

Labour Migrations to Resource-rich Countries: Comparative Perspectives on Migrants' Rights in Canada, Norway and the United Arab Emirates¹

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Abstract

This article compares migrants' rights and labour-migration policies of three resource-rich receiving countries located in the Persian Gulf, North America and Europe, respectively. The wealthy economies of Canada, Norway and the United Arab Emirates have emerged as some of the largest receivers of labour migrants. The comparative analysis herein focuses on distinctive characteristics of the different migration regimes and policies which regulate the rights of labour migrants. It is maintained that the countries we have explored could hardly be more different, and that the actual similarities with regard to migration policies are limited. Yet, we have still identified some surprising and unexpected converging trends. Specifically, these countries use some similar tools and exclusionary policies in order to restrict the legal status of certain categories of labour migrants, particularly low-skilled migrants.

¹ There are some inaccuracies in references in this version of the article. For correct references read the final version of the article published in IJMGR.

Keywords

labour migrations - low-skilled migrants - migration policies - migrants' rights

1 Introduction

Within the global migration system, Europe, North America and the Persian Gulf can be identified as the hot spots of the receiving parts of the system. In this article, we take these three regions as contextual points of departure, and we outline and compare the contemporary migration trends and policies in three natural resource-rich countries located in these regions. We have selected these three countries: Canada, Norway and the United Arab Emirates.² The selected countries have very dissimilar political systems and are embedded in different migration systems. Yet, they have one common feature: Their resource-rich economies have produced a large demand for foreign labour. The need for foreign labour is generated primarily via various spill-over effects from petroleum industries, and the wealth generated from the natural resources has been invested in other labour-intensive sectors, which attract the largest proportion of migrants. We intend to explore how these countries calibrate their migration policies in order to meet their needs for foreign workers. Among other things, it would be relevant to explore whether the quite similar long-term needs for foreign workers may result in certain similarities in labour-migration policies.

There are several distinctions that migration researchers often use as a starting position for their analysis; *inter alia*, they may distinguish between migration and integration policies. These categories are in several studies also linked to variations in the context of migration and reception.³ Here,

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² The selection of the cases is based on what might be called a combination of the “Most different” and “Diverse” case-selection methods; see J. Seawright and J. Gerring, ‘Case Selection Techniques in Case Study Research’, 61:2 *Political Research Quarterly* (2008) pp. 294-308; see also I. Bloemraad, ‘The promise and pitfalls of comparative research design in the study of migration’, 1:1 *Migration studies* (2013) pp. 27-47.

³ See J.L. Hochschild and P. Cropper, ‘Immigration regimes and schooling regimes: which countries promote successful immigrant Incorporation?’ 8:1 *Theory and Research in Education* (2010) pp. 21-61; see also S. Castles, H. De Haas and M. J. Miller, *The Age of*

researchers differentiate between inclusionary and exclusionary integration policies, and between indifferent, generous and restrictive contexts of reception.⁴ Several of the aforementioned distinctions and categories are also discussed in this article. Many studies explore migration policies and various outcomes of these policies.⁵ There is also a growing interest among migration researchers in contemporary labour migrations to the United Arab Emirates, Canada and Norway,⁶ the very countries that are also the focus of this article. Yet, only a few comparative studies exist that have the ambition to contextualise, contrast and compare labour-migration and integration policies and converging trends, if any, in the above-mentioned countries. This article represents an attempt at such analysis.

In this article, we scrutinise policies of the three countries within the framework of the three above-mentioned migration systems, and we provide answers to these closely interrelated research questions: What are the major characteristics, similarities and differences of the migration systems to which the three countries belong? What are the main elements, differences and outcomes of the policies that regulate labour migration in these countries? Can we see some converging patterns regarding the policies that regulate migrants' rights?

This article intends to provide an overview that will explore and compare consequences of the recent trend changes. The analysis is based on a review of relevant studies, policy documents, migration statistics and discussions with experts on migration in the three countries under study. The article is divided into three interrelated parts. In the first part of the article, the focus is on the current migration trends within the migration systems in which the countries are embedded. In the second part, we

Migration: International Population Movements in the Modern World, 5th Edition (New York: Palgrave MacMillan, 2014).

⁴ See D. Sainsbury, 'Immigrants' social rights in comparative perspective: welfare regimes, forms of immigration and immigration policy regimes', 16:3 *Journal of European Social Policy*, (2006) pp. 229-244; see also M. Ruhs, *The Price of Rights: Regulating International Labor Migration*, (Princeton, NJ: Princeton University Press, 2013).

⁵ See M. Ruhs and P. Martin, P. 'Numbers vs. rights: Trade-offs and Guest Worker programs', 42:1 *International Migration Review* (2008) pp. 249-265; see also Hochschild and Cropper, *supra* note 2; see also J. H. Friberg, J. Arnholtz, L. Eldring, N.W. Hansen and F. Thorarins, '[Nordic labour market institutions and new migrant workers: Polish migrants in Oslo, Copenhagen and Reykjavik](#)', 20:1 *European Journal of Industrial Relations*, (2014) pp. 37-53.

⁶ See D. Keane and N. McGeehan, 'Enforcing Migrant Workers' Rights in the United Arab Emirates', 15:1, *International Journal on Minority and Group Rights* (2008) pp. 81-115; see also P.T. Lenard and C. Straehle, '*Legislated Inequality: Temporary Labour Migration in Canada*' (Montreal: McGill Queen's University Press, 2012); see also Friberg et al., *supra* note 4.

compare migrants' rights and integration and migration policies of the three countries. Thereafter, we compare and discuss the migration policies with special focus on policy differentiations, migrants' human capital and the temporary-permanent (settlement) divide. It is observed that the actual similarities between the three countries are limited as they represent different political regimes, have different migration policies and composition of migrants, and are embedded in different migration systems. Yet certain similarities may still be observed. It is argued that these countries' policies differentiate between high and low-skilled labour migrants in line with Ruhs' *rights vs. numbers* trade-off hypothesis.⁷ We have also identified convergence between two of the three countries with respect to temporary programs for low-skilled workers. Moreover, all three countries are becoming more similar with regard to the rights of high-skilled workers. Here, the most unexpected finding is that Canadian programs for temporary low-skilled labour migrants share some common features with temporary labour-migration policies in the United Arab Emirates.

2 The Contextual Background: Natural-resource Industries and Immigration

Due to a series of economic booms, the United Arab Emirates, Canada and Norway have over a long period had a large need for labour migrants in different sectors of the economy.⁸ In Canada, 7.2 million people are migrants (foreign born) and they make up 22 per cent of the total population. In the UAE, there are 7.8 million migrants (foreign born) and

⁷ The rights vs. numbers trade-off arguments may be presented in the form of three hypotheses. First, it is assumed that a migration policy which allows easy entry and large numbers of migrants is associated with relatively fewer rights for migrants. The second assumption is that receiving countries will have less restrictive immigration policies for higher skilled than for lower skilled migrants. The third hypothesis is that higher-skilled migrants are given more rights than lower-skilled migrants; see Ruhs, *supra* note 3.

