% for the last few years, compared with South Asia at 2,3–2,6% GDP (World Bank, 2003: 160). Globally, remittances are well below FDI, but for the MENA region – if we exclude Saudi Arabia – this not true, as FDI and regional economic development are generally not impressive over the last decades.

Looking in more detail at remittances in 2001, [Figure 2](#) gives officially recorded inflows by country: these data are thought to under-record the actual inflows, which may take many other less visible forms.¹² In actual inflows, six out of the top 15 countries are MENA; these are Morocco, Egypt, Syria, Turkey, Lebanon, Jordan, and Yemen.

Figure 2

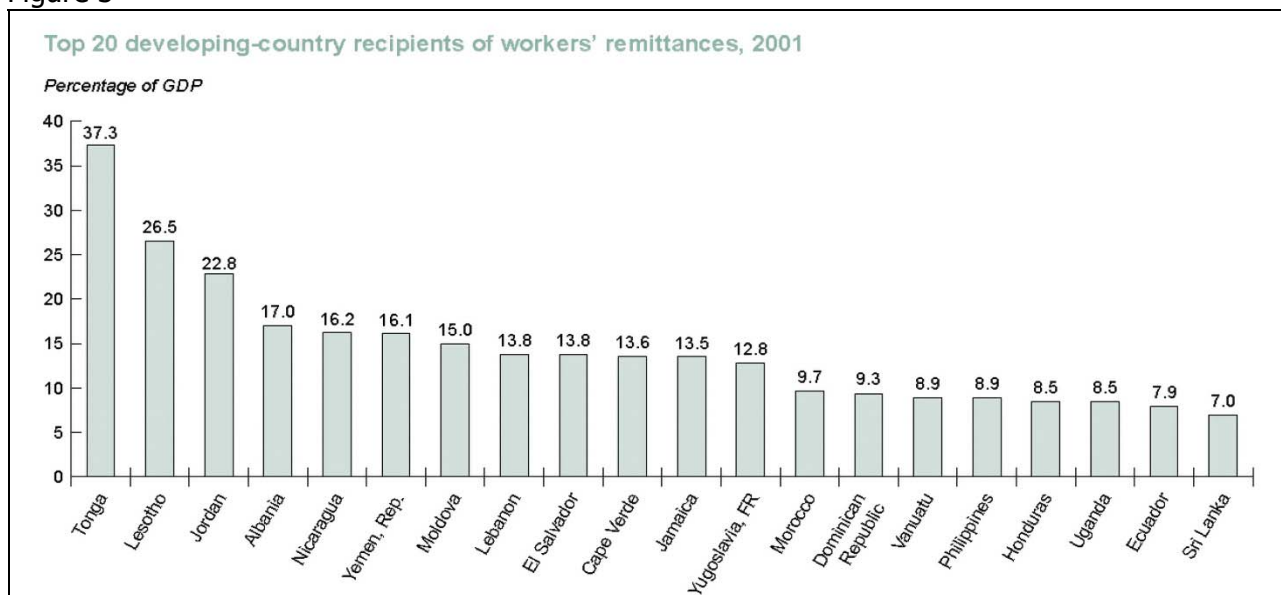


SOURCE: World Bank (2003)

¹² See, for example, Khachani (2004: 37), and World Bank (2003: 171-2) for some details of alternative informal mechanisms and problems of measurement.

Looking at remittances as a proportion of GDP, we can see a similar pattern but focused on smaller countries. This is shown in **Figure 3** below. This time the greatest impact is on Jordan (at 23% GDP), followed by Yemen, Lebanon, and Morocco. Even the lowest proportion – Morocco with 10% of GDP – as a massive contributor to the national economy.

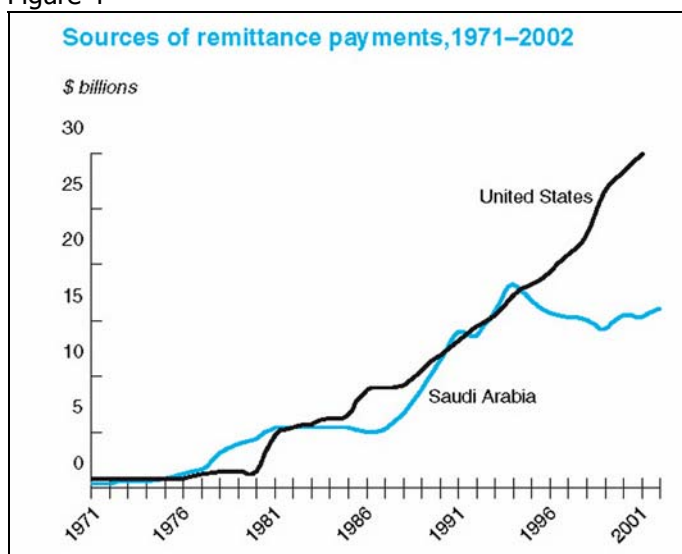
Figure 3



SOURCE: World Bank (2003)

Although globally the largest source of remittances is now the European Union (United Nations, 2004a: 107), the two countries which have traditionally been the source are the USA and Saudi Arabia. **Figure 4** shows the trend in remittance payments sent from them for the period 1971-2001. Until 1994, the two countries followed a similar pattern: subsequently, Saudi Arabia expelled many Arab guestworkers (substituting them with Asians) and is currently trying to restrict immigrant labour. At the moment, the level of remittances appears to be slowly rising since its minimum in 1998: it is, however, well below the level of remittances from the USA.

