



Migration Profile

UNITED ARAB EMIRATES

A. Executive Summary

Second-highest migrant destination country in the Middle East and the Gulf, the United Arab Emirates (UAE) is a federation of seven Emirates and is one of the most globally integrated countries in the Arab Peninsula. Pope Francis visited the country in 2019, celebrated a public Mass there and signed the *Document on Human Fraternity for World Peace and Living Together*, along with the Grand Imam of Al-Azhar, Sheikh Ahmad Al-Tayyeb. It was the first visit of a Pope to the Arabian Peninsula.

Despite active “Emiratization” policies aimed at replacing migrant workers with natives, especially in sectors such as banking and the government, the population of foreign nationals has continuously grown faster than that of native nationals over the last half century: international migrants now represent 87.9% of the total population of the UAE. Mainly relying on the *kafala* (sponsorship) system to recruit migrant workers, the country has led important efforts to reform it in recent years. Some of these labour reforms constituted great progress for the defence of migrant rights. However, law enforcement mechanisms and policy implementation have remained slow, and thus the impact of the reforms is still limited. Migrant workers, particularly those of low-income, have remained acutely vulnerable to forced labour and can still be subjected to poor living and work conditions and many forms of violation of their rights. Even if some reforms have improved the legal frameworks for domestic workers, many labour protections still do not apply to them and existing protections are poorly enforced; isolation in their place of employment add to their vulnerability. In fact, there is a marked discrepancy between legal frameworks, which have improved and are relatively protective, and the actual situation of migrant workers.

Since the start of the pandemic, there has been a systemic failure of the UAE to protect the rights of migrant workers and hold employers accountable for ensuring accommodation and food are supplied until employees can be repatriated. Hundreds of migrant workers became homeless; many now live in highly vulnerable situations, struggling to find enough to eat and pay their rent. Many are no longer able to send remittances back home to families who depend on them.

The UAE does not have an asylum system but generally respects the principle of *non-refoulement*. The country endorsed the Global Compact for Safe, Orderly, and Regular Migration as well as the Global Compact on Refugees in December 2018.

The Church is tolerated in the UAE; its nine parishes provide spiritual and pastoral support and its ten schools provide education to its mainly migrant faithful.

B. Country Profile

I. Basic Information

Bordering Oman and Saudi Arabia by land, and Qatar and Iran by sea, and located at a strategic location along southern approaches to the Strait of Hormuz – a vital transit point for world crude oil – the United Arab Emirates are constituted by seven Emirates that merged to create a federation of monarchies: Abu Dhabi (the capital), Ajman, Dubai, Fujairah, Ras el Khaimah, Sharjah, and Umm al Quwain. The current chief of state is President Khalifa bin Zayed Al-Nahyan, and the head of government is Prime Minister & Vice-President Mohammad bin Rashid Al-Maktoum.

One of the most globally integrated countries in the Arabian Peninsula, the UAE has an open economy which is the second largest in the Middle East, after Saudi Arabia. For more than three decades, oil and global finance drove the UAE's economy. Successful efforts at economic diversification have since then reduced the portion of GDP from the oil and gas sector to 30%.

From the start of the Covid-19 pandemic to 1 April 2021, the UAE had 462,000 Covid-19 cases and 1,500 deaths. It imposed a very strict lockdown in March and April 2020. It gradually re-opened its economy, including to foreign tourists, and quickly became an attractive destination with few movement restrictions compared to other countries. This caused a surge in the number of cases between the end of December 2020 and January 2021. The UAE started a vast vaccination campaign in January 2021.

II. International and Internal Migrants

Out of a population of 9,992,083, there were 8,587,300 international migrants in the UAE as of July 2020, accounting for 87.9% of the total population. As these figures suggest, the UAE has the highest number of migrants in relation to population in the world. Among international migrants, 26.3% were female and 15% were children (<18, UNICEF definition). As of 2019 the top countries of origin of migrants in the UAE were India (38%), Bangladesh (10%), Pakistan (9%), Egypt (10%), and the Philippines (6%). (The India-UAE migration corridor is the second largest in the world.) A further 20% came from the MENA region (excluding Iran), including from Egypt, Iraq, Jordan, Lebanon, Syria, Palestine, Sudan, Yemen, and other Gulf countries. An increasing number of migrants tend to arrive from East and West Africa. Migrant workers in the UAE sent USD 44.37 million in remittances to their countries of origin in 2017, making it the country with the second highest amount of remittances worldwide. In 2020 the net migration rate was estimated to be between 4.2 and 7.6/1000 people; the net migration number was estimated to be around 200,000.