⁸ G. Brockman and K. Kjelstadli, *A history of immigration: the case of Norway 900-2000* (Oslo: Universitetsforlaget 2008); see also M. Kamrava and Z. Babar, *Migrant Labour in the Persian Gulf* (New York: Columbia University Press, 2012); see B. Barnetson and J. Foster, '[Political justification of employment-related geographic mobility in Alberta, Canada](#)', 15:2 *Journal of International Migration and Integration* (2014) pp. 349-370; see also Friberg et al., *supra* note 4.

they make up 84 per cent of the country's total population. In Norway 0.6 million individuals are migrants, and they make up 12 per cent of the total population of the country.⁹

The labour migrations in these three countries have had large implications for the resource industries. The natural-resource sectors employ sizable numbers of labour migrants, in projects such as large oil extraction-related projects in Abu Dhabi, building and oil and gas extraction from Norwegian oil and gas ridges in the Northern Sea, and the Sands Project in Alberta, Canada. In addition, Norwegian fisheries and agriculture are highly dependent on the foreign labour force. The Canadian forest industry, agriculture and mining also attract large numbers of labour who play an important role in the resource sector.¹⁰

In each of the three countries, the resource industries have in the last decades expanded in an unprecedented tempo. The local labour market could not meet the large demand for skilled and semiskilled labour. As a consequence, labour migrants become the crucial part of the labour-shortage solution. At the same time, there are connections between the natural-resource sector and labour migration through various spill-over effects as the revenues from petroleum industries and other natural-resource sectors are reinvested in other parts of the economy. Indeed, in the three countries labour immigration has served their expanding labour markets, and at different skill levels.¹¹

The United Arab Emirates, Canada and Norway are among the largest oil and gas producers in the world. Canada is the fifth largest oil-producing country and the third largest producer of natural gas in the world. The United Arab Emirates is the seventh largest oil-producing country in the world, and Norway is Western Europe's largest oil producer and the world's sixth largest producer of natural gas. The Canadian economy is to a lesser extent directly dependent on the oil industry, but Canadian natural resources-driven industries such as the petroleum industry, the forest industry and mining are major contributors to the Canadian economy and export revenues.¹² Yet, it is not the natural-resource sector but instead other

⁹See online at <http://esa.un.org/unmigration/TIMSO2013/migrantstocks2013.htm?msdo>, last accessed 1 June 2014.

¹⁰ See M. Beine, S. Coulombe and W.N. Vermeulen, 'Dutch Disease and the Mitigation Effect of Migration: Evidence from Canadian Provinces', 125:589 *The Economic Journal* (2015) pp. 1574–1615; see also Barnetson and Foster, *supra* note 7.

¹¹ See F. Faraday, *Made in Canada: How the Law Constructs Migrant Workers' Insecurity* (Toronto: Metcalf Foundation, 2012); see also Kamrava and Babar, *supra* note 7; Beine et al., *supra* note 8; see also Friberg et al., *supra* note 4.

¹² Norway is the third largest natural-gas exporter in the world and the fourteenth largest oil-producing country in the world, see <http://www.eia.gov/countries/>; see also online at <https://www.cia.gov/library/publications/the-world-factbook/rankorder/2241rank.html>,

segments of the economy that employ the largest proportion of labour migrants in the above-mentioned countries. The migrations are most visible in the United Arab Emirates (UAE). In the UAE, labour migrants from the Indian sub-continent constitute the majority in all segments of the labour force. They form a crucial part of the resource industries, construction work, agriculture and manufacturing – where they constitute between 84 and 89 percent of the labour force.¹³

In Norway, foreign employees from USA, Great Britain and France have had an important role in the early development of the petroleum industry.¹⁴ However, the new groups of labour migrants from the EU, which have dominated labour migration to Norway in the last decade, are not primarily employed in the petroleum industries. In the Canadian case as well, immigration has served the natural resource sector, also at different skill levels. In the Alberta province, where the energy industry is the larger employer, the oil industry has attracted large groups of temporary and permanent migrants. Yet, also in Canada the petroleum industries and natural-resource sectors are one among many other industries which employ large groups of labour migrants.¹⁵

One major driving factor behind large-scale labour migration to these countries are their resource-based, wealthy economies, with generally very high levels of economic activity and a corresponding need for foreign labour in several segments of economy. However, we have to emphasise that labour migrations to the three countries are contextualised in different ways. We may argue that due to differences in their political, economic, geographic and historical contexts, the countries are embedded into the three clearly different migration systems.

3 Migration Systems and the Regional Contexts

3.1 *Labour migrations to Norway*

In the last ten-fifteen years the migrant population in Norway has doubled from 6 to 12 per cent of the country's total population. European labour

last accessed 1 June 2014. The economies of both the UAE and Norway are highly dependent on the petroleum industry. In Canada, the natural-resource sector is also among the most important segments of the economy, see Barnetson and Foster, *supra* note 7.

¹³ See Kamrava and Babar, *supra* note 7.

¹⁴ See Brockman and Kjelstadli, *supra* note 7.

¹⁵ Beine, Coulombe and Vermeulen, *supra* note 8

workers have in recent years accounted for 60 per cent of the employment growth in Norway.¹⁶ The labour migration to Norway can partly be understood in light of Norway's historical and cultural ties with other Nordic countries, and partly in the light of its ties to the EU.

There is a long tradition of migrations between Nordic countries. Since the 1950s the Nordic countries have had a common labour market and free cross-border movement of people. In addition to historical ties and cultural and political similarities, the populations in the Scandinavian countries speak very similar languages. In sum, these factors have for years facilitated labour migrations between Nordic countries. In recent years, Norway has had the most expansive economy of this group of states, with the highest rise of income levels and the lowest unemployment level; this has attracted large numbers of migrants from other Nordic countries. There are approximately 60 000 Nordic migrants in Norway; most of them are born in Sweden and Denmark.¹⁷

Norway is not only a part of the Nordic migration system, but also a part of a larger European migration system, as the country is integrated in the common European labour market. Within this system, we may roughly distinguish between two categories of labour migrants: Those whose origin is from EU countries and those who are from countries outside the EU. Many countries in South and Eastern Europe attract large groups of low-skilled temporary migrants and irregular migrants from outside the EU.¹⁸ In Norway, only a few labour migrants are recruited from countries outside the EU. As is the case for other high-income countries in Scandinavia, Norway attracts and recruits primarily foreign workers from the parts of the EU with lower income levels and higher unemployment levels. In recent years, Norway has been the largest receiver of EU labour migrants among the Nordic countries.

