GLMM
Gulf Labour Markets and Migration

Irregular Migration in the Gulf States: What Data Reveal and What They Conceal

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BOOK CHAPTER

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III

Irregular Migration in the Gulf States: What Data Reveal and What They Conceal

*Françoise De Bel-Air**

Abstract: Since the late 2000s, all Gulf States have been conducting widely-publicised campaigns aiming at regularising foreign residents in irregular administrative situation, as well as clampdowns on so-called "illegal" migrants, detentions and deportations. Using the material gathered by the Gulf Labour Market and Migration (GLMM) Programme, the chapter presents, discusses and assesses datasets touching on the topic of irregular migration, available in Gulf country statistics. Part I presents methodologies, statistical and administrative apparatuses involved in the production of data, and discusses estimates available on undocumented migrant stocks in the region. Part II assesses the sources and the limits posed by datasets aiming at estimating flows of migrants in irregular situation to and from the Gulf States. Part III deals with their socio-demographic profile. The chapter concludes that data is scarce in most countries in the region. The various aspects of irregularity and the process of falling into this state cannot be traced with existing datasets. These focus on specific subpopulations constructed for the purpose of policy action: deported or regularised populations, border arrests, etc., hence fragmenting the stocks and flows of undocumented migrants in various categories, categories that are sometimes overlapping, or disconnected from each other. Available data thus have to be used with caution: political stakes

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are at play in the constructions and representations of irregularity and in the selection of the data released to the public. Defining irregularity as a clear-cut and stable phenomenon is impossible.

Introduction

Since the late 2000s, all Gulf States have been conducting widely-publicised campaigns aiming at regularising and facilitating the exit of foreign residents in irregular administrative situation, as well as clampdowns on so-called "illegal" migrants,[1] detentions and deportations. In this context, various sets of data have been released by the governmental bodies in charge of implementing these measures. However, data are still scarce. Moreover, available data have to be used with caution: providing estimates of migrants in irregular situation is fraught with political challenges, defining irregularity as a clear-cut and stable phenomenon is hardly possible, and many institutional logics and representations of irregularity are at play in the construction and selection of the data released to the public.

Using the material gathered in the framework of the Gulf Labour Market and Migration (GLMM) Programme, this chapter presents the various sources and types of data available in each country and discusses how they can help us estimate the size, structure and dynamics of irregular migrant populations in the Gulf States. Part I presents methodologies, statistical and administrative apparatuses involved in the production of data and discusses estimates available on undocumented migrant stocks in the region. Part II assesses the sources and the limits posed by datasets aiming at estimating flows of migrants in irregular situation to and from the Gulf States, and Part III deals with the socio-demographic profile of these migrant populations. Qatar will not be covered as no data could be gathered on these populations in the country.

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1. The chapter does not use the term "illegal" migrant. The terminology most suited to designate this category of migrant is currently debated in the press and among scholars and practitioners. We employ "migrants in an irregular situation," instead of "illegal migrant," as well as the less precise "undocumented" migrant (migrants do have documents, but not the right ones to be acknowledged as "legal" residents or workers), in order to avoid repetition. "Illegal" migrant may also be used with inverted commas in quotations from the Gulf press or official discourses on the issue.

Stocks

Methodology and Sources Available for Estimating Stocks of Undocumented Migrants

Estimates of the number of undocumented migrants have been produced with a range of different methods. In the European Union (EU), for instance, the following methods were used:[2]

- Residual methods compare regular migration data (taken from the records of relevant institutions dealing with non-EU citizens' residency and labour) with broader data sources, which cover all residents irrespective of their status (censuses and population registers, for instance).

- Survey-based methods aim to incorporate irregular migrants in survey samples, in order to improve weighting techniques and to ensure the better statistical representativeness of the sample.

- Capture-recapture methods adjust population biology techniques to estimate the size of a population from the repeated identification of individuals.[3]

- Multiplier methods make extrapolations for the total population from the share of irregular migrants in an observed sample group.

- Drawing of estimates based on regularisation data: evidence derived from such data is only a broad indicator of the extent of the phenomenon, for the following reasons: a) not all migrants in irregular situation can or do take advantage of the regularisation campaigns; b) regularised immigrants who are granted a short-duration work or residence permit risk falling back into irregularity; and c) the method runs on a closed-country assumption, while regularisations conducted in EU countries showed that migrants in irregular situation move to the country conducting the amnesty from neighbouring countries and try to benefit from the regularisation initiative (Jandle 2004: 7).

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2. See, for instance, the Clandestino research project on irregular migration to Europe: http://research.icmpd.org/research-home/projects/irregular-migration/clandestino/. The methods for estimating numbers of migrants in irregular situation in the EU were taken from CLANDESTINO 2009 and from Jandle 2004.

3. "At two specific moments in time and at one specific location, the population is being counted. The amount of population not present at that specific moment and location can be estimated by using the Poisson parameter and so the total population can be counted" (Jandle 2004: 5).

GCC sources for population estimates, hence making deductions possible on the scale of irregular migration, include:

- Records from sending countries' embassies;

- Population censuses;

- Population registers.

Embassy records and, more generally, sending countries' data on their expatriate nationals are usually inaccurate and of little help in pinpointing the numbers of migrants in an irregular situation. Registration of foreign residents in their diplomatic representations abroad is voluntary and some migrants never come in touch with their embassy for any administrative procedure: to register changes, or renewal of identity documents, for instance. Those who registered in the consular records may omit to signal their departure from the country. Consular records, therefore, comprise migrants who are not residing in that country any longer.[4] Sending countries' data more generally, also fail to capture citizens' movements. Most countries do not record border exits very thoroughly and register only the emigrants benefitting from governmental and bilateral labour schemes, who are a minority among migrants. Those who find employment directly from abroad, through personal networks, may not be counted. Even in countries which control departures to enforce laws pertaining to employment abroad, some migrants will, for example, forge or borrow identity documents, or emigrate to the GCC from other countries, in order to pursue their project.[5]