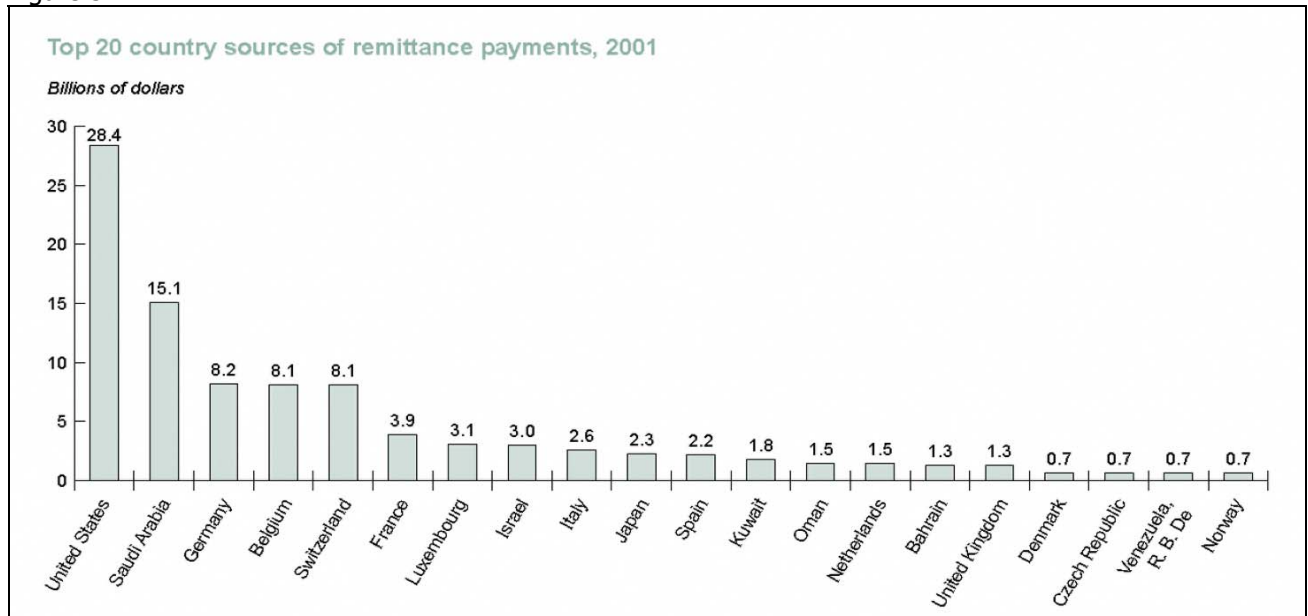
Figure 4



SOURCE: World Bank (2004b)

Looking at other remittance source countries in MENA and the Mediterranean region (Figure 5), France, Israel, Italy, Spain, Kuwait, Oman and Bahrain are also highly relevant to migrants from the Maghreb and Mashrek. Although details of geographic origin of remittances are rarely available, data for Morocco in 2000 show nearly 50% from France, and another 40% from other EU countries. Only 4,2% was from USA, and 5% from GCC countries (IOM 2003a: 225).

Figure 5



SOURCE: World Bank (2003)

In a rare and detailed comparative study of Moroccan and Egyptian migrant communities, Collyer (2004: 31-32) compares migrants' geographical distribution patterns with remittance levels. Aside from the rather worrying detail that the breakdown for the same year shows Moroccans in France sending only 41%, and in Italy as much as 16%, the comparison reveals the very different results of Egyptian and Moroccan migrations. Broadly, the Moroccan migrants remit proportionately. Egyptians, on the other hand, remit massively from the USA, Gulf states and Europe; and proportionately very little from Saudi Arabia, Libya, Jordan, Canada and Greece. The reasons for these disparities are open to conjecture, but do indicate very different patterns of remittance behaviour of migrant communities from the region. In general, remittances from the GCC countries are thought to be very high – even if unrecorded through informal transactions (Lucas, 2004: 8).

Issues of "brain drain"

The brain drain is a difficult issue, owing to lack of data on skilled emigrants and their remitting or other behaviour, the greater mobility of the highly skilled – with some countries losing up to 30% of university graduates (Wickramasekara, 2002: 5), and a lack of clear-cut benefits with return migration. Thus, there are rarely monochromatic positions which can be taken on this issue.¹³ Although emigrants' remittances constitute important contributions to the economy of the sending country, against this has to be balanced the loss – potential or actual – of skilled scientists or younger workers. Recent theoretical attempts to solve the conundrum include a balance sheet approach (Wickramasekara, 2002: 7), but one which challenges the conventional wisdom of the value of return migration policy, as was used by Turkey in the 1970s. Increasingly, the IOM and academic

¹³ This ambiguity is clearly reflected in the GCIM Cairo meeting (GCIM, 2004), where there was no consensus on the relevance of brain drain for the MENA region.

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researchers are sceptical about one-way return migration: instead, the development of circular migration of skilled professionals is advocated (UNDP, 2002: 71). Such a framework allows the sending country to use the skills of its scientific diaspora, without the perceived problems for such migrants to work in their country of origin. Wickramasekara also advocates dual citizenship and recognition of diaspora, in order to promote “brain circulation”. For such a circulation, however, specific practices are needed in both sending and receiving countries. These include, for receiving countries: visa regimes, student fee levels, networking with sending countries, and ethical and controlled recruitment campaigns. For sending countries, taxation and human rights problems are clear disincentives, and R&D priorities, incentives not only to return but also to attract expatriate investments, along with other issues of economic growth and development are essential. This approach is emphasised systematically in the two UNDP *Arab Human Development Reports*, as well as the World Bank regional employment report (World Bank, 2004a) and other IOM reports on emigration and remittances (Sorensen, 2004a and 2004b).