As we can see from the figure, the largest groups of non-Scandinavian migrants in Norway come from these four countries: Poland, Lithuania, Germany and Great Britain. More than 150 000 migrants are from these countries. The extension of the EU's labour market and the inclusion of new member states from Eastern Europe, such as Poland in 2004, has had a large impact on Norway. As we can see from the table, the numbers of migrants from Poland and Lithuania have increased dramatically in the last decade. Since Norway is part of the EU's labour market, Norway's migration and integration policies that regulate migrants' rights are to a

¹⁶ See <https://www.ssb.no/innvandring-og-innvandrere/nokkeltall>, last accessed September 2016.

¹⁷ See <http://esa.un.org/unmigration/TIMSO2013/migrantstocks2013.htm?msdo>, last accessed 1 June 2015.

¹⁸ Valenta, *supra* note 12.

large extent influenced by the EU's political practices and regulations.¹⁹

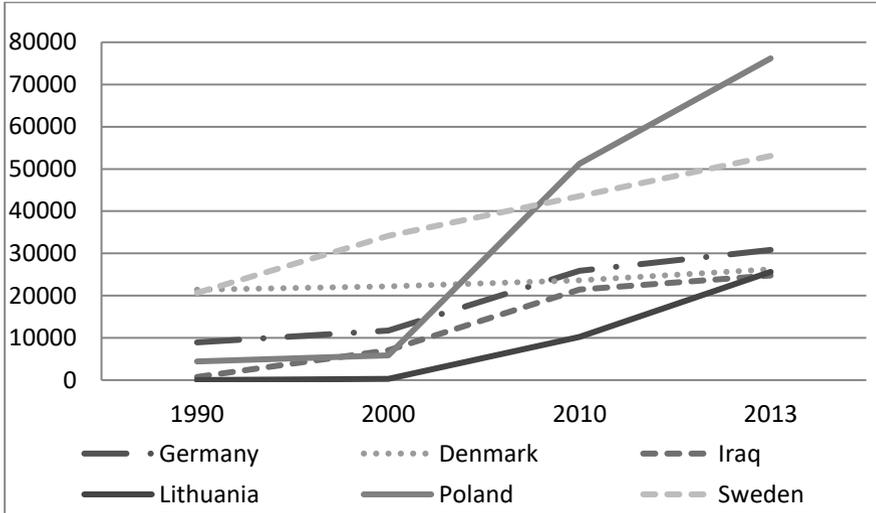


FIGURE 1 *Migrations to Norway, top sending countries (1990-2013)*

SOURCE: OWN COMPILATION, BASED ON UN DATA BASE

3.2 *Labour Migrations to the UAE*

The United Arab Emirates is also part of a large bloc of cooperating countries – the Gulf Cooperation Council (GCC). The GCC countries also include Saudi Arabia, Kuwait, Oman, Qatar and Bahrain. The whole GCC area is characterized by oil-rich economies which attract extremely high numbers of labour migrants. Like the EU zone, the GCC countries cooperate on multiple levels; this cooperation also includes liberal agreements regarding the movement of citizens of Saudi Arabia, the UAE, Kuwait, Oman, Qatar and Bahrain within the GCC zone. However, while large numbers of citizens of EU's member countries find jobs and thus resettle in other countries of the EU zone, we cannot see a similar trend in

¹⁹ A. Midtbøen, 'Citizenship, integration and guest for social cohesion: nationality reform in the Scandinavian countries', 3:3 *Comparative migration studies* (2015) pp. 1-15.

the GCC area.²⁰The levels of internal labour migration among citizens of the GCC countries are relatively low. In the GCC, formal restrictions hinder internal migrations of third-country citizens, but GCC citizens have the right to free movement within the GCC; this also includes the right to find employment in other GCC countries.²¹ Yet, although there are considerable differences in wage levels and unemployment rates among GCC countries, only very few citizens of GCC countries migrate to other GCC countries. It seems that employment in the public sector, with all the privileges it brings to the citizens in their own country,²² is regarded by the native labour force as much more attractive than the costs and risk of competing with the large pool of third-country nationals within the private sectors of other GCC countries.²³

While the internal migrations are relatively meagre, the GCC countries attract millions of labour migrants from the countries outside the GCC area. In the GCC countries the United Arab Emirates is the second largest receiver

of labour migrants, after Saudi Arabia, and the largest receiver of labour migrants in relative terms as 7.8 million of the country's 9.2 million inhabitants are migrants. The largest groups of migrants in the UAE are from India, Bangladesh, Pakistan, Egypt and the Philippines.

The migration system in the Persian Gulf has several notable characteristics. First, it includes oil-rich autocracies with relatively small native populations. These countries have experienced tremendous economic growth where extraction and export by the petroleum industry went parallel with an explosion in sponsorship based on labour migrations. The income differentials between the booming economies of the GCC countries and low-income areas of Southeast Asia have been an important generator of labour migrations in the Persian Gulf. There are also sizable labour migrations to the area from other Arab countries such as Egypt, Jordan and Yemen, where migrations may be explained with reference to several factors such as political instability, economic reasons, cultural ties

²⁰ See M. Valenta, 'A comparative analysis of migration systems and migration policies in the European Union and in the Gulf Cooperation Council Countries, *Migration and Development* (2016)

<http://dx.doi.org/10.1080/21632324.2016.1204804>.

²¹ See Z. Babar, *Free Mobility within the Gulf Cooperation Council* (Qatar: Georgetown University, Center for International and Regional Studies, 2011).

²² See S. Hertog, *Arab Gulf States: An Assessment of Nationalisation Policies*. (Florence: European University Institute 2014).

²³ Valenta, *supra* note 12, p.8

and common language.²⁴ Second, the scale of labour migrations in the Persian Gulf has resulted in the establishment of large migrant communities which now reinforce migrations through the process of ‘cumulative causation’ and ‘contextual feedback’.²⁵

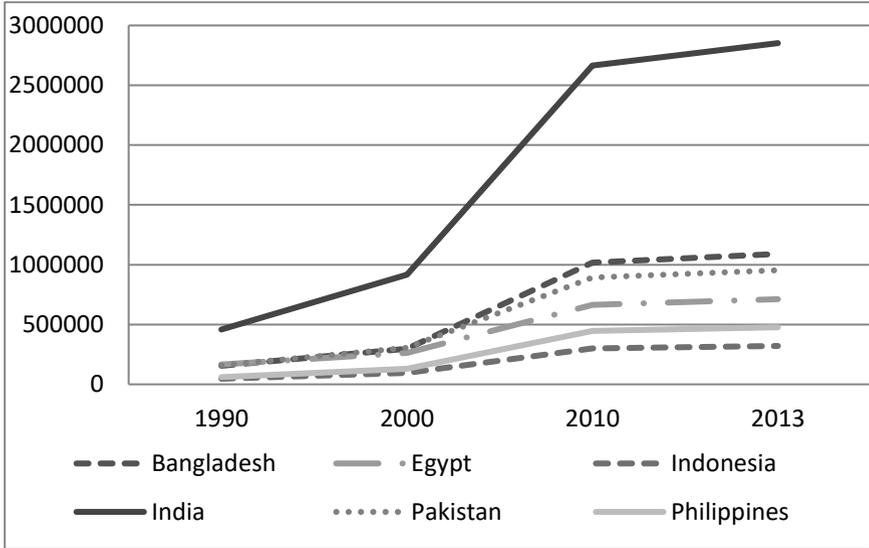


FIGURE 2 *Migrations to the UAE, top sending countries (1990-2013)*
SOURCE: OWN COMPILATION, BASED ON UN DATA BASE