As regards censuses in the GCC states, they are conducted every ten years at best: the last census in the United Arab Emirates (UAE) dates to 2005; Oman, Saudi Arabia and Bahrain conducted censuses in 2010; Kuwait in 2011; and Qatar alone in 2010 and in 2015. As migration patterns change rapidly, censuses miss important intercensal events and dynamics. Moreover, quality assessment of census data in some GCC countries revealed discrepancies with other sources of population data. In Kuwait, for instance, a comparison between the 2011 census results and records from the Public Authority for Civil Information (PACI), the institution in charge of delivering civil identification (ID) document to each resident of the country, pointed

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4. It should be noted that in the Gulf, dual nationals (Gulf nationality + non-Gulf nationality) are very few: naturalisation in these countries is rare and, officially, GCC countries do not acknowledge dual nationality. In countries where naturalisations of migrants are common, consular records of sending countries comprise sizeable numbers of citizens naturalised in the host country, or nationals born in that country by virtue of the *jus solis*.
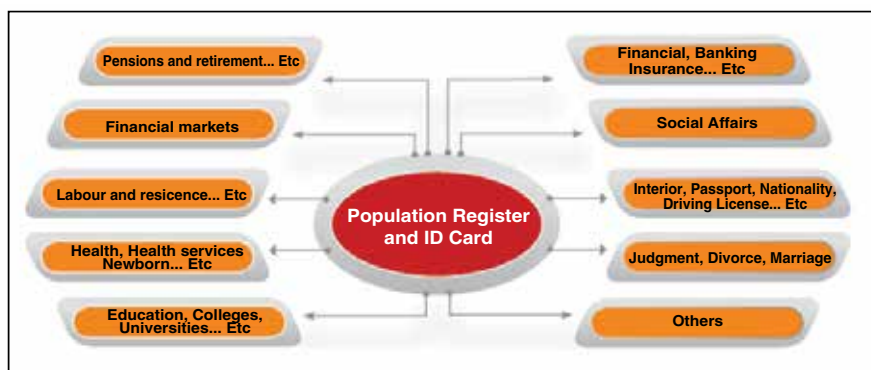
5. On the case of Nepal, for example, see Paoletti et al. 2014.

to a discrepancy of 491,680 non-residents between the two sources. The assessment of both sources meant a significant undercount of certain categories of persons in the censuses (domestic workers, expatriates in an irregular situation, for instance) (Shah 2014). Similar conclusions were suggested for Oman. Figures of expatriates recorded in the 2010 census (816,143) were markedly lower than the more plausible number expected for that same year, on the basis of the intercensal yearly estimates drawn from the Civil Registration System for 2004-2009 (about 1,162,000) (De Bel-Air 2015: 7-8).

Population registers, on the contrary, seem to be more likely to provide a comprehensive coverage of the foreign populations residing in the Gulf, including those in an irregular administrative situation. Indeed, the six GCC countries have just finalised or near-finalised comprehensive recording of every national or foreign resident in each country, within the realm of the "smart identity cards" compulsory delivery programmes conducted across the region since the mid-2000s including for newborns. The data recorded on each cardholder (biometric, demographic, pertaining to the migration and economic status and more) constitute a *de facto* population registry. Moreover, this register is updated in real time: arrival, departure, return, application for dependents' visas, birth of children, granting or change of labour permit, of sponsorship, change of address, etc. This is due to the centralisation of all information pertaining to the resident in one single institution in each country: the PACI in Kuwait; the Royal Oman Police; the Ministries of Interior in Saudi Arabia and Qatar; the Central Informatics Organisation (CIO) in Bahrain; the Emirates Identity Authority in the UAE. The last introduces its programme as follows:

> "In order to reduce the cost of establishing and maintaining similar or repeated database and simplifying the governmental measures and services for the population, the Emirates Identity Authority will link the Population Register with other ministries and corporations so that the Register becomes a central source for decision making in the UAE, the matter which supports the UAE to become a pioneer and leader in various development aspects. The below diagram reflects the integration between the Population Register and the most critical sectors in U.A.E."[6]

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6. Reproduced from EIDA website: http://www.id.gov.ae/en/emirates-id/emirates-id-strategy/population-register.aspx.

Source: Emirates Identity Authority website (www.id.gov.ae).

In a similar fashion for Kuwait,

> "The Public Authority for Civil Information - Kuwait (PACI) is the government agency responsible for maintaining all information on population and civil event registration (e.g. births, deaths and immigration) for Kuwaiti citizens and residents. The information collected is held in a central national database and is used as a basis to provide a number of applications known collectively as the Civil Information System (CIS)."[7]

In such a setup, living in an irregular situation becomes increasingly difficult for the migrant, who loses access to basic services:

> "A civil ID card is necessary for most civil and legal transactions, including a visit to the clinic or hospital, opening or operating a bank account, and renting a house. A valid civil ID is also proof of legal residence in the country. The civil ID is therefore a vital document for all residents." (Shah 2014: 4).

Additionally, in the aftermath of the Arab uprisings, the growing political instability in the Middle East and the threat of terrorist organisations further enhanced security concerns regarding the non-registration of expatriates or irregularities in their records. Identity-monitoring systems have been tightened: new generations of cards are now mandatory for every citizen and expatriates, and the renewal process highlights any irregularity. Police forces also run street and workplace controls to verify the registration of expatriates and the accuracy of their details.[8] The registration of migrant populations may thus become increasingly complete and allow the use of the residual method, for instance, in estimating the

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7. https://intercede.com/the_myid_system/who-needs-this/customer-case-studies/kuwait-national-identity-card/.

8. On Qatar, for instance: http://dohanews.co/moi-announces-overhaul-of-qatar-id-system/.

size of the irregular migrant populations. However, the multifaceted, transient, context- and time-specific nature of the phenomenon of irregularity undermines the significance of figures.

Available Data on Stocks of Irregular Migrants

Overall estimates of undocumented migrant stocks are provided only sporadically and by certain Gulf countries for amnesties and crackdown campaigns. Moreover, the methods and sources used by the government and other institutions to establish these estimates are never made available to the public.