Demographic and labour market issues

Population growth in the MENA region is an important issue with regard to socio-economic development and migration-related issues. There are varying rates of total fertility in the region:

- TFR <3 per female: Bahrain, Kuwait, Lebanon and Tunisia
- TFR >3 <5 per female: Algeria, Egypt, Jordan, Libya, Morocco, Qatar, Syria and UAE
- TFR >5 per female: Oman, Saudi Arabia and Yemen

Population projections¹⁴ to 2020 suggest growth in the MENA region from 284 million in 2000 to 410 million (UNDP, 2002: 37), with the highest growth rates in Saudi Arabia, Oman and Yemen. The greatest population sizes would be in Egypt [91 million], Algeria and Morocco [41 million each], Yemen [37 million] and Saudi Arabia [33 million] (UNDP, 2002: 144). Depending on issues of economic development, this demographic change can be seen as either a “gift or a curse” (UNDP 2002: 38), since the lower dependency ratio allows a greater working age population more easily to support the elderly. However, in the absence of structural economic change, the demographic shift would probably result in higher unemployment and emigration incentives.

Already, by the late 1990s, the demographic changes in the MENA region had produced “some of the most intense pressures on labour markets observed anywhere in the world in the post-World War II period” (World Bank, 2004a: 71). The excess of labour force growth over employment growth in the 1990s resulted in unemployment rates ranging from 8% in Saudi Arabia, 15% in Tunisia, and as high as 22% and 28% in Morocco and Algeria (World Bank, 2002: 72). Labour force growth is not determined solely by demographic issues, and in fact participation rates (especially female) have been rising continuously. **Table 10** shows the labour force growth in the region 1950-2000 and projections for 2010 and 2020. Over the next two decades, the MENA countries’ labour force is expected to increase by some 80% in total, increasing from 11,6m to 20,7m for GCC countries, and going up from 92,8m to 164,6m for non-GCC. The countries with the biggest labour stocks are Egypt, Morocco and Saudi Arabia – the latter including non-nationals in the labour force. Thus, by 2020 the number of jobs required to absorb the new labour market entrants, and to deal with current unemployment levels averaging 15%, is around 100 million. This is effectively a doubling of the current levels of employment (World Bank 2004a: 1), requiring massive labour market and economic reforms.

The causes of poor employment and economic performance in the region are complex and varied, and cannot be dealt with here. One common structural feature is the public-private dichotomy: dating back to earlier times when domestic labour supply was short, most MENA countries instituted guarantees of state employment. This ‘social contract’ embodied extensive state intervention and

¹⁴ Various methods of projection are possible: the one cited here uses TFR and life expectancy data as estimated by the UN.

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redistribution, employment guarantees and the 'right to work' in constitutional form (World Bank 2004a: 31-35). By 2000, the share of national labour forces in the state sector was extremely high in the GCC countries, ranging from 94% in Kuwait to 22% in Saudi Arabia. For non-GCC countries, their economies were not able to sustain this level of state employment, leading to the growth of unemployment and high rates of informal employment [up to 50% of total employment]. Throughout the MENA region, however, the private sector has been disadvantaged not only by over-regulation, but also by high wages offered in the public sector. This has led to the virtual unemployability of nationals in the private sectors of GCC countries, which are now dependent on foreign labour not because of the shortage of national workers, but owing to their demand for high wages (Girgis, 2002).

Table 10

Labour force growth in the MENA region, 1950-2020 (millions)

Country	1950	1960	1970	1980	1990	2000	2010	2020
MENA	25.50	30.60	37.73	51.58	72.83	104.40	146.37	185.25
Non-GCC^a	24.40	29.21	35.67	47.30	64.99	92.79	130.49	164.58
<i>Algeria</i>	2.70	2.99	3.18	4.56	6.75	10.23	14.92	18.80
<i>Egypt</i>	7.29	8.80	10.90	13.52	17.41	23.68	32.23	39.96
<i>Jordan</i>	0.12	0.23	0.42	0.50	0.79	1.62	2.35	3.13
<i>Lebanon</i>	0.41	0.49	0.62	0.71	0.82	1.22	1.62	1.88
<i>Libya</i>	0.31	0.39	0.57	0.89	1.25	1.77	2.34	2.77
<i>Morocco</i>	2.94	3.76	4.42	6.23	8.59	11.55	14.67	17.21
<i>Syria</i>	1.07	1.30	1.71	2.29	3.29	5.18	7.72	10.17
<i>Tunisia</i>	1.10	1.24	1.40	2.09	2.76	3.73	4.78	5.34
<i>Yemen</i>	1.37	1.55	1.76	2.18	3.16	5.03	7.51	11.05
GCC^b	1.10	1.38	2.07	4.28	7.84	11.61	15.88	20.67
<i>Bahrain</i>	0.03	0.04	0.06	0.13	0.22	0.31	0.40	0.48
<i>Kuwait</i>	0.06	0.11	0.24	0.50	0.89	1.19	1.64	1.91
<i>Oman</i>	0.12	0.13	0.17	0.32	0.56	0.95	1.29	1.69
<i>Qatar</i>	0.00	0.01	0.03	0.07	0.14	0.32	0.36	0.40
<i>Saudi Arabia</i>	0.86	1.06	1.48	2.72	5.33	7.31	10.33	14.25
<i>United Arab Emirates</i>	0.02	0.02	0.09	0.54	0.71	1.52	1.85	1.95

SOURCE: World Bank (2004a: Table A.4)

Notes

^a *Includes Iran and Iraq*

^b *Includes non-nationals*

Given these recent changes in MENA labour markets, where do immigration and emigration fit in? Demographic change in the GCC countries means that the possibility of regional migration flows alleviating labour market pressures for the Maghreb and Mashrek is extremely limited; indeed, the same demographic change has created similar pressures throughout the MENA region. Migration to Europe, on the other hand, might seem a better 'fit' with MENA's excess labour supply and the EU's dwindling population and labourforce. However, in this case it is European policy which is acting as a constraint (World Bank, 2004a: 173-4). In both cases, of labour migration to GCC countries and the limited possibilities in the EU, it may be that skills and training will be the principal determinants of how great a role migration will play in the next decades.