In the United Arab Emirates (UAE), there are 2.8 million Indian migrants. This makes the Indian migrant population the largest migrant group in the country (see Fig. 2). The Indian community is actually larger than the total native population of the country. Such a large scale of migration has resulted in the culture of labour migration to the UAE and GCC area, which is facilitated via migrant networks, recruitment agencies and sponsors.²⁶ Indeed, there are few places on earth where migrations are of such scale as they are in some parts of the GCC area, and this has had a

²⁴ See G. Naufal, G. and I. Genc, *Expats and the Labor Force: The Story of the Gulf Cooperation Council Countries* (New York: Palgrave 2012); See also Valenta, *supra* note 12.

²⁵ For more on these concepts, see Castles et al. *supra* note 1.

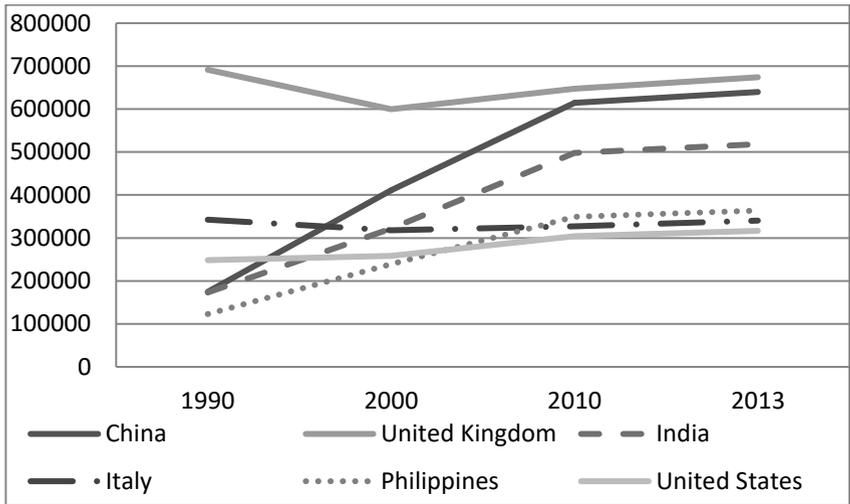
²⁶ Kamrava and Babar *supra* note 7; N. Vora, *Impossible Citizens: Dubai's Indian Diaspora* (Durham: Duke University Press 2013)

tremendous effect on the labour market of the UAE. In the Emirates, the numbers of migrants have far surpassed the number of UAE citizens, and 99 per cent of the employees in the private sector in the country are labour migrants.

3.3 Labour migrations to Canada

Contemporary migrations to Canada are also to a large extent linked to its geographic position and to the fact that the country has a long tradition of large-scale immigration.²⁷ Today, the largest migrant groups in Canada are from Great Britain, China, India, USA, the Philippines and Italy – the sending countries that for decades have been included in what we may consider as being part of the large North-American migration system.

Canada’s history of proactive recruitment of migrants through point systems and temporary foreign-worker programs – together with its unique location and wealthy economy – has gradually resulted in a specific migration system which not only attracts migrants from countries with close historical and cultural ties with Canada, but which also draws migrants from all over the world. One major channel for migration has traditionally been the point systems, which enabled immigration and permanent resettlement of high-skilled migrants to Canada. The recent increase of some migrant groups, such as migrants from the Philippines (see Fig. 3), is the result of immigration programs that are based on exclusionary policies and the recent growth in temporary migration programs.



²⁷ Castles et al., *supra* note 1.

FIGURE 3 *Migrations to Canada, top sending countries (1990-2013)*
 SOURCE: OWN COMPILATION, BASED ON UN' DATA

There are 7.2 million migrants (foreign born) in Canada, and 2.2 million of them are born in the above-mentioned countries. There are also considerably smaller but still sizable numbers of migrants from neighbouring USA, Jamaica, Mexico and other countries in Central and South America. In addition to a large foreign-born population, a long tradition of liberal immigration policy in Canada combined with inclusionary integration and naturalisation policies have resulted in a large (naturalised) population of immigrant origin. There are 5.7 million people in Canada who are so-called second generation (born in Canada of immigrant parents), representing 17.4 per cent of the total population. In addition, 19.9 million individuals can be characterised as third generation, accounting for 60.7 per cent of the total population. Regarding the migration system that Canada is a part of, it should be noted that the country does not share borders with large emigration countries. The United States is Canada's only neighbour, and it effectively functions as a buffer zone between Canada and poorer countries in Latin America. While illegal migrations via and from Mexico represent the major migration stream to the USA, contemporary migrations to Canada are dominated by overseas migrants and are predominantly shaped by permanent and, in recent times, various temporary migration programs.²⁸ To sum up: The migrant stocks in the UAE, Canada and Norway differ in origin and composition. In the UAE the largest proportion of labour migrants are desperately poor temporary low-skilled labour migrants from countries in Southeast Asia. In Norway, most labour migrants are from surrounding European countries. And in Canada, the point-based system has for years attracted large numbers of high-skilled migrants from all over the world.

4 Labour Migrants' Rights

4.1 *Migration and integration policies of Canada, Norway and the UAE*

Each of the three countries we compare in this article has specific policies

²⁸ Lenard and Straehle, *supra* note 5.

that define migrants' rights and a specific stance to the inclusion of migrants. Canada has for years combined proactive labour-migration policies with ideas of multiculturalism and inclusion through citizenship.²⁹ The immigration policies are calibrated with the intention to attract a large number of labour migrants with high human capital. The immigration policy has for years been embodied in the Federal Skilled Workers Program. The program is based on the point system where highly educated labour migrants, of a certain age and with good command of English or French as well as work experience, are preferred.³⁰ The Federal Skilled Trades Program, the Canadian Experience Class program and the Provincial Nominee Program are other major programs which enable permanent settlement of highly skilled labour migrants.³¹ Most of these programs are combined with a very liberal naturalisation policy and various services specifically created to facilitate the integration of immigrants in Canadian society, such as language courses.