Amnesty campaigns: Partial data. It might have been thought that improved identity-monitoring systems in most of the GCC allowed for better estimates of the numbers of migrants in an irregular situation. However, Table 3.1 suggests that the results of the last regularisation campaigns were clearly stated only in Kuwait.[9] The migrant stocks remaining in irregular situation are, thus, difficult to deduce from these partial data.

Table 3.1: Estimates of stocks of migrants in an irregular situation before and after latest amnesties (as of March 2016) (selected countries)

Country of citizenship	Amnesty dates	Estimates of migrants in an irregular situation before amnesty	Regularised cases		Remaining in irregular situation after end of amnesty
			Departures	Regularisation of status	
Kuwait (1)	March 1-June 30,	124,142	32,036	13,653	78,453
UAE (2)	December 4, 2012-Feb. 2013	61,000-135,000	61,826	?	?
Oman (3)	May 3, - October 28, 2015	47,000-50,000	23,653	?	?
Bahrain (4)	July 1 - December 31, 2015	61,000	10,125	31,894	18,981

Sources:

(1) http://gulfmigration.eu/record-of-residency-law-violators-having-benefitted-from-the-amnesty-ministerial-decision-20111054-and-estimation-of-the-residents-remaining-in-irregular-situation-by-country-of-citizenship-0107/.

(2) http://www.thenational.ae/news/uae-news/uae-amnesty-woos-more-than-61-000-illegals and Malit, F. T. and A. Al-Youha, "Labor Migration in the United Arab Emirates: Challenges and Responses," Migration Source, September 18, 2013. http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses.

(3) https://issuu.com/eshabiba/docs/t26-10-2015.

(4) http://www.bna.bh/portal/en/news/704370.

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9. The two figures presented in Table 3.1 for the UAE are 1) the "official" figure (as claimed in the press by government members, for instance), and 2) the "unofficial" estimates, as stated by Froilan Malit and Ali Al-Youha.

Saudi Arabia. Saudi Arabia is a peculiar case. In that country, estimates of the numbers of migrants in an irregular situation are not published by the official statistical bodies, save in very rare cases. In December 2012, for instance, Saudi authorities claimed in the press that up to five million migrants were working and residing illegally in the country.[10] As a matter of fact, the figures of foreign nationals retrieved from sending countries' embassies and published in the press in 2013, suggested between 13 and 18 million foreign nationals.[11] These figures may not be accurate: note the concerns explored earlier, about embassy records. However, the estimate of five million migrants in an irregular situation seems plausible given the official figure of 9.7 million non-nationals in Saudi Arabia mid-2013.[12]

A massive amnesty campaign was conducted between April 3 and November 3, 2013, followed by a clampdown on remaining undocumented migrants after the end of the amnesty. The results of the amnesty and the regularisation campaign (Table 3.2)[13] resulted in 9.9 million cases of administrative regularisations: for example, those working for someone other than their sponsor, hence contravening labour and residency laws,[14] were registered under the name of their actual sponsor (i.e., their current employer). One worker could perform several administrative operations on his/her status (for instance, change sponsor *and* regularise labour permits): therefore, the number of administrative regularisations does not allow estimates for the number of actual expatriates having benefitted from the regulation campaign. The Ministry of Labour also announced that 713,524 undocumented foreign nationals left the country. No indication is available for how they exited: forced deportations after detention, or by free choice "chosen" exit. Whether these populations actually left the country or were given an exit visa, for instance, is also unclear. A further 1,086,593 migrants were registered as runaways,[15] which does not note whether they were inside or outside Saudi Arabia.

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10. http://www.arabnews.com/saudi-arabia/shoura-tackle-problem-5-million-illegals-kingdom.

11. http://gulfmigration.eu/estimates-of-non-nationals-by-country-of-citizenship-saudi-arabia-november-3-2013/.

12. Published by the CDSI, and based on the results of census 2010.

13. http://gulfmigration.eu/saudi-arabia-amnesty-of-2013-april-3-to-november-3-number-of-work-status-corrections-by-type-and-sector-final-results/.

14. The sponsor is meant to employ the worker but also grants him/her the *de facto* right to residency.

15. Workers classified as "runaway" are persons who 1) absconded from their workplace but are thought to be still in the country; or 2) left on a "leave-and-return" visa but did not return.

Table 3.2: Saudi Arabia, amnesty of 2013 (April 3 to November 3): Number of administrative operations performed by type and sector (final results)[16]

Regularisation operation/ document/ Worker's final status	Private sector	Public sector	Domestic sector	All sectors
Change of profession	2,417,273	322	6,184	2,423,779
Transfer of services	2,512,041	2	103,237	2,615,280
Recruitment visas granted	570,242	26,691	338,508	935,441
Labour permits granted	3,890,916			3,890,916
Total administrative regularisations	9,390,472	27,015	447,929	9,865,416
Workers registered as runaway	1,034,265	538	51,790	1,086,593
Final exits	437,314	17,069	259,141	713,524

Source: Statistical Yearbook 2013, Ministry of Labour, Saudi Arabia.

The figures indicate the number of administrative operations performed, not of persons concerned.

The scarcity of data available on Saudi Arabia's irregular migrants thus poses a challenge in estimating final numbers. Moreover, Saudi Arabia is a major hub for population movements. Beside attracting workers, Saudi Arabia also receives millions of Muslim pilgrims every year, to the holy sites of Makkah and Madinah. In 2015, over two million came from abroad for the Haj (great pilgrimage) and around four and a half million for the Umrah (minor pilgrimage). Every year some of these pilgrims stay over in the country in search of job opportunities. Additionally, Saudi Arabia has thousands of kilometres of land and maritime borders, which facilitate unrecorded entries. The 1,800 km border with Yemen is considered particularly sensitive and Saudi Arabia resumed the construction of a fence between the two countries in an attempt to limit infiltrators. Ethiopians, Somalis and Eritreans can also cross the Red Sea to Yemen, in order to reach Saudi Arabia. The political chaos in Yemen that followed the collapse of Ali Abdullah Saleh's regime, and the ongoing war there, which began March 2015, also pushed Yemenis to go to Saudi Arabia or stranded them in an irregular position in the Kingdom: 463,562 of them were actually regularised in mid-August 2015,[17] with visitors' visas. In December 2015, 420,000 Yemenis had their visit visas renewed for six months.[18]

Sending states. Seen from the sending states, the difficulty of estimating stocks of nationals in an irregular situation abroad, and in Gulf States in particular, is aptly illustrated in the case of Ethiopia. Following the amnesty and deportation campaigns of 2013, in Saudi Arabia, the Ethiopian government was apparently expecting just 23,000 nationals to be deported back to Ethiopia (Frouws and Horwood 2014: 68).