Trends, policies and regional issues

Previous times saw a synergy between the excess labour supply of the Maghreb and Turkey with the booming European economies of the 1960s, and between the Mashrek and oil-rich GCC countries in the 1970s. These phases were succeeded, in some countries, by family reunification migration to Europe, followed by illegal migration and/or asylum-seeking. Within the MENA region itself, the 1990 Gulf crisis led to the expulsion of 700.000 Egyptians from Iraq, Jordan and Kuwait; 800.000 Yemeni from Saudi Arabia and other GCC countries; some 150.000 Palestinians from the Gulf region. In total, an estimated 2 million Arab workers and dependants were removed from Gulf countries (Fergany, 2001: 4), with resultant massive shocks to labour markets and economies.

Now, in the latest phase, we can identify some more or less common patterns:

- High open unemployment across the MENA region
- Increasing labour supply needs a doubling of jobs by 2020
- Weak private sector employment alongside over-burdened state sector employment
- Very large and increasing informal sectors [Maghreb, Israel, Turkey and Mashrek]
- Emergence of the territory as 'transit zones' [Maghreb, Turkey]
or
Major recipients of trafficked persons [GCC, Israel]
- Structural dependence on immigrant labour [GCC]
or
Structural dependence on remittances and emigration safety-valve [Maghreb, Mashrek]
- Brain-drain issues [Maghreb, Mashrek]

Table 11 shows official government responses to the latest UN survey on migration and policy responses. Only one country – Israel – considers its level of immigration to be too low: this is simply referring to Jewish immigration, though. Eight countries consider their levels of immigration to be too high: these consist of four GCC countries [Kuwait, Oman, Saudi Arabia and United Arab Emirates], three Mashrek countries [Jordan, Lebanon, Yemen] and Turkey. All of these, plus Egypt and Tunisia, wish to reduce the levels of immigration. Only two countries [Israel and Saudi Arabia] explicitly wish to integrate their immigrant population. Looking at emigration, Egypt and Jordan consider their levels to be too low: these two countries, plus Turkey and Yemen, wish to increase their emigration rates. Kuwait and Syria consider their emigration to be too high: they, along with Morocco and Saudi Arabia, wish to reduce emigration levels. Finally, four countries encourage return of their emigrants: these are Algeria, Israel, Morocco and Saudi Arabia. Three explicitly do not encourage return – Egypt, Tunisia and Turkey.

Are there any patterns to this? Concerning immigration, most GCC countries wish to reduce their foreign labour stocks in order to provide employment for their young unemployed labour force; in the Mashrek, Lebanon and Jordan also have Asian low-skilled migrants, whereas other countries [Egypt, Tunisia, Yemen] presumably refer to refugees and illegal transit migrants. Emigration is still viewed as an economic (partial) solution by Egypt, Jordan and Turkey, whereas Kuwait, Syria, Morocco and Saudi Arabia are clearly more concerned with 'brain drain'. In the same vein, there is no concordance on the value of return migration, with North Africa split equally on the issue.

One common feature of the GCC and Mashrek states, is their use of the *Khafeel* or *Kafala* system of temporary guestworkers. Since this has no clear parallel in the West, it is worth describing its most important features. Migrant workers receive an entry visa and residence permit only if a citizen sponsors them. The *Khafeel*, or sponsor-employer, is responsible financially and legally for the worker, and signs a document from the Labour Ministry to that effect (Longva, 1999: 20-21). The worker is tied to a particular employer, and if the worker breaks the contract he/she has to leave the country immediately at his or her own expense – otherwise the employer would cover the return fare. Typically, employers confiscate the passports of their workers, in order to control them better, and

Table 11

Views of national governments on levels of immigration and emigration, and proposed policies

	IMMIGRATION						EMIGRATION		
	view	policy	policy subtype				view	policy	encourage return?
			permanent	temporary	dependants	integration			
ALGERIA	✓	✓					✓	✓	yes
BAHRAIN	✓	✓					✓	✓	
EGYPT	✓	reduce					too low	increase	no
ISRAEL	too low	increase	increase	reduce	reduce	yes	✓	✓	yes
JORDAN	too high	reduce					too low	increase	
KUWAIT	too high	reduce	reduce	reduce	reduce	no	too high	reduce	
LEBANON	too high	reduce					✓	✓	
LIBYA	✓	✓					✓	✓	
MOROCCO	✓	✓	✓				✓	reduce	yes
OMAN	too high	reduce		reduce			✓	✓	
QATAR	✓	✓					✓	✓	
SAUDI ARABIA	too high	reduce	✓	reduce	reduce	yes	✓	reduce	yes
SYRIA	✓	✓					too high	reduce	
TUNISIA	✓	reduce					✓	✓	no
TURKEY	too high	reduce	✓	reduce	✓		✓	increase	no
UAE	too high	reduce					✓	✓	
YEMEN	too high	reduce					✓	increase	

Note: a tick indicates satisfactory level or maintenance of existing policy

SOURCE: United Nations (2004b)

therefore circumscribe their freedom of movement. Whereas labour law typically confers strong rights on workers (with the major exception of domestic workers), aliens law governing residence of foreigners does not. The immigration laws of GCC and Mashrek countries predicate the legal presence of foreigners on sponsorship (*Khafala*), therefore any dispute with an employer-sponsor leaves the immigrant without legal residence, the possibility of working, and effectively the possibility of gaining legal redress (Longva, 1999: 22). The abuses by employers which have arisen out of this system are numerous and horrendous; despite extensive documentation¹⁵, there appears to be little interest in reforming labour immigration mechanisms in most of the countries of the region. Whereas earlier Arab migrants had some limited protection (Abella, 1994), plus understanding of the culture and language, Asian migrants – now the majority – are more easily abused. To this should be added the non-protection of housekeepers by labour law, and the apparent linkage of recruitment with trafficking (see above).