Norway also has migration policies which are calibrated to attract 'specialists' from countries outside the EU. Visas and work permits for specialists are primarily directed to labour migrants with high education or professions which are in deficiency in Norway. Specialists may gradually obtain the right to permanent settlement and citizenship. In this way the Norwegian specialist stream is quite similar to the Canadian Experience Class program. However, few migrants in Norway arrive via the Norwegian specialist program. The vast majority of labour migrants in Norway are from countries in the EU, and according to EU regulations these people are entitled to seek jobs in Norway. Due to transitional regulations imposed in 2004 on EU migrants from Poland and the Baltic countries, and in 2007 on labour migrants from Romania and Bulgaria, migrants' rights to qualify for benefits were restricted. However, the transitional period ended in 2009 for migrants from Poland and the Baltic countries, and in 2012 for migrants from Bulgaria and Romania.³² Despite the transitional regulations, the influx of labour migrants from Eastern Europe has been quite high in the last decade (recall Fig. 1).

²⁹ It should be noted that labour migration is not the only type of immigration in Canada. The 'economic stream' of immigrants, which includes the skilled worker program, constituted in 2013 about 57% of all permanent immigrants. In addition, there are also a lot of 'family class' migrants and refugees that make up the total permanent immigration in Canada.

³⁰ For more on this topic, see <http://www.cic.gc.ca/EnGLIsh/immigrate/skilled/index.asp>, last accessed 1 June 2015.

³¹ For more on these programs, see <http://www.loc.gov/law/help/points-based-immigration/canada.php> [last accessed 1 June 2015]

³² Norway and other Scandinavian countries did not impose the transitional restrictions to labour migrants from the newest EU member Croatia, which joined the EU in 2013.

According to current Norwegian legislation, labour migrants from the above-mentioned countries, as any other labour migrants from countries in the EU, have rights to get assistance and support from a highly developed and very generous state-owned welfare system. After a certain period of time, all migrants from EU member countries may gain the right to obtain unemployment benefits in the same way as Norwegian citizens. Labour migrants from the EU may also settle permanently in Norway and apply for Norwegian citizenship.

While the Canadian immigration system tries to identify persons who are most likely to integrate into the Canadian workforce, the Norwegian labour migration system focuses on migrants' EU origin and, in the case of migrants from countries outside the EU, on their skills and employability. Nevertheless, both countries give large groups of migrants an opportunity to gain permanent settlement and citizenship in the receiving country. Canada has accepting laws regarding citizenship and permits dual citizenship. Immigrants with permanent resident status who have resided in the country for at least a three-year period may apply for Canadian citizenship.³³ Compared to Canada, Norway has a less liberal naturalisation policy as it does not permit dual citizenship.³⁴ Furthermore, in Norway, migrants who have stayed in the country for a total of seven years may apply for citizenship.³⁵ The dissimilarities are at least as big as the similarities.

Compared with policies in Canada and Norway, the United Arab Emirates have clearly different migration policies and a very different stance on the issue of inclusion of migrants. The Emirates has an immigration policy which has allowed the entrance of millions of labour migrants of all categories and backgrounds. As most other countries in the GCC area, the UAE has for years based its labour-migration policy on the sponsorship system, where a local employer functions as a sponsor (*kafeel*) to a labour migrant. Labour migrants are required to have the sponsor in

³³ See <http://www.cic.gc.ca/english/citizenship/become-eligibility.asp> [last accessed 1 June 2015]

³⁴ See Midtbøen, *supra* note 11.

³⁵ If the person is a citizen of a Nordic country it is sufficient that s/he has lived in Norway at least for the past two years. See <http://www.udi.no/Norwegian-Directorate-of-Immigration/Central-topics/Citizenship-Requirements-to-obtain-Norwegian-citizenship-by-application/#generalrequirements> [last accessed 1 June 2015]

the UAE,³⁶ and are bound by contract to the employer/sponsor for a certain period of time.

All labour migrants in the UAE are defined as temporary migrants as they cannot obtain a formal right to permanent settlement or UAE citizenship. However, a large proportion of migrants stay a long period of time in the country. It is possible to renew the contract or find a new sponsor when the contract period with the initial employer has expired, which has resulted in the establishment of large migrant communities in the three largest emirates – Abu Dhabi, Dubai and Sharjah. These communities include migrants who have lived in the country for years and a growing population of second-generation migrants.³⁷

In sum, the UAE combines a restrictive integration policy with an immigration policy that allows a large influx of migrants. The result is an extremely large migrant population in the country, but one which is forced to be in a state of permanent temporariness. However, it should be mentioned that under pressure from international organisations and other countries, authorities in the UAE have made several recent attempts to improve the position of labour migrants in the UAE.³⁸ For example, the new regulations have reduced employees' dependence on their sponsors, making it easier for employees to renew their visas and change their employer.³⁹ The authorities also introduced the Wages Protection System in order to monitor wage payments to labour migrants. In this way UAE authorities want to ensure that employers pay salaries to labour migrants according to the contract.⁴⁰

The three countries also have different stances to integration assistance provided to labour migrants, such as language training. Only Canada offers large groups of labour migrants language classes and pre-departure

³⁶ The sponsor pays the costs of employee visa. Different recruitment agencies, both in the UAE and in sending countries, play an important role as intermediaries and facilitators of labour migrations to the UAE. The recruitment agencies require fees from either employers or employees, or both, for their services. The costs of migration for migrants can be very high. In her study on the topic, Breeding found that agencies in India, the country from which the most labour migrants come, require from labour migrants between 800-1000 US dollars; see M. Breeding, 'India-Persian Gulf Migration Corruption and Capacity in Regulating Recruitment Agencies', in *Migrant Labour in the Persian Gulf*, edited by M. Kamrava and Z. Babar (New York: Columbia University Press 2012), pp. 137–54.

³⁷ Vora, *supra* note 17.

³⁸ This has been done in response to criticisms that this system has led to serious human rights abuses against migrants.

³⁹ For more on these recent changes, see <http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses>, last accessed 1 June 2015.

⁴⁰ Q. Tong and M. Al Awad, 'Diversity and Wage Inequality in the UAE Labor Market', *2:3 Journal of Economics and International Business Management* (2014) pp. 59-72

immigrant-integration programs.⁴¹ The pre-departure programs are offered in a number of cities across the world and language classes are organised by federal, provincial and territorial governments across Canada and are free of charge.⁴² Norway also has a large, state-sponsored program for integration, but labour migrants are not entitled to participate in such programs. Only refugees may participate in these programs, which include extensive language training.⁴³ If labour migrants want to learn the Norwegian language they have to pay tuition themselves.⁴⁴ In the UAE, migrants are presumed to be there for a limited time only; but still, sizable numbers of temporary labour migrants stay in the country for years.⁴⁵ However, the migrants do not get any public integration assistance so they have to rely on informal networks and charity organisations.⁴⁶ If they want to learn Arabic, they have to pay tuition themselves. Fig. 4 summarises the aforementioned features in the three countries.

⁴¹ See <http://www.cic.gc.ca/english/department/partner/bpss/ciip.asp>, last accessed 1 June 2015.