16. Data and totals in Table 3.2 only indicate the number of regularised documents or situations.

17. http://www.alriyadh.com/1073976.

18. http://www.gdp.gov.sa/.

However, about 160,000 eventually returned to their country, which is indicative of the levels of irregular migration in the Gulf among certain nationalities. The Nepalese government, too, stated that most of the 20,000–25,000 female Nepalese domestic workers in Saudi Arabia were working there "illegally" in the late 2000s (Paoletti et al. 2014: 46).

A Special Case of Irregularity: the Biduns *and Stateless Persons in GCC Countries*

Stateless persons residing in the Gulf States constitute a special case as regards irregularity: they are not migrants, they are not nationals of any other state and they are denied the nationality of their country of birth. Some 100,000 stateless persons are said to live in the UAE,[19] about 80,000 in Saudi Arabia,[20] and 1,200 to 1,500 in Qatar.[21] As compared to the other countries' *biduns,*[22] the stateless of Kuwait had a peculiar fate. They originate from three broad categories: 1) those whose ancestors failed to apply for nationality or lacked necessary documentation at the time the 1959 Nationality Law came into force (these are mainly descendants of Bedouin populations); 2) those recruited to work in Kuwait's army or police force during the 1960s, who settled in Kuwait, along with their families (coming originally from Iraq, Jordan and Syria); 3) the children of Kuwaiti mothers and stateless, or foreign fathers – nationality in Kuwait being transmitted by patrilineal descent, the children of a Kuwaiti mother and non-Kuwaiti father [with specific nationality] inherit the father's nationality and are necessarily stateless if the father is stateless. Nevertheless, in spite of their statelessness, most of them enjoyed socio-economic privileges on a par with Kuwaiti nationals, and they were not considered to be illegally resident in the country until the mid-1980s.

Yet, as regional and domestic political tensions were rising during the period, they were accused of a double allegiance with enemy countries in the region, Iraq especially. After 1985, they were gradually deprived of all the socio-economic privileges they had shared with Kuwaiti citizens until then: employment on a par with nationals, access to free health and education, for instance. Moreover, their

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19. https://bostonreview.net/world/katie-cella-united-arab-emirates-stateless-citizens.

20. http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=4696388a1e&skip=0&query=statelessness&coi=SAU.

21. http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=510fb4d355&skip=0&query=statelessness&coi=QAT.

22. In Arabic: "without."

residency status was suddenly made illegal, placing them under threat of deportation.[23] During the year 2000, the *biduns* were deprived of the civil identity cards issued to citizens and legal non-Kuwaiti residents. The most recent "*Bidun* Committee," the Central System to Resolve Illegal Resident's Status, was set up in November 2010. According to the Human Rights Watch, 106,000 *biduns* who registered with the Committee between 1996 and 2000, were issued with security cards.[24] In February 2012, the Kuwaiti Government asserted that 93,000 individuals had been registered as "unlawful residents." Shortly after it was established, the Committee announced a five-year plan to resolve the *bidun* issue and declared that eleven "facilities" would be granted to all *biduns* in Kuwait whilst the plan was implemented (Council of Ministers Decision No. 409/2011 of March 6, 2011).

These facilities included access to free healthcare and medical care, the issuance of birth, marriage and death certificates, applying for a driving license and access to employment. Identity documents issued under this plan would include the term "non-Kuwaiti" in the slot for citizenship. However, anecdotal evidence from non-governmental organisations and the *bidun* community suggests that the granting of these facilities has been inconsistent. Most importantly, these stateless persons are still considered illegal residents (Home Office 2014, Beaugrand 2014; Refugees International & Open Society Foundations 2011; Human Rights Watch 2011). In Kuwaiti statistics, however, they remain unaccounted for, be it in the total figures for Kuwait and non-Kuwaiti residents, or in the official figures of undocumented migrants. They may only appear under the heading "non-Kuwaiti" in the nationality breakdowns of persons departing from Kuwait.

Flows

Characteristics of Undocumented Migrants' Flows

Flow data can take on several forms.

- There are "demographic" flows: births of children whose parents are in an irregular situation and deaths of persons in an irregular situation.

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23. In 1986 the government began to apply the Alien Residence Act to *biduns,* effectively re-classifying them as "illegal residents" (Refugees International and OSF 2011; Beaugrand 2011: 228).

24. Or better, "reference" cards, informally known as green cards, which display personal data including the registrant's name, address and date of birth. The reverse of the card states that "this card does not serve as proof of identity, and may be used only for specified purposes."

- Another case is the cross-border flows of undocumented migrants. The only proxy for such flows are the three following datasets. First, there are the police records of inflows of arrested "infiltrators." In the terminology used in the Gulf States, these are persons crossing international borders away from border posts and apprehended for lack of proper identification documents, entry permission or visa. These records are only available for Saudi Arabia. Second, there are police records that allow us to measure the outflows of migrants forcibly deported after they were arrested in an irregular situation inside the host country. The third kind of dataset records migrants in an irregular situation, being forced to exit after failing to regularise their administrative situation, or "deciding" to leave during an amnesty period (in order to avoid paying a backlog of fines, for instance). Their statistics may be published by Labour Ministries that conducted inspections on worksites with the police (Ministries of Interior) forces in most GCC countries. However, such data are most often released punctually, in the press.