National policy trends

The North African countries have tended until recently to emphasise their migrant communities, along with remittances, with such initiatives as Morocco's 2001 integrated policy for migration management of the Moroccan diaspora (Sorensen, 2004b: 8). A similar pattern can be found in Tunisia since 1988 (IOM, 2003a: 232) with its Office for Tunisians Abroad, or Egypt's emigration section of the Labour Ministry, since 2001 – the latter in collaboration with the IOM and Italy (Anon., 2003). However, the general consensus is that remittances were not effectively utilised for the promotion of economic development (e.g. Fergany, 2001: 9).

More recently, several new trends of policy have emerged. First, there has been a recognition of the need for major labour market reform for the purpose of economic development, and migration is only a small part of that process. Reform has yet to begin in a substantive way, but looks inevitable. Secondly, greater collaboration with northern Mediterranean countries, primarily in the combating of illegal migration flows, but also in seasonal and other labour recruitment efforts. Thirdly, and following from the second, a recognition of the need for immigration regulation in the Maghreb countries: this started with Morocco in 2003, and is proceeding with Tunisia and Egypt (Baldwin-Edwards, 2004a).

The Mashrek countries generally seem not to have clear policy objectives, although there is a stated desire to reduce immigration levels [see Table 11 above]: whether this refers to Asian workers, refugees or illegal migrants is unclear. Emigration is still viewed as a desirable option by most of the Mashrek, although the possibilities seem very limited, and remittances remain important for all of them.

The special case of GCC countries

The Gulf countries, for demographic and labour market reasons, now try to limit the number of "expatriate" or foreign workers (starting in 1998 with Bahrain) with restrictions on immigrant employment and subsidies for native workers. These efforts have been particularly intense in Bahrain, Oman and Saudi Arabia, and have recently been stepped up in Kuwait, Qatar and United Arab Emirates (World Bank, 2004a: 159-160). The 2003 mandate of the Saudi Manpower Council determined that foreign workers and their dependants should not exceed 20% of total population by 2013, which implies the removal of some three million immigrants by that date (Pakkiasamy, 2004).

Policies in the GCC countries to discourage the hiring of immigrant workers vary,¹⁶ along with incentives to employ natives, but their general features are summarised below:

¹⁵ See, for example, HRW (2004). This 120-page detailed report on abuses in Saudi Arabia was met with political denial and outrage by the authorities.

¹⁶ For details of each national policy, see World Bank 2004a: 160-161

Work permits: individual permits obtained prior to arrival

Sponsorship permits: for household and individual employees, a “no-objection” permit is needed

Quotas: some GCC countries restrict the number of permits, either at national level [Saudi Arabia] or at firm level [Oman]

Bans: most GCC countries exclude certain jobs or skills from new foreign recruitment

Fees: these include work permit fees, and an annual residence permit fee

Job nationalization: this aims to replace immigrant workers with native, mainly in the public sector

Employment subsidies: these attempt to minimise the wage gap between immigrant and native workers

Active persuasion: some GCC governments make private sector access to industrial incentives [loans, tariff protection etc.] conditional on achieving minimum levels of native worker employment

Job transfers: prohibition of transfer of immigrants workers’ employment

Residence permits for families: restricted to high-skill foreign workers

Signing bonus: offered to new Saudi recruits by firms

SOURCE: Girgis (2002: 30)

These policies are judged to have produced tangible results: in Bahrain, Kuwait, Oman and Saudi Arabia, the share of nationals in employment rose between 1990 and 2000. In the public sector, the share increased from 65% to 80%, and in the private sector, from 25% to 32%. The number of immigrant workers in the public sector fell in both relative and absolute terms (World Bank, 2004a: 160-161).

The effect of this “nationalization” of the labour force on Arab foreign workers in the GCC countries is not clear: Girgis (2002: 33) suggests that low-skill jobs will be the safest, and this will benefit mostly Asians. Some substitution of high-skill Arab foreign workers by natives will take place, but it is medium-skill Arab workers who are most likely to lose out to natives through the nationalization programmes. He predicts “slow Arab out-migration” in the GCC labour markets over the period 2003-2007, with foregone remittances to neighbouring Arab countries totalling some \$1.55 billion, along with a bill for their costly national replacements totalling some \$9 billion (Girgis, 2002: 39). According to Zachariah *et al.* (2002: 6), the nationalization initiative in UAE has included a ban on visas for unskilled workers from India, Pakistan and Bangladesh since July 1999. This would suggest that Asian jobs are not secure, and again affirms the idea that medium-skill work will be the most contested arena.

Israel and Turkey

It seems fairly clear that Israel will continue with its policies on immigrant labour, with a racially segregated approach and abusive working conditions of non-Jewish workers. Given the current climate of Israel-Palestine relations, it seems likely that the use of temporary labour from Asia and the Balkan countries will persist, rather than facilitating Palestinian employment.

Turkey, on the other hand, has already undergone significant transformation in its migration management since 2000, and is in the process of making even more adjustments to the *acquis communautaire* for the purposes of its application for EU membership (Apap *et al.*, 2004). These will include the development of a more coherent immigration policy, removal of the geographic limitation on asylum applications, and revamping of visa requirements. It can be expected that these changes will massively increase Turkey’s control over migration movements in the region.