⁴² For more information on this topic, see <http://www.cic.gc.ca/english/newcomers/after-education-language.asp>, last accessed 1 June 2015.

⁴³ M. Valenta and N. Bunar, 'State Assisted Integration: Refugee Integration Policies in Scandinavian Welfare States: the Swedish and Norwegian Experience', 23:4 *Journal of Refugee Studies* (2010) pp. 463-483

⁴⁴ M. Valenta and Z. Strabac, 'State-assisted integration, but not for all: Norwegian welfare services and labour migration from the new EU member states', 54: 5 *International Social Work* (2011) pp. 663-680

⁴⁵ Vora, *supra* note 17; Tong and Al Awad, *supra* note 17.

⁴⁶ L. Kathiravelu, 'Social networks in Dubai: informal solidarities in an uncaring state', 33:1 *Journal of Intercultural Studies* (2012) pp. 103-119

Basic rights		
Canada	Norway	The UAE
<ul style="list-style-type: none"> -Authorities provide opportunity for permanent settlement and naturalisation of large groups of labour migrants who are selected on the basis of skills, among other criteria. -Authorities offer to large groups of labour migrants language classes and integration programs that are free of charge. -Settlement services are available to all permanent immigrants in Canada, not only labour migrants or 'economic migrants' 	<ul style="list-style-type: none"> -Authorities provide opportunity for permanent settlement and naturalisation of large groups of migrants that come from other Nordic countries and the EU. -Labour migrants from the EU gradually get social rights and the public safety net as any other person in Norway. -Labour migrants are not entitled to state sponsored integration assistance. 	<ul style="list-style-type: none"> -Exclusionary regulations dominate labour migration policies which deny labour migrants opportunity for permanent settlement and naturalisation. -Authorities do not facilitate integration of immigrants, and do not provide them with any kind of social safety net. -Migrants have to rely on solidarity of informal networks and charity organizations.

FIGURE 4 *Overview of migrants' rights*

What may explain the identified differences and similarities across the three countries? As already noted, they share one obvious major similarity: Helped by the natural-resources sector these countries have experienced long periods of economic growth, which caused a profound demand for foreign labour. The largest need has been in the UAE, as the country has had the greatest discrepancy between the small size of the local population and a tremendous need for a large labour force. The UAE, as is the case for most GCC countries, has met the demand via a large-scale temporary migration system, based on the 'high numbers-low rights' principle.⁴⁷ In Norway and Canada, most political parties and trade unions have opposed such policies. In autocratic Gulf societies, such as the UAE, there are, however, no trade unions, civil society or opposition political parties which might pressure authorities to restrict economic forces, though a number of international actors have been vocal in their criticisms. There are also other

⁴⁷ Ruhs, *supra* note 3.

factors which contribute to produce identified variations in migration policies. As we have already mentioned, countries' specific position in larger migration systems may also influence the national policies. Norway's links to the EU's free market and commitments to EU cooperation in this field has, for example, a direct effect on Norwegian labour-migration policies. Last but not least, the nuances in policies should be seen in light of differences in the countries' history. This includes their stance on human, civil and political rights; their demographic picture; their geographical location; their economic base; and their views on migration's role in nation building.⁴⁸

4.2 *Comparing Restrictions and Rights: Different Rights for Different Categories of Labour Migrants*

Our comparative analysis of the three countries under study has hitherto confirmed our expectation that they share few similarities regarding immigration and immigration policies. They do have a comparable economic base and all have attracted large numbers of labour migrants as their wealthy, natural resource-based industries have pumped money into their economies, consequently generating a large need for foreign labour. However, they have attracted different kinds of migrants, and they have regulated the influx and integration of migrants in different ways. These differences were expected, but can we still indicate any surprising and unexpected similarities? As we can see from the table presented above, Canada has the most liberal integration and naturalisation policy of the three. However, this rather rough overview hides several recent policy trends in Canada related to the diversification of migrants' social rights according to their skills.⁴⁹ The last section of this article is devoted to an analysis of the aforementioned restrictions in the three countries.

At first glance, Canada may stand out as an antithesis to the 'rights vs. numbers trade off' hypothesis, as the country for years granted extensive social rights to large groups of labour migrants. Closer analysis, however, reveals that Canadian migration policy, due to its focus on migrants' skills,

⁴⁸ A myriad of historical, political and socioeconomic factors and circumstances may have an effect on local policies. However, the more extensive discussion on how migration policies are linked to the aforementioned differences lies beyond the scope of this article. For more on these factors, see Brockman and Kjelstadli, *supra* note 7; See also Naufal and Genc, *supra* note 16; see also Valenta, *supra* note 12.

⁴⁹ See J. Fudge and F. MacPhail, 'The temporary foreign worker program in Canada: Low-skilled workers as an extreme form of flexible labour', 31:1 *Comparative Labor Law and Policy Journal* (2009) pp. 101–139; see also Lenard and Straehle, *supra* note 5.

is actually highly compatible with Ruhs's argument.⁵⁰ As we have already noted, Ruhs argues that receiving countries will be more open to high-skilled migrants than to low-skilled ones, with regards both to their migration policy and to rights given to migrants.⁵¹ Regarding policy differentiations according to labour migrants' skill levels, Canada stands out as a country which has instituted to the largest extent such differentiations in its migration and integration policies. For example, the Federal Skilled Worker Class Program is calibrated for admittance and integration of highly-skilled labour migrants with a focus on permanent settlement.

However, in recent years we see a sizable increase in lower-skilled migrants in Canada. Immigration of lower-skilled labour migrants to Canada is regulated via temporary migration programs. These programs actually share some common characteristics with sponsorship-based, temporary labour-migration programs in the UAE.⁵² We may distinguish between several large temporary migration programs in Canada. Temporary foreign-worker programs (TFWP) regulate labour migrations of low-skilled and high-skilled labour migrants. However, it is much easier for high-skilled temporary labour workers and nurses to obtain permanent settlement. Especially since 2006, there has been a large increase in the numbers of migrants who arrive through different temporary foreign-worker programs for low-skilled workers.

Low-skilled labour migrants come through different programs, and they do not have the same rights as highly-skilled labour migrants who migrate through the Federal Skilled Worker Class Program.⁵³ Among other differences, it should be noted that low-skilled and semi-skilled migrants may migrate to Canada only if they are offered a job by a local employer, and they may obtain a permit to settle only temporarily in Canada. Furthermore, temporary labour migrants do not have the right to bring their families to the country. Family members have to apply for a separate work permit for a specific job. In Canada, we can also distinguish between the Live-in Caregiver Program and The Low-Skilled Worker Pilot project (NOS). Labour migrants in these two programs get a permit to work in

⁵⁰ Ruhs, *supra* note 3.