- A third kind of flow data pertains to the modification of the expatriate's administrative status in the host country, from regular to irregular (or reverse) category. For example, a migrant may enter the host state with a valid visa and labour documents but may eventually work for someone other than his/her sponsor, work in an industry other than that indicated on the *iqama*, or his/her sponsor will fail to renew the documents on time. Conversely, some migrants in an irregular situation fix their status by paying the fines, or by achieving regularisations during an amnesty. Statistics on such cases are usually maintained by Labour Ministries (Saudi Arabia, Oman), by Interior Ministries (Qatar, UAE, Kuwait) and by the Labour Market Regulation Authority (LMRA) in Bahrain. As indicated in Table 3.1, these kind of data are not readily provided by these institutions.

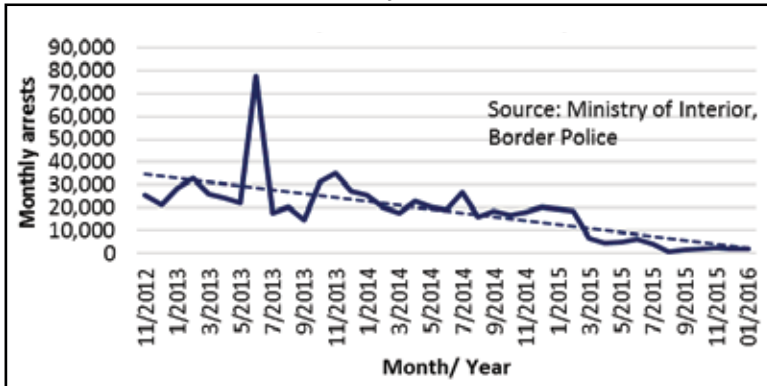### *Assessing the Data Available on 'Irregular' Migration Flows to and from GCC States*

Data on demographic flows (births and deaths of persons in an irregular situation) do not exist in separate published records of vital statistics in any of the six countries. As a matter of fact, persons in an irregular situation cannot obtain birth certificates for their children: in the UAE, for example, the parents' passports, visas, Emirates

ID, and medical insurance certificates are mandatory for obtaining this document.[25] The *de facto* stateless irregular residents face the same problem and the tightening of identity-monitoring systems makes the process increasingly difficult.[26] In Kuwait, the birth of the children of *biduns* who benefitted from the measures passed in 2011 are probably classified with those of non-Kuwaiti Arab nationals.[27] Using the estimates of cross-border inflows and outflows of undocumented migrants also raises a number of methodological and political issues.

Partial records of events. The main issue pertaining to this kind of data is that it only records the migrants in irregular situation who were arrested. These data, then, do not help us with the total numbers of infiltrators, or the general trends of infiltration. Figure 3.1 on Saudi Arabia illustrates this.

Figure 3.1: Saudi Arabia: Arrests of infiltrators by Border Police (Nov. 2012-Jan. 2016)

Source: Ministry of Interior, Border Police.

Apart from the spike of arrests in May 2013, the general trend of the numbers of infiltrators captured seems to actually be decreasing. Does this confirm that, since the 2013 crackdown on migrants in an irregular situation, increased border patrols and the new fence made it more difficult to enter Saudi Arabia or that migrants are using different routes or means to ensure their successful crossing of the border, while resorting in larger numbers to people smugglers, for instance? Bram Frouws and Christopher Horwood from the Regional Mixed Migration Secretariat (RMMS) suggest that this decrease in attempts to enter Saudi Arabia is due to a dip in the

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25. http://gulfnews.com/guides/family/how-to-register-a-birth-in-the-uae-1.1375738.

26. https://bostonreview.net/world/katie-cella-united-arab-emirates-stateless-citizens.

27. Vital statistics records from PACI: https://www.paci.gov.kw/STAT/SubCategories/Index? CategoryId=8.

number of new arrivals on Yemen's coasts from the Horn of Africa (Frouws and Horwood 2014: 37). Figures of arrests at borders thus tell us little about the larger picture of undocumented migrant numbers and characteristics.
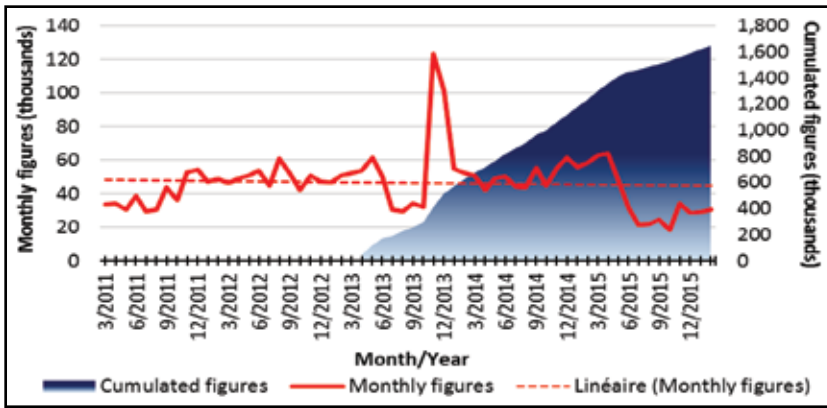
Regarding exits, information on the number of deportees is not part of the routine statistics of the sending-country databases, and, in any case, existing police records of deportations provide only a partial account of the outflows of migrants in an irregular situation. First and foremost, they evidently miss the movements of those who are not arrested, either inside the host country or while leaving it.

"Border spectacles." Second, deportations serve political purposes: the wide publicity given in the national media to police clampdowns, arrests and deportations proves this. Likewise, the construction of irregularity as an issue to be combated is a "border spectacle," a display of sovereignty enforcement addressed to nationals.[28] Figures of deportations performed, especially when released through the press, should therefore be used with caution. Indeed, the politicisation of deportations sheds light on operations conducted over a specific period of time, hence undermining longer-term dynamics: for instance, cumulated figures of deportations of migrants in irregular situation since April 2013 (the beginning of the "regularisation" campaign) amount to a stunning 1,648,798 migrants deported as of February 28, 2016. However, Figure 3.2 also highlights the relative stability of monthly deportations' figures over the five-year span of March 2011 to February 2016 (notwithstanding the peak in November and December 2013).