Regional Initiatives

Older regional initiatives exist, aiming at Arab unity and a regional labour market. The 1965 Agreement of the *Council of Arab Economic Unity* provided for freedom of movement, employment and residence and abolished certain restrictions on migration in the region (United Nations, 2004a: 194). In 1968, the Arab Labour Agreement was developed by the *Arab Labour Organisation* in order to promote labour mobility and give priority to Arab workers (Martinez, 2002). Similarly, in 1984 the Arab Declaration of Principles on the Movement of Manpower was adopted, with the aim of developing

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inter-regional co-operation. However, as many commentators note, these declarations seem mainly to have been symbolic and ideological (Fergany, 2001; UNDP, 2002: 129): even regional economic integration is very limited, with inter-Arab trade accounting for only 7-10% of total trade (UNDP, 2002: 126).

More recent regional initiatives include the so-called *5+5 Dialogue on Migration in the Western Mediterranean*, hosted by the IOM in 2002, 2003 and 2004. The partner countries are Algeria, Spain, France, Italy, Libya, Malta, Morocco, Mauritania, Portugal and Tunisia. Recent efforts by the European Commission within this framework to manage illegal migration via Libya (effectively returning migrants to Libya with no human rights protection) have come under intense fire, as has the role of IOM in such non-voluntary returns (HRW, 2005: 373). There are also meetings co-ordinated by ICMPD on transit migration in the Mediterranean, involving (from the MENA region) Algeria, Egypt, Lebanon, Libya, Morocco, Syria, Tunisia and Turkey, plus many other European countries and the European Commission as observer (ICMPD, 2004b).

Bilateral readmission agreements constitute one of the most important measures available to combat illegal migration. Table 12 shows the major agreements in the region.

Table 12
Known Readmission Agreements in the MENA and Mediterranean regions

<i>Readmission with:</i>	Spain	Italy	Greece	Turkey
Albania		✓	✓	
Algeria	✓	✓		
Bulgaria	✓	✓	✓	✈
Croatia		✓	✓	
Egypt				✈
Georgia		✓		
Kazakhstan				✈
Kyrgistan				✓
Lebanon				✈
Libya				✈
FYR Macedonia		✓		✈
Malta		✓		
Morocco	✓	✓		
Mauritania	✓			
Nigeria	✓	✓		
Romania	✓	✓	✓	✓
Slovenia		✓		
Syria				✓
Tunisia		✓		
[Turkey]			✓	
Uzbekistan				✈
Yugoslavia		✓		

Note: ✈ indicates under negotiation

SOURCES: Terrón (2004), Chaloff and Piperno (2004), USCR (2002), Apap *et al.* (2004)

Clearly, the most active country for such agreements is Italy, which faces illegal immigration from the Mediterranean South, the Balkans and the East. Turkey, although with only two agreements with sending countries, is undertaking negotiations with a wide range of states in the region; reports suggest that it has great difficulty in exerting the leverage to effect such agreements (Apap *et al.*, 2004). Spain and Greece especially, have few agreements with less major source countries, such as sub-Saharan Africa and the Middle East.

Issues of human rights protection for migrants

Largely owing to the sponsored migration (Khafeel) system, along with the unprotected status of forced migrants in many countries, the issue of human rights protection of migrants is paramount in the MENA region. As Jureidini (2004a) has shown, with the exception of Kuwait, the GCC countries' ratifications of the principal human rights treaties is quite poor: the only convention with unanimous ratification is the *UN Convention on the Rights of the Child*.

Turning specifically to migration issues, it has already been noted above that ratification of the UN Protocol on Trafficking is confined to Bahrain, Egypt, Libya, Tunisia and Turkey in the MENA region – with the absence of some countries which are seriously affected by the phenomenon. Similarly, the *UN 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families* has been ratified only by Egypt, Libya, Morocco and Turkey.¹⁷ Furthermore, the 1990 Convention is the only available international instrument able to protect domestic houseworkers, since even the ILO Convention 143 [see below] excludes contract workers recruited under the Khafeel system (Jureidini, 2004a: 209). Thus, there are several millions (presumably) of female migrant domestic workers in the MENA region whose rights are almost non-existent, save under the general provisions of the Universal Declaration of Human Rights. Given the massive reporting of abuses and violence against female migrants in particular, this represents one of the most serious deficits of migrants' human rights protection anywhere in the world today.

The two ILO Conventions on migration (97 and 143) have been ratified by few countries generally, despite setting achievable minimum standards for the management of migration and treatment of migrants. Convention no 97, from 1949, has 42 ratifications across the world, and from the MENA region only Israel has ratified it. There are no ratifications of the 1975 convention in the MENA region.

The *Arab Charter on Human Rights* of the League of Arab States, adopted in 1994, does contain some universal provisions for all persons on the territory – apparently regardless of their legal status or national origin.¹⁸ However, it also emphasises national law and citizenship as important aspects of economic relations – in other words, re-affirming the highly segmented and regulated labour market approach. Nevertheless, it would appear that many signatory states are in fact failing to observe the minimal standards of human rights guaranteed by the Charter. Despite this generally bleak scenario, there have been some small but welcome improvements at the national level: these are dealt with in the final section – Good Practices – below.

¹⁷ The latest ratification by Turkey in September 2004 explicitly excludes immigrants from membership of trades unions or from acquiring property in Turkey.

¹⁸ See especially Arts. 2 and 13.

Good practices in the region

Given the sheer complexity of migration in the Mediterranean and Middle East regions, it is not surprising to find a diversity of good practices which are impacting on the general patterns previously described. These good practices are of several fairly distinct types¹⁹, namely:

- 🚩 Policies to combat illegal migration
- 🚩 Policies to combat trafficking of persons
- 🚩 Policies to protect the human and economic rights of migrants
- 🚩 Policies for the long-term integration of migrants
- 🚩 Policies for better migration management and economic development

We shall examine each category in turn, focusing on some recent national or regional strategies which make some contribution to evolving migration management and actualities.