The percentage of migrants working in the private sector is more than 96%. In Dubai alone they represent 95% of the workforce. They mainly work in construction, wholesale and retail trade, vehicle repair, manufacturing, transportation, storage, accommodation, and food service. At least 52% of all female workers (about 1,174,000), primarily from the Philippines, Indonesia, India, Bangladesh, Sri Lanka, and Nepal, are working as domestic workers in the UAE. In 2019, among Gulf Cooperation Council (GCC) countries, the UAE had the lowest proportion of primary-educated migrants (44%), the highest proportion (33%) of migrants with secondary education, and the highest proportion (16%) of migrants with tertiary education. Unlike in other GCC countries, around 25% of working migrants occupy managerial posts in all sectors. Still, around 70% of them are employed in low-income occupations.

Migrant workers are tied to employers through the *kafala* (sponsorship) system. Every migrant worker must have a “sponsor” to obtain a residence visa; this puts them in a situation of legal dependence. As a result, migrant workers – particularly low-skilled workers – often face abuses, including undue recruitment fees (placing them in a situation of heavy debt even before they depart from their country of origin); unpaid, incompletely paid, or delayed wages (despite the Wage Protection System –WPS); differences in terms of pay and/or work between the contract that was offered initially at the time of recruitment and the contract actually signed; precarious working conditions entailing risks for health and safety; freedom of movement restriction or denial by practices such as passport retention; forced labour (namely with unpaid overtime); wretched and unhealthy housing and living conditions; and inaccessibility of legal redress. Those who leave their employers without permission face punishment for “absconding,” including fines, prison, and deportation. Unlike UAE nationals, migrant workers cannot receive government allowances for housing, subsidized health care, or other services and are therefore dependent on their wages to access essential services.

Due to the absence of a mandatory minimum wage, migrants’ wages are typically low relative to the cost of living in the UAE. In general, migrants employed by small companies in construction or hospitality have worse working and living conditions than those employed by large companies. Domestic workers can face the worst situations of abuses: in particular, house confinement, workdays of up to 21 hours with no rest breaks, and, in some cases, physical and sexual assault by employers. They are excluded from labour law protections and face legal and practical obstacles to redress. Women are reported to be generally more vulnerable to these abuses than men. Along with low-skilled workers, they often come off worse when it comes to receiving the wages promised in their contracts. Women are also more likely than men to have paid unofficial fees to brokers in their countries of origin. In the hospitality sector, large proportions of women live in crowded rooms and must share a bathroom with as many as 12 or more persons.

Many migrant workers are fined for overstaying their visas and committing other immigration violations. Because most migrants are unable to pay such fines, many are held indefinitely in detention. Most remain in detention for anywhere from a month to more than a year. There are at least seven facilities used for immigration-related detention, and all except one criminal incarceration with immigration-related detention. One facility, the Dubai

Central Jail for Women, was reported to be detaining children alongside their mothers (2018).

As a result of the pandemic, the country's lockdown measures, and the fact that the UAE has changed its law to allow companies to break the work contracts of non-nationals, restructure contracts to lower salaries, and pressure workers to take unpaid leave, many migrant workers were left unemployed. Some migrants have organized protests (even if migrants do not have the legal right to organize or bargain collectively) after losing their jobs and receiving no payment of their wages. Many migrants have been unable to buy food and pay rent. Families back home have also been affected as remittances were reduced or completely ceased. Migrant workers also have had higher numbers of COVID-19 cases than the rest of the population, mainly due to their living conditions in labour camps where social distancing is impossible. While testing and treatment are free for all, migrants and nationals have unequal access to healthcare and hospitals. As for detained migrants, UAE prisons are often crowded and do not allow social distancing. Some 35% of detainees were released from Dubai's main prison to reduce the crowding. The government had decided to automatically extend visas to the end of 2020 for all foreigners whose visas would have expired after 1 March 2020, but the decision was rescinded to grant only a three-month grace period starting from 11 July 2020, after which fines accrued. The abrupt policy reversal negatively impacted migrants.

With no suspension of actual rental fees, landlords routinely threaten eviction. There are no homeless shelters for workers to turn to, and embassies and charities have been overwhelmed by the sharp rise in need as hundreds of workers have been rendered homeless primarily due to job loss and the reluctance of some countries to accept repatriations. Although UAE authorities have allowed repatriation flights to take place and have repatriated thousands of migrants, many countries have refused to allow their own nationals to return and have failed their citizens in the defence of their rights. Almost 30,000 foreign citizens had already been repatriated as of April 2020, including large numbers of domestic workers, almost half of them returning to Asia and Africa. Deported on cargo planes, some were reported to be displaying symptoms of Covid-19, although none had been tested for the virus.