In Oman, too, in the run-up to 2015's "anti-illegal migrants" campaign and the deportation of 23,000 residency laws' violators, the Ministry of Manpower indicated that 15,885 arrests and 7,391 deportations of migrants in irregular situation had been performed in 2013, up from 7,694 arrests and 4,501 deportations in 2010. This proves the psychological effect of the widely publicised campaigns, which conceal longer-term dynamics and thus distort the perception of events (here, the movements of migrants in irregular situation).

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28. As suggested by Nicholas de Genova, the "border spectacle" emphasises migrant "illegality" and renders it spectacularly visible, and thereby "sets the scene – a scene of ostensible exclusion, in which the purported naturalness and putative necessity of exclusion may be demonstrated and verified, validated and legitimated, redundantly" (De Genova 2005; 2013).

Figure 3.2: Deportations of residents in an irregular situation from Saudi Arabia by month (3/2011 to 2/2016)
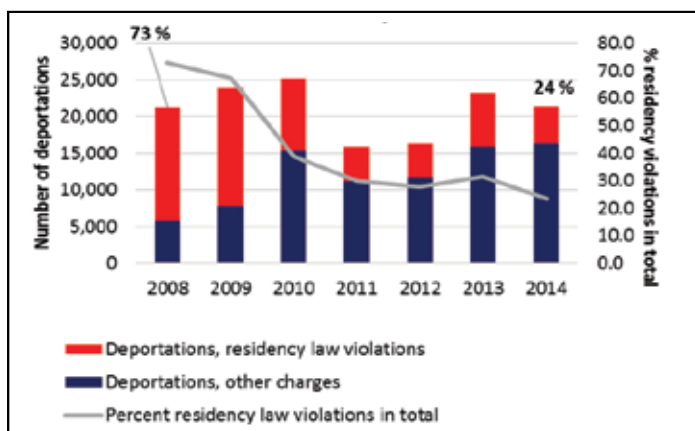

Source: Ministry of Interior.

Overlap of categories. Third, the term "deportation" is not usually defined and neither are populations included in the category. For example, the Saudi Ministry of Interior's records indicated that 665,960 deportations occurred during 2013 and 605,420 during 2014.[29] We have seen, too, that 2013's amnesty campaign gave way to 713,524 exits as announced by the Ministry of Labour. How many of these exits are classified under the category of "deportations"? Figure 3.2 on monthly figures of deportations indeed shows a peak in the last two months of 2013 (123,470 and 100,961 for November and December 2013, respectively). However, we do not know how to articulate the Ministry of Interior's figures with the ones summarising the outcomes of the amnesty, published by the Ministry of Labour. Deportation data are thus not only incomplete in estimating the movements of migrants in an irregular state, they are also probably flawed by an overlap of categories used by the concerned bodies (in the Saudi case, the Ministries of Labour and Interior). "Enforced deportations" and "final exits," are the overlapping terms used by the Saudi Ministries of Labour and Interior. This could lead to some double counting of exits.

Categorisation of migrants: migrants in an irregular situation vs. criminals. Fourth, those deported before and after the amnesty and crackdown periods, for irregular administrative status, are only a share of those deported routinely from those countries on a wide array of charges. The Kuwaiti Ministries of Interior and Justice

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29. See GLMM data: http://gulfmigration.eu/saudi-arabia-deportations-from-saudi-arabia-by-month-march-2011-february-2016/.

publish deportation statistics by category of charges, which include violations in residency laws.[30] However, Figure 3.2 highlights the following: the number of deportations was similar in 2008 and in 2014 (respectively 21,276 and 21,364), yet the share of the deportations conducted under "residency law violations" decreases steadily from 73 to 24% of all deportations between the two dates. This is puzzling, given the tracking down of migrants in irregular situation, implemented during the period in Kuwait. Moreover, these statistics record only 4,762 deportations for residency laws in 2011, while the four-month crackdown campaign alone resulted in 32,036 exits on similar charges. This must mean that the results of the massive 2011 crackdown on migrants in an irregular situation and overstayers are not included in these statistics. Exits which followed the crackdown operation are, as it happens, categorised as regularisations by departure, not as deportations.[31] The distinction between the two categories of exits for undocumented migrants is puzzling. We, nevertheless, see here the inconsistency of the category of "residency law violator" or "irregular" in administrative records. Similar movements may be categorised as criminal, or not, according to the context in which they take place (within, or outside the amnesty period) and the administrative purpose of the file recording the event (regularisation, or criminal registry). In any case, capturing all exits of migrants in an irregular situation would mean collating data from different sources.

Figure 3.3: Deportations from Kuwait by type of charges (2008-2014)

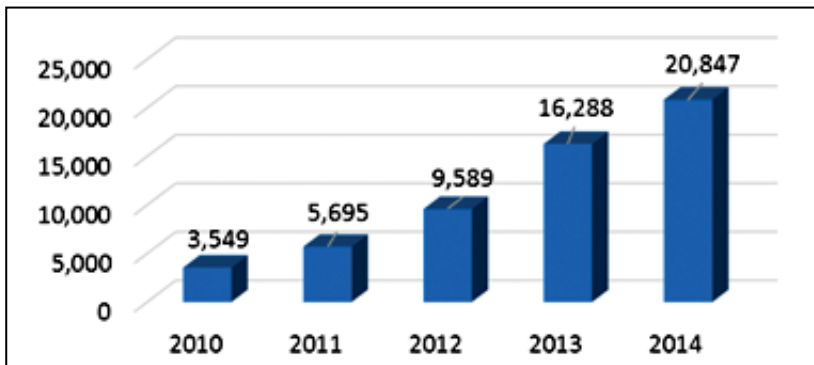Source: Ministry of Interior; Ministry of Justice.

30. http://gulfmigration.eu/kuwait-deportations-kuwait-type-charges-residence-law-violations-sex-deported-migrant-2009-2014/.

31. http://gulfmigration.eu/record-of-residency-law-violators-having-benefitted-from-the-amnesty-ministerial-decision-20111054-and-estimation-of-the-residents-remaining-in-irregular-situation-by-country-of-citizenship-0107/.