Policies to combat illegal migration

TURKEY has undertaken a commitment to fighting illegal transit migration relatively recently – partly because the phenomenon seems to have escalated in the last decade, and partly in support of its application for EU membership. Since 2002, Turkey has made rapid progress in aligning the country's border and migration management with Schengen: this includes modernization and training of border and coast guards, participation in CIREFI²⁰ since 2001 with data-sharing, two 'twinning' projects on immigration and trafficking with Austria, Denmark, Germany and the UK (Apap *et al.*, 2004: 18-19). Turkey signed the UN Convention against Transnational Organized Crime and the associated trafficking Protocol, and in 2002 criminalised in domestic law human smuggling and trafficking – with 21 successful prosecutions and another 21 pending as of March 2004 (Apap *et al.*, 2004: 21). In terms of readmission agreements, Turkey has successfully concluded these with only three non-EU countries, returning some 850 migrants to Syria so far. There are negotiations continuing with another 11 countries²¹, and attempts to start negotiations with another 15. Compared with the dismal progress of the EU in negotiating such agreements, Turkey is actually doing rather well!

Visa and asylum policy remain as sticking points with the EU. Turkey gives visa-free travel to several Balkan countries, Israel, Iran, Morocco, Tunisia, Kazakhstan and Kyrgyzstan, and a border visa-sticker to nationals of several Balkan states, Jordan, Armenia, Azerbaijan, Tajikistan, Turkmenistan and other former USSR states. Although not intended for this purpose, the easy entry to Turkey led in the 1990s to "suitcase trade" and associated informal economic activities, particularly in Istanbul. Two negative aspects of non-visa entry appear to be the evolution of illegal employment and of prostitution and trafficking.

Turkey maintains the geographical limitation on the Geneva Convention with the reasoning that it would be flooded by applications owing to its geopolitical situation, and is reluctant to change this before being admitted to full EU membership and the possibility of financial and other assistance to deal with such problems. Overall, Turkey has managed to make rapid progress on the technical upgrading of much of its migration management, whilst retaining for the moment some of the economic protection afforded by informal economic activities. This compromise can only be commended as a realistic and effective approach to combating illegal migration.

MOROCCO passed a tough new immigration law in 2003, aimed at controlling transit migration from sub-Saharan Africa, and established two new institutions – the Directorate of Migration and Border

¹⁹ Inevitably, there is some degree of overlap between the categories. In particular, the last category can be thought to subsume many of the others.

²⁰ The EU Centre for Information, Discussion and Exchange on the Crossing of Borders and Immigration.

²¹ See Table 12, above, for countries in the MENA region

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Surveillance, and a Migration Observatory. Collaboration with Spain took two positive turns in 2004: the acceptance of sub-Saharan boat migrants under its readmission treaty with Spain, and joint naval patrols in collaboration with the Spanish Integrated Service of Vigilance of the Straits [SIVE] (Baldwin-Edwards, 2004a). However, the EU has not made available the sort of resources granted to Turkey, as Morocco is not an EU candidate country, therefore the costs have been borne primarily by Morocco.

ITALY has been the most active southern European country in developing strategies to deal with illegal migration. The 2002 immigration law, continuing a policy dating back to 1998, explicitly constructs a foreign policy priority to reward countries “which actively collaborate in the fight against undocumented migration to Italy”.²² Effectively, this has meant offering second generation preferential labour recruitment and other agreements with countries which have already concluded functioning readmission agreements with Italy. Specifically, Italy has targeted countries in North Africa and the Balkans which have been the principal sources or routes of illegal migration. By 2001, Italy had signed 28 such agreements, with 21 in force: the states in the region are listed above in Table 12. In most agreements, return is often upon “presumed nationality”, derived from various implicating documents; in the cases of Morocco and Tunisia, complex identification procedures are needed before readmission (Chaloff and Piperno, 2004: 4).

Policies to combat the trafficking of persons

UNITED ARAB EMIRATES is one of the few Arab states to have made an effort to deal with trafficking in women and children. Starting in January 2003, the UAE used DNA testing to identify “false parents” accompanying child camel jockeys to work on racetracks. More than 250 children were returned to Bangladesh and Pakistan in 2003, with arrests and prosecutions of many of the traffickers (USA, 2004: 35).

Policies to protect the human and economic rights of migrants

JORDAN is the first MENA country to address the problem of non-coverage of housekeepers by labour law. Starting with a memorandum of understanding between the Labour Ministry and UNIFEM²³ in 2001 concerning the sending countries of Nepal, India, Indonesia, the Philippines and Sri Lanka, a “Special Working Contract for Non-Jordanian Domestic Workers” was concluded after two years’ preparations (Jureidini, 2004a: 210). Several innovative provisions are worth mentioning (Jureidini, 2004a: 211):

- (1) the employer is fully responsible for the establishment and maintenance of the work and residence permits [in most countries of the region, the worker is legally responsible and will be arrested for any irregularities].
- (2) Clause 10 makes it clear that the employer “has no right to withhold the passport or any other related personal document” [in all Arab countries, employers confiscate the passports to keep their maids from running away].
- (3) Wages must be paid within 7 days of the due date, and receipts signed by both parties must be kept [there are even recorded cases of workers being paid up to 6 years late].
- (4) Clause 8 stipulates one day of rest per week, although not allowing the employee to leave the residence “without the permission of the employer” [ILO research indicates that in UAE not one housekeeper in their survey had even one day off per month, whereas in Lebanon, Kuwait and Bahrain the average was 1-2 days per month: these contrast with an average of 4-6 days per month in Costa Rica (Chammartin, 2004: 19)].
- (5) The contract stipulates minimum wages for domestic workers in line with the wages paid for equivalent work by Jordanian nationals [this removes the tiered salary structure on the basis of various nationalities] (Chammartin, 2004: 23).