Finally, 77,463 international students (44,429 of them from Arab countries) were also heavily impacted by Covid-19. In Dubai no relief was provided on payment of tuition or hostel fees, and students were reported to be struggling to pay for their accommodation, food, or tickets home.

III. Emigration and Skilled Migration

In 2019 there were 154,500 migrants from the UAE in the world, including Kuwait (26,875), Canada (16,689), Oman (16,584), the USA (12,219), and India (11,866). In the same year, 162 refugees and 191 asylum seekers were reported as leaving the UAE.

IV. Forced Migration (internally displaced, asylum seekers, refugees, and climate displaced persons)

As of 2019 there were between 1,247 and 2,800 refugees and 7,270 asylum seekers in the UAE. At least 161 refugees from the Arab region were reported to be in the UAE as of mid-2018. In the absence of an asylum system, estimates of the number of refugees are difficult to make, and their situations are difficult to assess. The United Nations High Commission for Refugees (UNHCR) is the main institution taking care of the status of refugees in the UAE.

Climate displacement: The UAE faced more climate-related risks (relative to other countries) in 2018 than it did on average between 1999 and 2017. The main climate-related risks in the UAE are related to water scarcity, lack of natural freshwater resources (compensated by desalination plants), land degradation, temperature rise, extreme weather, storms, sandstorms, flash floods (caused by heavy rains), and desertification. There is also the likely rise of sea levels and the concomitant shoreline retreat that is forecasted to happen in several decades in Abu Dhabi – threatening to submerge the city – and parts of Dubai. In 2017 there were 850 new disaster-induced displacements. In 2019 there were a further 220, of whom 20 were still displaced at the end of the year.

Cyclones can cause coastal flooding; there have been several evacuations. In May 2020, 4 people died in Sharjah due to flash floods.

V. Victims of Human Trafficking

According to the US Department of State Trafficking in Persons Report (TIP) 2020, the main trafficking crimes committed in the UAE are related to forced labour, such as passport retention, non-payment of wages, unpaid overtime, restrictions on movement, contract switching, fraudulent employment promises, substandard food and housing provisions, or a failure to meet other contractual agreements. For migrant workers, the *kafala* system restricts their ability to leave a position without prior notice. Lower-wage migrants employed in construction, services, and domestic work are more susceptible to exploitation under the *kafala* scheme.

Despite legal measures allowing workers to change sponsors or terminate their employment, some employers continue to exercise unilateral power over foreign workers' movements, deny laborers working illegally the ability to change employers, restrict permission for them to leave the country, and threaten employees with abusive legal processes, all of which heightens their vulnerability to trafficking. These vulnerabilities and the many abuses committed have led to reports of suicides among victims of trafficking.

Although illegal under UAE law, many source-country labour recruiters charge workers exorbitant fees in their home countries (outside of UAE jurisdiction), causing workers to start employment in the UAE indebted in their respective countries of origin, thereby increasing their vulnerability to trafficking through debt-based coercion. Despite new laws to prevent the practice, some employers continue the practice of contract-swapping, leading to less desirable and lower paying jobs for migrants after arrival in the UAE. Many Pakistanis are reportedly hired on promises that they will receive substantial salaries, medical benefits, and accommodations, but after reaching the UAE the promises go unfulfilled, with some discovering that the companies that hired them are fraudulent. The

UAE also serves as a trafficking hub where recruiters sell migrants to families who subsequently illegally transport them to other countries in the Gulf.

In most cases, the UAE allows for a visitor visa to be easily converted into a work visa. This allows workers to explore the labour market and scout jobs while in the country instead of entering into a contract from abroad. However, it also exposes them to a significant risk of trafficking. Indeed, traffickers often recruit victims from the large foreign population already in the country; they may deceive or compel a migrant worker who is in the UAE willingly on a tourist or work visa into forced labour or sex trafficking. Additionally, some laborers enter the UAE on tourist visas and start working for an employer who subsequently opts not to change the tourist visa to a work visa, thereby denying workers the possibility of legal residency. Migrant workers will sometimes start with one employer and, for various reasons including abuse or exploitation, low salary, or simple dissatisfaction with the job, will pursue other employment opportunities that ultimately prove fictitious, as traffickers in the UAE are adept at using manipulation to entice laborers with “higher salaries.”