Data on status-related flows are very rare in Gulf statistical records. Kuwait publishes statistics on residency permits by type and holder's group of country of origin, which comprise data on holders of expired documents (overstayers) for a given date.[32] These include, therefore, migrants who have newly fallen into the category of irregular stay (overstayers only), and migrants who lost their legal status in earlier years. Disaggregated figures are not available. Figure 3.4 shows how increasing numbers of foreign residents have fallen into the category of overstayers since 2010: the number of recorded overstayers increased by 5.9 times over five years.[33]

Figure 3.4: Number of holders of expired residency permits in Kuwait (2010-2014)

Source: Ministry of Interior, Kuwait.

Considering that records from the Public Authority for Civil Identification allow the government of Kuwait, as noted earlier, to pinpoint the bulk of migrants in an irregular situation without arresting them, the increase in figures probably does not reflect the tightening of policies applied to undocumented migrants. However, the nature of the data, which merges flows and stocks, does not allow us to highlight the dynamics characterising this category. For instance, how should we view undocumented migrants? Are they a growing stock of migrants living hidden from police arrests as years pass, unable to fix their status or leave Kuwait? Or are they, alternatively, a continuously expanding flow of newcomers who fall into

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32. "Migration Statistics," Central Statistical Bureau, Kuwait's Ministry of Planning. The reports tabulate the Ministry of Interior's (Directorate of Migration) data on permits granted to foreign residents by type/ purpose of permit, sex and regional origin of holder.

33. The figures refer to foreign residents who are still living in Kuwait at the end of the reference year, but who were found contravening the law on residency by staying beyond the period allowed by their residency document.

irregularity and who are soon deported and replaced by new overstayers? Does the swelling of the numbers of overstayers reflect some jamming in the deportation procedures? These overstayers can, indeed, be: 1) still working for their employer/sponsor who did not renew the employee's documents; 2) in the process of renewing their documents; 3) detained, waiting to be regularised by the sponsor; 4) waiting to be deported, or 5) hiding away. No indication is available as to which measures are applied to the residency overstayers as a whole.

Changes of category from irregular to regular, usually happen during amnesty or regularisation periods, or when the sponsor fixes the situation of the employee. No data is available on this last topic and the scale of routine regularisations cannot be evaluated. Reports on the outcomes of regularisation campaigns are the only source of information on regularisations, but, as noted before, they are partial sources. Kuwaiti data in Table 3.1 indicated that hardly 11% of the recorded 124,142 migrants in an irregular situation, picked out in the 2011 amnesty campaign, were regularised, while 26% had their case settled by deportation. Sixty three per cent of the undocumented migrants remained in that situation. In Bahrain, regularisations were more generous when 52% of the approximately 61,000 unauthorised migrants shifted category and became legal, and 17% left Bahrain. Almost a third of all migrants in an irregular situation (31%) did not fix their status.

Socio-Demographic Characteristics of Irregular Migration

Very few data are available on the socio-demographic characteristics of undocumented migrants in the Gulf. Kuwait is again an exception. Records of the regularisation campaign of 2011, for example, give the nationality breakdown of these migrants before and after the campaign (Table 3.3). Three Asian nationalities (Bangladesh and India, first and foremost, then Sri Lanka) made up more than half of all migrants in an irregular situation, before and after the amnesty campaign.

Table 3.3: Kuwait, amnesty of 2011: Migrants in an irregular situation before and after the amnesty (top-20 most represented nationalities among undocumented migrants)

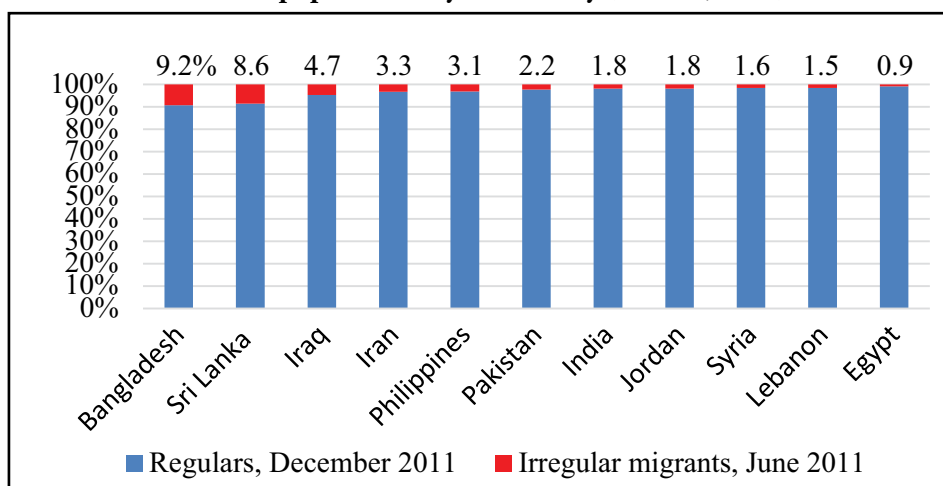| Country of citizenship	Residency law violators as of February 28th, 2011	Regularised cases		Remaining in an irregular situation after the amnesty
		Departure	Regularisation of status	
Bangladesh	26,019	4,891	1,271	19,857
India	24,433	9,585	2,664	12,184
Sri Lanka	16,267	4,969	916	10,382
Egypt	9,338	2,532	2,740	4,066
Indonesia	9,199	2,116	399	6,684
Philippines	7,498	2,055	1,006	4,437
Pakistan	5,225	1,366	1,051	2,808
U.S.A	4,117	131	72	3,914
Nepal	3,788	2,035	487	1,266
Syria	3,442	477	873	2,092
Ethiopia	2,055	732	582	741
Iran	1,961	164	304	1,493
Afghanistan	1,477	246	216	1,015
Jordan	1,342	89	274	979
Britain	1,027	14	17	996
Lebanon	961	69	228	664
Iraq	945	47	136	762
Turkey	544	20	18	506
China	421	101	40	280
Sudan	396	148	32	216
Yemen	330	48	60	222
other nationalities	3,357	201	267	2,889
GRAND TOTAL	124,142	32,036	13,653	78,453

Source: Ministry of Interior.