⁵¹ *Ibid.*

⁵² The official view is that there are two types of 'low-skilled migrants' in Canada. One would be family members of skilled immigrants and refugees. The second type, the type that is increasing, is in the temporary foreign-worker program, which is perceived differently. This program has become extremely controversial; see Lenard and Straehle, *supra* note 5; see also Faraday, *supra* note 9.

⁵³ A. Reed, 'Canada's Experience with Managed Migration: The Strategic Use of Temporary Foreign Worker Programs', 63:2 *International Journal*, (2008) pp. 469-484; Faraday, *supra* note 9.

Canada for a maximum of four years based on a job offer from a local employer. Thereafter, only migrants in the Live-in Caregiver Program can apply for permanent residence. Migrants who arrive as a part of a general NOS program have to leave the country for four years before they can apply for another work permit.⁵⁴ In addition, there is a seasonal agricultural worker program where a work permit cannot exceed a maximum of eight months.⁵⁵ Furthermore, in the case of temporary lower-skilled labour migrants, employers are required to have specific labour-market justifications. Employers may recruit the temporary foreign workers only after demonstrating that no one among Canadian citizens and permanent residents has responded to an advertised position.⁵⁶ When the temporary worker is recruited, s/he is bound to the employer and cannot freely compete for jobs in Canada.

There are significant differences between Canada and the UAE regarding the level of respect for human rights accorded to low-skilled migrants. However, the above-described programs for low-skilled migrants in Canada resemble the labour migration regime in the UAE. Both countries regulate immigration of lower-skilled labour migrants via temporary labour-migration programs which deny migrants the right to permanent settlement. Furthermore, their policies restrict rights to family reunion, and they bind the employee to the employer for a certain period of time. It should be noted that Norway also differentiates between lower and higher-skilled migrants, although to a lesser extent. Traditionally Norway combined a restrictive labour-migration policy with a generous integration policy. With reference to Ruhs,⁵⁷ we might at first glance associate Norwegian migration and integration policies with a 'low numbers and high rights' approach. However, since 2004 Norway opened its borders to labour migrants from new member-states of the EU. As a consequence, the vast majority of labour migrants in Norway are EU nationals. The opening of the labour market was a consequence of a 'package deal' with the EU that included free movement of labour within the EU. The 'free movement' clause did not have any large practical

⁵⁴ The Low Skilled Worker Pilot project also has an agricultural stream where labour migrants may get a 24 months' work permit.

⁵⁵ See Lenard and Straehle, *supra* note 5; see also Faraday, *supra* note 9.

⁵⁶ The employer must get a certificate from the Employment and Social Development Canada ministry indicating the lack of a negative labour-market impact. However, the information available for making this determination is not extensive.

⁵⁷ Ruhs, *supra* note 3.

consequences until ex-communist countries from Eastern and Central Europe joined the EU. Since then, labour immigration to Norway has increased drastically (recall Fig. 1). The EU labour immigrants have free access to the Norwegian labour market and they may obtain permanent settlement, no matter what educational background they have. Due to EU regulations, the Norwegian case in practice deviates a bit from Ruhs' hypothesis. This is so considering that in Norway we find a high influx of migrants and a liberal migration policy combined with generous social rights without skill-related differentiations.⁵⁸

However, in Norway, as well as in all other European countries which comply with EU regulations, extensive formal rights are given only to migrants from the EU. Regarding labour migrants who are not EU nationals, Norwegian policy is in accordance with Ruhs' argument on links between rights, numbers and skills. Norway has a very restrictive labour-migration policy regarding non-EU foreign nationals; the country only allows programs for immigration of highly skilled non-EU foreign nationals, via the so-called migration program for specialists who may obtain a work permit based on a job offer from a local employer. In Norway, however, such diversification on the basis of human capital includes only the restrictions within the frame of migration policy. The authorities do not differentiate between labour migrants from the EU and labour migrants who are not EU nationals when it comes to integration policies. As a consequence, the few non-EU nationals who are admitted each year via the specialist program can gradually obtain extensive social rights in Norway.⁵⁹ All labour migrants, EU nationals and non-EU foreign nationals who are granted a permit to work in Norway may bring their families, get permanent settlement and apply for Norwegian citizenship.⁶⁰

The international comparison of trends in countries' policies related to rights and skills is outlined in Fig. 5. Ruhs's large comparative study of labour-migration programs concludes

⁵⁸ However, we may indicate other forms of right restrictions often faced by lower-skilled and semi-skilled labour workers from the EU. Although EU migrants have formal rights to settle permanently in Norway, a large proportion of low-skilled migrants from the EU seem to be employed through various foreign companies and staffing agencies. Foreign workers in Norway who are employed in foreign subcontractor companies and those who work in the informal sector do not enjoy the same protection as other categories of migrant and native workers in Norway; Friberg et al., *supra* note 4.

⁵⁹ As already noted, Norwegian migration policy is much more liberal to highly skilled specialists than to lower skilled non-EU foreign nationals, yet very few labour migrants come to Norway via the Specialist program.

⁶⁰ Labour migrants from countries outside the EU may bring their families to Norway if they can indicate that they can support them economically (their income must be of a certain level).

that such programs ‘in GCC countries and Southeast Asia place significantly more restrictions on migrant rights than programs in Latin America, Europe and North America’.⁶¹ Our analysis has in a way confirmed this argument as the UAE stands as a country with clearly more restrictions on migrants’ rights than Norway and Canada. As indicated in the figure, all migrants must come through the UAE’s sponsorship system, and all migrants are considered as temporary migrant-labour forces. Furthermore, no matter which educational background and human capital they have, labour migrants are not entitled to permanent settlement and cannot become the UAE nationals.