²² Art. 1, para. 2, of Law 189/02, cited in Chaloff and Piperno (2004: 2)

²³ *United Nations Development Fund for Women*

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BAHRAIN legalised trade unions in 2002, although forbidding membership by housekeepers. In 2003, Bahrain issued its *First Human Rights Report*, which noted the exploitation of foreign domestic workers, and subsequently the Labour Minister initiated plans to organise work permit procedures for domestic workers. Also in 2003, the government announced a national plan to assist abused workers, especially domestic workers, including the provision of a help hotline and "safe houses" (Chammartin, 2004: 22).

SAUDI ARABIA

In 2003, the Shoura Council approved the formation of the *Saudi Human Rights Commission* and an independent human rights monitor, the *National Human Rights Association*. The Human Rights Commission has the task of investigating human rights violations against foreign workers (Pakkiasamy, 2004). In December 2004, the Labour Ministry established a new department to protect foreign workers from abusive employers, and according to the Minister has taken action against 30 Saudi employers for mistreatment of their domestic servants. The Ministry also has a policy of preventing employers who mistreat their workers from recruiting more foreign workers.²⁴

THE PHILIPPINES, despite its presence outside the MENA region, can be considered an important example of good practice in managing its emigration policy. The Philippines Overseas Employment Administration is a state agency that directly provides temporary labour to foreign employers or governments, and both workers and recruiters enter into a contract that is enforceable under Philippines law (O'Neill, 2004). The agency performs both surprise and routine inspections of 1.317 labour expert agencies, and provides training and skills tests for workers before they leave the country. Foreign Service officials are trained and actively involved in searching for, housing, and repatriating Philippine victims of trafficking (USA, 2004: 34). It is thought that the management of emigration has been particularly successful with Middle Eastern countries, owing to the emphasis of both partners on temporary contracts (O'Neill, 2004). The government holds foreign countries responsible for its migrant workers, and empirical research in the MENA region tends to support the claim that this policy has significantly benefited migrants' rights in the region. Other Asian countries without clear policy on their migrant workers [e.g. China, India and Bangladesh] are thought not to have been able to provide such levels of protection for their emigrant nationals.

Policies for the long-term integration of migrants

SAUDI ARABIA will be the first Arab country to develop a policy on integration of non-Arab immigrants. A forthcoming citizenship law²⁵ doubles the residence period required for eligibility for naturalisation from 5 to 10 years, but allows all nationalities²⁶ to apply and will not penalise applicants for extensive travels abroad over the qualifying period. The Interior Ministry is cited as estimating that some million 'expatriates' would be eligible: however, there will be preference given to qualified persons. In particular, holders of university degrees in medicine, computer science and other branches of science and technology will be given priority. The law will also facilitate foreign spouses more easily to acquire Saudi nationality.

²⁴ *Arab News*, 14 December 2004.

²⁵ Newspaper reports in *Arab News* [21 October, 2004] and *Khaleej Times* [19 October, 2004].

²⁶ It is thought that the law will exclude the estimated 500.000 Palestinians, however.

Policies for better migration management and economic development

ITALY has been slowly developing policy for encouraging economic development as a containment mechanism for emigration, with a particular focus on Morocco, Albania, Tunisia and Egypt: so far, only Albania has been judged a success story with the relatively small amounts of ODA provided by Italy (Chaloff and Piperno, 2004: 10-11). Italy has established some limited database registries for skills matching between potential employers and migrants: a pilot project with Albania recorded the training, skills and objectives of potential migrant workers. The same mechanism is scheduled for collaboration with Tunisia and Morocco. A more effective database for seasonal workers (SILES) allows employers to draw upon a pool of appropriate workers for rapid recruitment (Chaloff and Piperno, 2004: 4).

Two migration and development projects have been carried out, with Afghanistan and Senegal, with attempts to incorporate migrants as promoters of local development strategies. Another two ongoing projects are with sub-Saharan Africa and with Egypt. Both are co-ordinated by IOM. The former, in the framework of IOM's MIDA²⁷ programme, was launched in 2003 in order to define a strategy for resource mobilisation in the country of origin, utilising African nationals living in Italy. In particular, it aims to assist Africans living in Italy to set up micro-enterprises and job-creating activities in their country of origin, and to encourage remittances and other possible alternative mechanisms for money or resource transfer from diaspora (Chaloff and Piperno, 2004: 11-12). The second ongoing project (IMIS)²⁸ is designed to establish a demand and supply matching mechanism between Egypt and Italy, along with two other objectives: establishing mechanisms for turning brain-drain into brain-circulation, facilitating local investment by Egyptian diaspora, and analysing new opportunities for skills transfer, training and also increasing Egyptian product exports through the diaspora (Stochiero, 2004; Chaloff and Piperno, 2004).

Improvement in remittance mechanisms is intended as a future government initiative: so far, pilot projects between banks in Italy and Tunisia and Senegal offer not only cheap [€2,58 per operation] and reliable transfers, but also schemes to help with purchasing property (Chaloff and Piperno, 2004: 13). At the Italian regional level, schemes for migration and development are apparently much more developed. They include:

- workforce training, selection and recruitment
- mandatory and voluntary return
- projects to create local employment and reduce emigration pressures
- projects for the optimal use of resources

These activities have been targeted at the Mediterranean and Balkan regions – most notably, Albania, Yugoslavia, Morocco, Tunisia and Palestine. However, although there have been many highly successful small-scale experiments, the Italian regional co-development programmes have serious structural shortcomings, such as lack of continuity, lack of co-ordination between programmes, along with a lack of specialised staff and limited involvement of migrant associations (Chaloff and Piperno, 2004: 17).

²⁷ Migration for Development in Africa, IOM

²⁸ Integrated Migration Information System, IOM

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