If added to available figures of migrants in a regular situation as of December 2011,[34] the figures for migrants in an irregular situation after the regulation campaign (mid-2011) seem relatively low (Figure 3.5). Data suggest than Bangladesh and Sri Lanka only have sizeable proportions of undocumented migrants (respectively, 9.2% and 8.6% of these nationals in Kuwait). The other nationalities (at least, those

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34. The date closest to the end of the regulation campaign, http://gulfmigration.eu/non-kuwaiti-population-by-migration-status-and-country-of-citizenship-of-holder-2011-some-nationalities/.

for which total numbers of regular migrants are available here), all, meanwhile, comprise less than 5% of nationals in an irregular situation. These low figures suggest that some migrants in Kuwait could have totally escaped registration at all stages of their entry and sojourn.

Figure 3.5: Estimates of the proportion of 'irregular' migrants in selected populations by nationality (Kuwait, 2011)

Source: Ministry of Interior, Kuwait.

Kuwaiti data[35] also indicate that migrant residency permit overstayers were mostly employed in the private sector (21% of all overstayers) and in the domestic sector (61%) in 2014. By comparison, "only" 42% of overstayers were recorded in the domestic sector in 2010.[36] Moreover, data also tell us that nationals from African countries make up 21% of all recorded overstayers (5,219) in 2014, a tremendous hike since 2010 when they made up only 2% of expired residency holders (79 migrants). Asian nationalities make up 65% of all recorded overstayers.[37] This information is consistent with the concentration of expired residency holders among domestic helpers, who are most often from Asian countries: the Philippines,

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35. "Migration Statistics," Central Statistical Bureau, Kuwait's Ministry of Planning. The reports tabulate the Ministry of Interior's (Directorate of Migration) data on permits granted to foreign residents by type/ purpose of permit, sex and regional origin of holder.

36. http://gulfmigration.eu/kuwait-foreign-residents-overstayed-legal-period-residence-typep-urpose-expired-residency-permit-2010-2014/.

37. http://gulfmigration.eu/kuwait-foreign-residents-overstayed-legal-period-residence-nationality-group-2010-2014/.

Sri Lanka, Indonesia, and, to a lesser extent, India, as well as from Sub-Saharan Africa, particularly from Ethiopia.

Deportation figures recorded in Kuwait are also the only source of data regarding the gender distribution of this specific sub-category of migrants in an irregular situation. Table 3.4 indicates that the gender gap is progressively closing as regards deportations, but men outnumber women among deportees under charges of violating residency laws.

Table 3.4: Deportations from Kuwait (residency law violators; all charges), by sex (2009-2014)

Year	All charges		Residency law violations	
	Males	Females	Males	Females
2009	16,021	7,928	11,228	4,937
2010	16,651	8,498	7,694	2,089
2011	8,894	7,027	3,403	1,449
2012	7,824	8,400	3,270	1,252
2013	12,373	10,931	5,778	1,590
2014	11,184	10,180	3,898	1,139

Source: Ministry of Interior; Ministry of Justice, Kuwait.

Conclusion

The chapter aims at presenting, discussing and assessing datasets touching on the topic of irregular migration, available in Gulf country statistics. Be it to estimate the stocks, flows, or socio-demographic characteristics of migrants in an irregular situation, data are still inexistent or scarce at best, in most countries in the region. Moreover, the various aspects of irregularity and the process of falling into this state cannot be traced with existing datasets. These focus on specific subpopulations constructed for the purpose of policy action: deported or regularised populations, border arrests, etc., hence fragmenting the stocks and flows of undocumented migrants in various categories, categories that are sometimes overlapping, or disconnected from each other.

This confirms the elusive nature of irregularity: its multifaceted, transient, context- and time-specific nature, which undermines the significance of figures. Political stakes, the logic of public action and the limits of administrative body task-descriptions all contribute to selecting specific populations and to shaping categories of populations: "who counts [matters] depends on who counts [enumerates]"

(Zarkovic Bookman 1997: 71). Migrants in an irregular situation may be viewed either as criminals to be deported, or as victims deserving regularisation.

However, the more data that is made available to the public, the more metadata can be shared, and the better we will understand migration. This requires, nevertheless, different methodologies (field surveys, collation of administrative records), and, most importantly, it means that we must turn away from the ever-tightening security approach to migration currently adopted by Gulf countries.

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SKILFUL SURVIVALS: IRREGULAR MIGRATION TO THE GULF

The Gulf States are among the most sought-after destinations by global migrants. Part of this migration is irregular, due to five main causes: entering without a proper visa; overstaying after a visa or residence permit has expired; being employed by someone who is not the sponsor; absconding from a sponsor; and being born in the Gulf to parents with an irregular status. The treatment reserved for migrants in an irregular situation marks out the Gulf States. Arrest and detention are widespread practices in spite of constitutional guarantees against arbitrary imprisonment. Staying without a proper visa or absconding from a sponsor is regarded as a criminal act, and foreign nationals who commit such acts are detained in the same prisons as common law criminals with no clear right of recourse. Domestic workers, most of whom are women employed by private households and, therefore, not protected by labour laws which in the Gulf apply only to businesses, are particularly subject to arbitrary sanctions and jail.

Lived experiences suggest that migrants may not see their irregular status as being disastrous. Many, in fact, are willing to perpetuate this situation, despite their awareness about possible arrest, jail term, and deportation. A theme that emerges repeatedly in interviews indicates the lack of options open to migrants elsewhere, including their country of origin. Migrants in an irregular situation learn to negotiate the formal and informal spaces and systems they encounter. Most irregular migrants seem to share one characteristic: resilience. As their stay in the Gulf lengthens, they gather enough capacity to exercise their agency to achieve a skilful survival in the face of adversity. A wide-ranging system of mutual benefits constituting win-win situations for varied actors enables and perpetuates irregular migration.