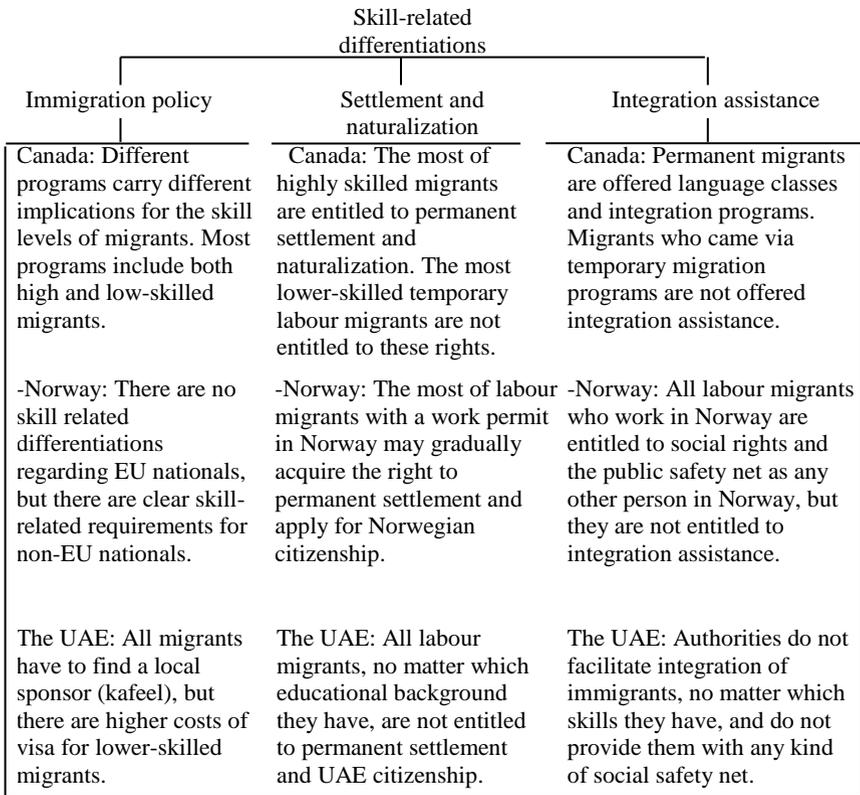


FIGURE 5 Comparison of labour migration policies with focus on rights and skills

⁶¹ *Ibid.* p. 89

Yet, higher-skilled labour migrants are in a much better position than low-skilled migrants. We have identified certain regulations in the UAE that differentiate labour migrants' rights with reference to their human capital. For example, the sponsor has to pay more for a visa for low-skilled labour migrants than for high-skilled ones.⁶² Furthermore, it is easier for highly skilled labour migrants than for lower-skilled migrants to change their employer without facing the risk of being banned from the UAE.⁶³ And finally, regarding accompanying family members, there are minimum income-related requirements imposed upon labour migrants who want to bring their family members to the UAE. According to UAE regulations, it is in theory possible for all categories of migrants to bring their families, but the minimum monthly income requirements for family visas are too high for lower-skilled labour migrants to effectuate this. As a consequence, the highly-skilled migrants, whose wages are considerably higher, are in a much better position to bring their families into the UAE. Due to the above-mentioned factors, highly-skilled migrants are in a better position to cope with restrictions imposed in the UAE's temporary labour migration system, and to adjust to a life based on more stable long-term temporality.

5 Conclusion

The wealthy economies of the United Arab Emirates, Canada and Norway have for years attracted large numbers of labour migrants, which has resulted in an increased interest, among both migration researchers and politicians, in discussions about labour-migration policies in these countries. Natural resource-based industries have expanded in the three countries in a swift tempo. The increased demand for labour and a shortage of domestic labour required the import of labour migrants of different skill levels. However, recent reductions in oil prices have a significant impact on the countries' financial base, which may result in a diminishing need for foreign labour. It remains to be seen what impact the oil-price changes will have on their immigration policies. However, it is clear that the resource-based economies have contributed and still contribute to the economic wealth of the countries as well as to increased consumption and

⁶² See Vora, *supra* note 17.

⁶³ See <http://www.thenational.ae/news/uae-news/new-law-will-make-it-easier-for-expatriates-to-change-jobs>; see also <http://gulfnews.com/business/general/uae-labour-bans-still-enforced-but-workers-can-apply-to-have-them-lifted-1.1195279>, last accessed 1 June 2015. The Ministry of Labour also recently decided that all categories of labour migrants will be allowed to change employers.

large projects in the construction-work sector, which uphold the need for large numbers of labour migrants.

In debates on labour migration, the GCC countries, including the United Arab Emirates, are usually associated with poor working and living conditions for the migrants.⁶⁴⁶⁵ Scandinavian countries, including Norway, are usually associated with their wealthy socio-democratic welfare regime and generous integration policies.⁶⁶ And Canada, for its part, is well known for its politics of inclusion, its multiculturalist ideology and its extensive point-based immigration system, which absorbs large numbers of highly skilled migrants. These general impressions of the three countries have been confirmed in this article. Yet, we also attempted to nuance and update the picture we have of the migration policies in the above-mentioned countries. At first glance the three countries have different policy practices regarding the rights vs. numbers trade off. It is maintained that many of above-mentioned descriptions still apply. However, we have identified some unexpected converging trends.

It was acknowledged that the countries could hardly be more different. They have different political systems and histories and are embedded in different migration systems. Nevertheless, the three countries have all had a substantial need for foreign labour, which we assumed has resulted in certain similarities in their labour-migration policies. Indeed, the expanding economies of resource-rich countries are eager to import a relatively cheap lower-skilled labour force. The authorities have responded by opening the door to large groups of lower-skilled migrants. However, in the case of Norway, a vast majority of lower-skilled labour migrants comes from EU countries, and these migrants are entitled to extensive rights as prescribed by EU regulations. Therefore, the convergence between parts of Canadian migration policies and the UAE's policies are more obvious.

Probably the most obvious converging trend indicated in our comparative analysis is related to Canada's temporary programs for lower-skilled migrants, which have expanded in the last two decades. Canada still has very inclusive integration policies for the large groups of higher-skilled migrants that are welcomed into the country, and there is still a clear

⁶⁵ D. Keane and N. McGeehan, 'Enforcing Migrant Workers' Rights in the United Arab Emirates', 15:1 *International Journal on Minority and Group Rights* (2008) pp. 81-115; see also Kathiravelu, *supra* note 26; Vora, *supra* note 17.

⁶⁶ Valenta and Bunar, *supra* note 23.

difference between the UAE and Canada as Canada offers a higher level of respect for human rights accorded to migrants. Yet, we have indicated certain similarities. In both countries, large numbers of lower-skilled labour migrants are offered only restrictive, temporary access to the labour market and to social rights.

There are at least two interpretations of the above-mentioned temporary programs for low-skilled migrants. On the one hand, some researchers point out that the promotion of the rights of existing migrants will work to the detriment of potential future labour migrants, as the promotion of such rights results in increased costs, both for employers and receiving countries. For example, Ruhs points out that the demand for a lower-skilled foreign labour force will decline due to increased costs, which in turn will result in more restrictive immigration policies.⁶⁷ According to this somehow provocative argument, it may be better to have a migration system based on selective, temporary access to labour market and social rights in the receiving countries than a migration system which is not open for *any form* of legal labour migrations of lower-skilled migrants from poor to wealthy countries.⁶⁸ On the other hand, labour-migration programs which restrict the social rights of lower-skilled migrants are highly criticised by researchers concerned with workers' and migrants' rights.⁶⁹ It is acknowledged that the above-mentioned policies of the receiving countries may result in lives lived in long-term temporality and uncertainty. At worst, such restrictions may lead to increased exploitation, and they may contribute to perpetuate and amplify social inequalities.

⁶⁷ Ruhs, *supra* note 3.

⁶⁸ According to the argument, any opening of the labour markets of wealthy countries to large groups of lower-skilled temporary migrants from low-income and middle-income countries may contribute to improving the socio-economic situation of large groups of migrants and result in the social mobility of entire families.

⁶⁹ Lenard and Straehle, *supra* note 5