

# Middle East's States Immigration and Labour Policies

**Mahmood Fakri**

75 Laurier Avenue East, Ottawa, ON K1N 6N5, Canada.

**\*Corresponding Author:** Mahmood Fakri, 75 Laurier Avenue East, Ottawa, ON K1N 6N5, Canada.

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## Abstract:

This essay explores the immigration and labour policies of Middle Eastern states, particularly within the Gulf Cooperation Council (GCC), and their detrimental effects on the rights and human security of migrant workers and refugees. It argues that these policies prioritize economic utility over humanitarian concerns, resulting in systemic exploitation, poor working conditions, and limited access to legal protections and social services. The analysis highlights the role of both state and non-state actors in perpetuating these issues, with special attention to the Kafala sponsorship system, gender-based vulnerabilities, and the exclusionary stance toward refugees. The essay concludes by recommending comprehensive reforms, including abolishing the Kafala system, enhancing labour laws and enforcement mechanisms, improving recruitment practices, and promoting social inclusion. Emphasis is placed on accountability, legal empowerment, and collaboration among governments, employers, and civil society to create a more just and sustainable framework for migration in the region.

**Key words:** labour migration; middle east; gulf cooperation council (gcc); kafala system; refugee policy; human security; exploitation; legal protection; migrant rights; social services; gendered labour; immigration policy; non-state actors; reform

## Introduction

The treatment of labour migrant workers and refugees in the Middle East has long been a concerning issue, with many states in the region frequently disregarding the fundamental rights of migrants. The restrictive immigration and labour policies and poor labour practices in these countries have created an environment that worsens the exploitation and insecurity experienced by migrant workers and refugees. This essay will discuss the Middle Eastern states' immigration policies that disregard the rights of labour migrants and refugees, undermining human security by offering lacking legal protections, poor working conditions, and limited access to social services.

The Gulf Cooperation Council states (GCC) design their immigration policies to address the labour needs of their rapidly developing economies. These policies prioritize hiring temporary foreign workers for construction, oil and gas, and domestic services. With the use of these workers, the states seek to benefit from their labour while reducing social and political impacts on the population. This approach, however, carries significant consequences as relying on a temporary workforce creates a system where workers often face dangerous employment conditions, limited rights, and restricted access to social services (Winckler, 1977). All of this can lead to the exploitation and social inequalities of labour migrants. The Gulf states also do not have opportunities for permanent residency or citizenship; this has migrants committing to work for the state without social incentives. While immigration policies effectively

address labour demands, they also cause challenges to social equity, workforce development, and social integration.

Non-state actors influence immigration policies; while the government sets the overall direction, visa agencies are responsible for everything that correlates with the recruitment process, giving them control over policies' implementation. Non-governmental organizations and foreign consulting firms also use their expertise to advocate for policy changes. Non-state actors also shape public opinion through media engagement and community outreach, indirectly influencing policy decisions. These actors exploit the gap between policy design and implementation, using their power to shape the migration flows in ways that serve their interests, which may or may not align with the government's stated objectives (Malit & Tsourapas, 2021). The government's failure to effectively regulate and oversee these non-state actors allows them to undermine the rights and security of labour migrants.

The lack of strong legal frameworks and enforcement mechanisms to protect the rights of migrant workers and refugees in Middle Eastern states is a significant contributor to the human security challenges they face (Wickramasekara, 2008). Many of these countries have limited labour laws and enforcement, leaving migrant workers vulnerable to exploitation, abuse, and poor working conditions. For example, the infamous kafala sponsorship system in countries like Saudi Arabia and the United Arab Emirates grants employers control over migrant workers, restricting their ability to change jobs or leave the country, effectively

trapping them in abusive situations. The lack of housing regulations has caused migrant workers to live in overcrowded, unsanitary, and lacking basic amenities (Awang, et al 2023). These legal protections and living conditions undermine the human security of migrant workers, denying them their rights to safe housing and other laws that nationals have.

Poor working conditions are a significant challenge faced by labour migrant workers in the Middle East. Many migrant workers face hazardous and exploitative working environments, enduring long hours, inadequate safety standards, and encountering little to no action against abusive employers. In construction and domestic work sectors, migrant workers often work under the threat of physical violence, withholding of wages, and restricted freedom of movement. Extreme heat, lack of access to water and breaks, and exposure to dangerous machinery and tools without proper training or protective equipment are common issues. These inhumane working conditions stem from improper labour laws that fail to support the rights of these migrants, trapping them in cycles of exploitation and vulnerability.

Employers often subject women migrant workers to a greater risk of abuse by employing them in informal sectors with few labour inspection services. The heightened vulnerability of female migrant workers worsens due to their limited access to legal and social services. Migrant women work as domestic helpers, caregivers, or in other informal occupations that are not covered by labour laws, leaving them without the basic protections that other migrant workers might have. Employers exploit these women due to the lack of legal regulations, imposing excessive working hours, withholding wages, subjecting them to physical and sexual abuse, and restricting their freedom of movement (Blaydes, 2023). Without any effective system to monitor their working conditions and report abuses, female migrant workers find themselves without rights and insecure.