Many migrant workers, especially domestic workers, security guards, drivers, gardeners, massage therapists, beauticians, hotel cleaners, or other service workers, are subject to forced labour or sex trafficking. Traffickers subject some women, predominantly from Central Asia, South and Southeast Asia, East Africa, Eastern Europe, Iraq, Iran, and Morocco, to sex trafficking. Most trafficking cases registered in the UAE are classified as sexual exploitation despite significant labour trafficking concerns.

VI. National Legal Framework

At the international level, the UAE has exerted important efforts in the global campaign against human trafficking and has ratified several international agreements related to migrants and victims of human trafficking: the ILO Forced Labour Convention; the Equal Remuneration Convention; the ILO Abolition of Forced Labour Convention; the Discrimination (Employment and Occupation) Convention; the Minimum Age Convention; the Worst Forms of Child Labour Convention; the Convention Against Transnational Crime & the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children; and the Optional Protocol to the Convention of the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

It has not yet ratified the ILO Convention on Migration for Employment; the ILO Convention on Migrant Workers; the ILO Convention on Private Employment Agencies; the ILO Convention on Domestic Workers; the Freedom of Association and Protection of the Right to Organize Convention; the Right to Organize and Collective Bargaining Convention; the Protection of the Rights of All Migrant Workers and Members of their Families Convention; the Protocol against the Smuggling of Migrants by Land, Sea, and Air (supplementing the UN Convention against Transnational Crime); and the ILO Protocol to the Forced Labour Convention.

The UAE engages in migratory diplomacy: it has signed memoranda of understanding (MoUs) with several countries to regulate the recruitment and employment of migrant workers and domestic workers, and to cooperate on combatting human trafficking. MoUs

were signed with India, the Philippines, Bangladesh, Tajikistan, Thailand, Ethiopia, the Gambia, Nepal, Pakistan, Armenia, Australia, Azerbaijan, and Indonesia.

In recent years the UAE has led several reforms concerning labour migration. These reforms have been fuelled by security concerns, pressures from human rights' protection bodies to improve the defence of migrants' rights, and the need to bolster citizens' employment ("Emiratization") and upskill the labour force to establish a knowledge-based economy in the country. To this end, big investors, entrepreneurs - with specific conditions - as well as high-performing students or specialists in the medical, scientific, technical, research, or creative sectors, can get long-term residency permits more easily than other migrants, and without a sponsor. In 2016 the UAE started to pass and began implementing labour law reforms that aimed to abolish the *kafala* system for migrant workers in an attempt to eradicate things like contract substitution and the abuse of migrant workers by employers, to better protect workers' rights to switch employers, and to prevent compulsory labour. Public-private management centres (*Tadbeer centers*), managed by the private sector under government supervision, started to replace recruitment centres for migrant workers beginning in 2018. Up to 250 recruitment centres closed and were replaced by *Tadbeer* centres (54 established in total). There are still around 10 recruitment offices operating. These *Tadbeer* centres are designed to provide integrated services, including the issuing and cancelling of work permits and contracts, housing of workers until they are hired, assisting in application processes, providing medical examination services, and issuing residence and identity cards. However, regulation, inspections, and enforcement of penalties for those who infringe on migrants' rights are still weak.

The government implemented a new insurance plan for migrant workers covering work injuries, overtime pay, airplane tickets, vacation allowance, and end of service benefits. Any employer or sponsor is required to provide health insurance to their employees and family. However, enforcement mechanisms still lack. Some reforms have also been adopted to overcome the language and translation issue, which is a major obstacle to the access of justice for migrant workers.

Since 2017 domestic workers have benefited from improved protections, including secured daily rest (at least 12 hours per day, including 8 consecutive hours), 30 days of annual paid leave, 15 days of paid sick leave and 15 days of unpaid sick leave, compensation for work-related injuries or illnesses, and more flexible contracts. Domestic workers have the right to terminate their employment if an employer fails to meet contractual obligations or if the employee is subject to sexual harassment or physical or verbal abuse by the employer. The same year, domestic workers were moved from the Ministry of Interior's jurisdiction to that of the Ministry of Human Resources and Emiratization. However, these reforms left protections for domestic workers weaker than the general labour law protections and fell short of international standards. Furthermore, the government did not strengthen regulatory enforcement of in-home inspections and workplace grievance resolution; sociocultural and legal barriers against government interference with private households continued to hamper monitoring and enforcement efforts of its domestic worker law.

The UAE is not a state party to the 1951 Convention relating to the Status of Refugees, nor to its 1967 Protocol; but in spite of the absence of a national framework regulating issues

related to asylum, the government respects international refugee protection standards, including the essential principle of *non-refoulement*.