The limited access to social services available to migrant workers and refugees in Middle Eastern states worsens their circumstances and feelings of insecurity. Depending on the employer, many labour migrants face denial of access to primary healthcare and social welfare programs, leaving them without any resources when they encounter illness, injury, or other emergencies (Awang et al., 2023). In addition, many migrant workers in the region earn extremely low wages that are insufficient to meet their basic needs, and they send whatever wages they receive back to their families. The lack of regulation set by the government on wages, housing, and healthcare leaves foreign labour migrants in vulnerable situations even before they arrive in the country. The Middle Eastern governments do not take the rights of labour migrants seriously, often viewing them as second-class citizens.

Middle Eastern countries have generally been less open and welcoming to new refugee populations, often viewing them as a threat to national security and social cohesion. This perception is particularly true for countries that have not signed the 1951 Refugee Convention, such as Saudi Arabia and the United Arab Emirates, which have been criticized for their restrictive refugee policies and reluctance to provide asylum. Even countries that have ratified the convention, like Egypt and Jordan, have faced challenges in adequately supporting refugees, such as those fleeing the Syrian conflict. The lack of a comprehensive regional approach to refugee management and concerns over economic and demographic impacts has led many Middle Eastern states to adopt policies prioritizing security and stability over the protection of refugee rights. Many of these refugees then are denied access to essential services and opportunities for self-reliance and integration. Many host countries provide limited social welfare programs and healthcare services for refugees, making it difficult for them to meet their basic needs. For example, Syrian refugees in Jordan have reported challenges in accessing healthcare due to high costs and administrative barriers, further worsening their access to healthcare (Al-Qadi, et al., 2023). On top of all of those difficulties, refugees are often treated terribly in their host countries as the

nationals will view them as intruders exploiting their social services and resources.

As mentioned, the Gulf states, which are more developed and have the capacity to host more refugees, have been unwilling to do so due to political and security concerns. Despite their substantial financial resources and strategic geopolitical positions, these states have faced criticism for their limited acceptance of refugees. Several factors contribute to this reluctance. Demographic concerns play a significant role, as Gulf states have comparatively small native populations to their expatriate populations, and an influx of refugees could upset this balance, potentially leading to social and political instability. The economic model of these states relies heavily on a large workforce of temporary migrant workers with limited rights, making the integration of long-term refugees incompatible with their system. Political stability is another crucial factor, as ruling regimes fear that refugees from conflict zones might bring differing political and religious ideologies that could threaten their control. Severe citizenship policies and a strong emphasis on preserving national identity also deter the GCC states from offering permanent settlements to refugees. Additionally, these states often prefer to provide financial assistance to support refugees in other countries rather than hosting them, maintaining their political and economic interests without the complexities of integration (Janmyr & Lysa, 2023).

While the immigration policies have effectively addressed labour demand, they also present significant downsides. The reliance on temporary workers often results in dangerous working conditions, limited rights, and restricted access to social services, making these workers vulnerable to exploitation. To address these issues, the countries could strengthen worker protection by implementing and enforcing stricter labour laws and regulations, ensuring fair wages, safe working conditions, and access to essential services for all workers, regardless of nationality. Moreover, creating more opportunities for long-term residency or pathways to citizenship for foreign workers who contribute to the economy and society could help attract and retain skilled workers while promoting social cohesion (Winckler, 1977). Investing in national workforce development programs to train and upskill the national workforce is also crucial, equipping them with the skills needed to compete in the job market and reducing reliance on foreign labour in the long run. Addressing these issues can lead to a more just and sustainable approach to immigration and labour in the Middle East.

Critical areas for more effective policies include reforming the Kafala system, which ties a worker's visa to their employer and creates an inherent power imbalance. While several Gulf states have made reforms, that is not enough; a complete shift away from this system will strengthen the security of migrants. Strengthening labour laws and their enforcement is crucial, with more transparent protections for migrant domestic workers' rights related to working hours, wages, rest days, and freedom of movement. Equally important is the enforcement of these laws to hold abusive employers accountable. Accountability in the Middle East is a term that is usually taken with a grain of salt since corruption and favours go hand in hand with justice. This lack of accountability complicates holding abusive employers accountable; the only way to solve this would be to restructure the laws. Improving recruitment practices is also essential, as exploitation often begins with high fees, misleading promises, and contract substitution. Empowering workers through accessible channels to report abuse, seek compensation without fear of retaliation, and provide legal aid and shelter is crucial to improving the rights of migrants. Additionally, educating workers about their rights and available resources is vital. Promoting integration and social inclusion by addressing discrimination and social stigma faced by migrant workers through cultural sensitivity programs and fostering greater understanding between migrant communities and host societies is also important. These solutions require effective collaboration between governments, employers, recruitment agencies, and civil society organizations.

It is important to remember that these situations do not apply to all labour migrants, as some employers treat them respectfully. The rest of the labour migrants in the Middle East work tirelessly for a less-than-decent wage that, in its entirety, is sent back to their families. The immigration and labour policies in place do not take in the rights of migrants, often seeing them as inferior to the native population, as evidenced by lacking legal protections, poor working conditions, and limited access to social services. This illustration of migrants as inferior goes on to systematically target their human security and rights.

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