The UAE legal framework provides protections for victims of trafficking. It criminalizes sex trafficking and labour trafficking and prescribes stringent penalties, including deportation for non-citizens. In 2019 the government continued to carry out its national action plan to address trafficking. It increased the number of sex trafficking prosecutions and doubled the number of sex trafficking convictions. Awareness campaigns were launched in strategic locations against sex trafficking. The government piloted its *wage protection system* (WPS) that included domestic workers' salaries for the first time, but issues remain, in part, due to design flaws with the systems themselves and poor enforcement mechanisms. The laws governing wages and benefits are not always clear; lower-income migrants in particular are least likely to be informed of the breakdown of their basic salaries and in-kind payments (such as lodging and food), as well as their overtime dues and entitlements. Furthermore, despite the fact that the law protects workers against ID confiscation, it did not stipulate penalties against employers who confiscated workers' passports, and this remains a pervasive problem. No convictions of labour traffickers were reported in 2019; the government tended to focus exclusively on sex trafficking crimes. Many cases potentially related to labour-trafficking violations were treated as regulatory violations, and no protective services for any labour trafficking victims were reported to have been provided. In addition, due to Covid restrictions, the government shelters for victims of domestic violence and trafficking have had to remain temporarily closed.

VII. Main Actors

International Organizations

The UAE is a member state of the United Nations and of the International Labour Organization; the latter works with the government to improve the governance of labour migration and to fight against human trafficking.

The Church

The Catholic Church is present in the United Arab Emirates. Islam is the official religion in the UAE, with 76.7% of the population being Muslim, 12.4% Christian, 6.5% Hindu, 1.9% Buddhist, 1.1% agnostic, and 1.4% of other belief. All benefit from the government's policy of tolerance towards other religions and beliefs. Catholics (almost exclusively migrants) are free to worship without fear of discrimination or persecution. The UAE falls within the Apostolic Vicariate of Southern Arabia (AVOSA), which counts about 1 million Catholics (of whom 700,000 are from the Philippines). The Apostolic Vicar and the team of priests, female religious, and numerous staff in the parish secretariats, liturgical ministries, catechetical programs, and family ministry services cater to the needs of the faithful distributed across the 16 parishes of the Vicariate. At the beginning of 2020, the Vicariate possessed 17 diocesan priests, 51 priests belonging to religious orders, 1 permanent deacon, 1 professed non-priest male religious, and 53 professed female religious. The *Jus Commissionis*, the responsibility to find mission personnel for the Southern Vicariate, was given to the General Superior of the Capuchin Franciscan Order worldwide.

In the UAE the Catholic Church has 9 parishes and holds 10 schools. The congregations that assist the parishes include the Rosary Sisters, the Carmelite Sisters of Saint Teresa, the Comboni Sisters, the Chaldean Sisters of DMIC, the Sisters of Saint Joseph of Chambery, the Sisters of Saint Paul of Chartres, and the Franciscan Missionaries of Christ the King. With their help, the parishes provide catholic education, catechism, pastoral work, counselling, and psychological and mental assistance, in numerous languages.

Due to the pandemic, Masses had to be suspended in March 2020, but dedicated teams maintained spiritual guidance for migrant workers, as well as pastoral assistance and support adapted to migrants and families of most nationalities.

VIII. Other Important Issues

The UAE endorsed the Global Compact for Safe, Orderly, and Regular Migration and the Global Compact on Refugees in December 2018.

In February 2019, during UAE's "Year of Tolerance", in response to an invitation by Sheikh Mohammed bin Zayed Al Nahyan, crown prince of Abu Dhabi, Pope Francis visited the UAE, delivered a public Mass (with around 120,000 Catholics attending), met privately with the crown prince, and attended an interfaith summit. It was the first visit of a pope to the Arabian Peninsula.

In 2019 at least 15,000 individuals who were born within its borders were stateless and had no access to a range of state services such as free education and health care. The UAE is not a state party to the 1954 Convention relating to the Status of Stateless Persons, or to the 1961 Convention on the Reduction of Statelessness.

On 21 December 2020, the UN General Assembly adopted a resolution, introduced by the representative of the UAE – as a response to growing religious hatred amid the Covid-19 pandemic – on behalf of several countries, declaring 4 February as the International Day of Human Fraternity (proposed by the Committee for Human Fraternity).

The UAE chaired the 13th GFMD Summit on the Future of Human Mobility: Innovative Partnerships for Sustainable Development, from 18 to 26 January 2021.

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